

## SOCIO-ECONOMIC STATUS OF MUSLIMS: A STUDY IN PILIBHIT (UTTAR PRADESH)

*Mohd. Muzammil*

**Abstract:** *Socio-economic status of North Indian Muslims has always been poor because of educational and economic backwardness. This paper, based on a commissioned study, takes a look at the poverty stricken Muslims of Pilibhit district in Uttar Pradesh. It presents a representative and classic case of lack of non-absorption of Muslims in various government run schemes and shows how the majority of Muslims lag behind in taking advantage of various welfare schemes launched by the State for the economically weaker sections of Indian population.*

Muslims constitute the community that adheres to the religion of Islam, which stands for coexistence and brotherhood and an egalitarian society. It is a champion of democratic governance. It does not believe in discrimination on the basis of caste, creed or colour. The democratic norms that Islam holds fast are those cherished values that Mahatma Gandhi wished to be adopted in this country. His observations in the Calcutta session of the Indian National Congress are still fresh in records and a reminder that Islam not only conforms to a democratic regime, it is a fashioner of democratic governance. Islam presents the example of mutual tolerance for peaceful coexistence in a plural society. The co-existence of minorities with the majority in many parts of the country is a living testimony of the same.

In the state of Uttar Pradesh, the population of Muslims is very large but, in general, they constitute a conservative and tradition bound society. They are guided more by religious beliefs and traditions than by educational and technical awakening. Their personality component evidently reveals that they are more often than not reserved, passive, non-inventive, undemonstrative and fatalist. Due to their depressed living, their activities are often devoid of future planning. Only a small section among them possesses progressive outlook. For various reasons, Muslims remain largely as a secluded community. They mostly cherish traditional values and remain contented with little. The forces of modernization of the contemporary times, have largely bypassed the Muslim community (Mondal 1985). The above picture emerges not only because of the factors internal to Muslims like their poor educational attainments and training and deprived condition but also owing to unfavourable external environment, discrimination, lack of security and honour (Ansari

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**Mohd. Muzammil** is Professor of Economics, University of Lucknow, Lucknow and currently President, Uttar Pradesh and Uttaranchal Economic Association (UPUEA).

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1989). This needs to be improved and they should to be lifted above the desperate isolation. It will not only result in the betterment of Muslim community, it will also strengthen the socio-economic development of the nation. (Muzammil 1992).

Uttar Pradesh accounts for the largest percentage (22.3%) of the Muslim population in the country followed by Bihar (12.4%). Maharashtra (6.9%), Kerala (6.8%), Assam (5.9%), Andhra Pradesh (5.8%) and Karnataka (5.1%). In Uttar Pradesh, Pilibhit is one of the districts where minority population is about 25 percent of the total population of the district. It is 21 percent Muslim population and 4 percent Sikh population (the highest district Sikh population ratio for any district in UP). The State average of the Muslim and Sikh populations is 17.3 and 0.5 percent respectively.

Situated in the north-east of Rohilkhand division, Pilibhit is a small district of Uttar Pradesh. It is a border district of UP. In the north of it are Nepal and Nainital district of Uttaranchal State. Pilibhit presents a unique example of the concentration of Muslim and Sikh minorities with divergent social and economic background. The Minority Welfare and Waqf Development Board of the Government of UP have recognized it as a minority-dominated district. It commissioned an in-depth study for preparing a multi-sectoral plan for the development of minorities in district Pilibhit (Muzammil 1999). The Study investigates in detail dimensions of the life of the Muslims in the said area.

This paper has emanated from the above study pertaining to the social and economic development of Muslims. It is based on primary data collected from a field survey of five villages each in Muslim dominated blocks-Amariya and Bilaspur. Secondary data have also been used wherever necessary. The analysis is based on structured filed interviews via questionnaires and follow-up interviews, participant observation of the community, unstructured interviews and comparisons with other similar studies. It investigates the impact of education on (a) employment of Muslims, (b) their migration, (c) participation in the 'grants' and 'loan' components of the IRDP (Integrated Rural Development Programme), (d) training participation in the TRYSEM (Training Rural Youths for Self Employment), (e) establishment in self employment after the TRYSEM training, (f) their religious and community status and (g) representation in village Panchayats and political participation in decision making.

Employment in white collar jobs is regarded as a symbol of social status as well as economic strength of the family and largely because of education. This study suggests that the education of Muslims has been able to place them in that category. Education appears to have little impact on the transformation of job structure in rural Pilibhit that employs more than four-fifth of the workers. The non-farm rural sector wage employment is found to be less than 2 percent of the total. Traditional industries providing self-employment to minorities in Pilibhit (*Ban*, Silk, Handloom, and Bansuri-the musical pipe), have in no way been benefited by the government supported spread of education or the religious instruction through the network of Madarsas. The respondents lament the continuation of non-diversified general education.

Integrated Rural Development Programme (IRDP) has been an important scheme for rural uplift but the Muslims constitute only a small segment of beneficiaries. Their share in



the grants component disbursed has been only 13.7 percent and in loans only 18.4 percent whereas they constitute 25 percent of the population and with a higher poverty ratio entitling them for larger share. This, in a way, may be attributed to lack of education, awareness and approach. Their social and political neglect has added to their marginalisation.

In order that education of the people could be made productive, Training of Rural Youth for Self-Employment (TRYSEM) scheme was launched. Owing to the poor absorption capacity of Muslims TRYSEM has largely not been able to create required abilities of an entrepreneur. Consequently, the share of minorities in the total disbursement of loans to TRYSEM trained youths by the nationalized commercial banks for the establishment of own enterprise has also been very poor.

Religious education has helped create more spiritual awareness and a sense of 'high social status'. However, merely the ability of reading the Arabic text of the Quran in Madarsas is often termed as 'education' which does not create such skills as are necessary for gainful wage or self employment. The high social status resulting from the education (particularly of girls) is often viewed in terms of obedient children with good moral habits, pious way of living and better marriage prospects. The parents feel socially and religiously elevated after the minimum Arabic education of their wards in Madarsas. For them, this is a great worldly achievement. Muslim teachers in religious educational institutions state that the provision of education among Muslims is undertaken with a view to have 'heavenly' returns rather than any immediate pecuniary, social or political gain. One should therefore not wonder if the impact of education in terms of objective criteria is found to be poor. (Muzammil 2002).

There are several suggestive evidences (Zaidi 1997) that employment prospects after education (schooling) are indeed higher for students whose father are in 'noble' professions than for those whose father are in blue collar jobs. Social class origins largely determine the schooling status. Unfortunately minorities, particularly Muslims, have humble origin and poor educational status. Education appears to have made no remarkable impact on the employment of Muslims in district Pilibhit. Over the last few decades, there is little diversification in the employment pattern in the rural and urban areas. Employment pattern has not shown any significant change in any sector of the district's economy.

Muslims in rural areas are well known for being engaged in cottage industries. Among the traditional cottage and village industries in Pilibhit, *Ban* (fine rope making) and *Bansuri* (musical instrument) are important. Gradually, handloom and khadi village industries are gaining ground. *Ban* industry is most prevalent among the Muslim families in rural areas. It is very common and traditional village industry in Pilibhit. Since the district of Pilibhit is situated in the foothills of the Himalyas and it largely comes under Tarai area, the raw material for *Ban* i.e. *Moonj*, *Bew* (long grasses with fine strong fiber) is found in abundance. Muslim families are traditionally skilled in *Ban* making. It is less remunerative and education has not made any impact in improving the efficiency in this cottage industry.

This study has revealed that in Moonj growing areas the majority of persons get employed in *Ban* making. Women and girls are mostly engaged in this work. It is purely



local industry and household members largely do the work. The workers engaged in this industry are very poor. They are mostly illiterate and unskilled; this is the main reason that the entire work process in Ban industry is traditional. There is no improvement in working process or production technology. Therefore, no modernization is taking place in this industry.

The fine ropes called *Ban* are used in cot weaving. This cottage industry is particularly prevalent in Bilaspur block wherein many villages e.g. Mirpur, Wahanpur, Richhauri and Mahadeva, workers are engaged in *Ban* making. In the Muslim dominated villages under Puranpur and Barkhera blocks, *Ban* industry is very popular among the minority community. *Ban* workers are found in abundance in these areas. Incidentally these are the villages that are educationally very backward. The education of the villagers does not appear to have equipped them for switching over to any other more gainful occupation.

Another important cottage industry in this area is related with *Bansuri* making—a musical instrument made of bamboo. It is a type of mouth organ. Pilibhit is very famous in *Bansuri* making. It is an old traditional industry of this district. It continues to flourish among the illiterate workers. The poor Muslim artisans in the district are mainly engaged in this occupation. It is estimated that some 500 families are occupied in *Bansuri* making. It is interesting to note that *Bansuri* made in Pilibhit has nationwide market. It is sold mainly in big cities like Delhi, Bombay and in states like Madhya Pradesh, Rajasthan and Haryana apart from its trade in U.P. More than 50 percent of the produce is exported and sold elsewhere. In *Bansuri* industry, the work is done with an ordinary instrument-knife. No sophisticated tools and instruments are needed. It is made of good quality bamboo imported from Assam. It has its own problems. The artisans have great difficulty in arranging the inputs—mainly spirit. Due to conversion of the Indian Railways into broad gauge, there are now transport problems in importing bamboo directly from Assam.

Handloom is also a traditional industry in Pilibhit district. It is only next to agriculture from the viewpoint of providing employment to the people. More than one thousand families are engaged in this industry. Some educated weavers have organized themselves into "Weaver's Cooperative Societies". They produce goods keeping in view the local supply of inputs and output of cloth. The educated members of this society are also politically active and receive concessions from the schemes of the state government.

Muslim workers are very prominent in Handloom industry in Pilibhit district. Several governmentally run schemes are also in operation to help the weavers in promotion of this traditional occupation. Both Central and State governments are helping in running the project for promotion of handloom industry. But like any other traditional industry, it is also facing trading and marketing problems. Further, weavers have great difficulty in getting loans from financial institutions. Social exclusion, lack of awareness and education are the main problems. The study finds that the educated Muslim weavers are doing much better business.

The employment scenario in rural areas is found to be grim. Training of Rural youth for Self Employment (TRYSEM) scheme was launched in 1979-80 with central assistance. It has been in operation in all the blocks of Pilibhit district until it was merged in the



*Swarnjayanti Gram Swarozgar Yojana* launched in April 2001. it intended to provide training and create skills among the rural people so that they could start their own business or industry. It has been particularly helpful to youth of 18-35 years of age from small and marginal farmers and landless labourers and from the families of rural artisans so that they could be equipped with necessary training and skill. This has been meant for those who were below poverty line and could not have managed to receive vocational guidance on their own. Usually TRYSEM provides training to start industries that were largely based on local resources. Scholarship and financial assistance are also given to help them to start their own enterprise. All these required a minimum level of education but the Muslim potential recipients did not possess that requirement in general.

The assessment of TRYSEM implementation reveals that Muslim beneficiaries are only 10 percent of the total. This suggests their low educational base and lack of qualitative attainment. Owing to the poor absorption capacity of the minorities TRYSEM has largely not been able to create among them the required abilities of an entrepreneur. Consequently, the share of minorities in the total disbursement of loans to TRYSEM trained youths by the nationalized commercial banks for the establishment of own enterprise has also been very poor. These may be ascribed largely to their ignorance and illiteracy. Neither Madarsa education nor the formal system of education has been able to prepare them for self-employment by training. A few other studies have also reached the same conclusion. (Beg 1990).

The role of TRYSEM has been remarkable. As per data obtained from the district level in Pilibhit district, the progress of TRYSEM scheme has been highly satisfactory in general but it has not been made use of by the minorities as much as they should have. For example, during 1996-97, a total of 774 persons were selected for training, which was 168 percent of the target. Physical training was given to even more than 919 people amounting to 199 percent of the target. Of these 919 people, only 93 were of minority i.e. about 10 percent. The main reason of their low participation was the lack of minimum basic education. After training, in all 542 persons (trainees) were able to establish enterprises of their own, of these only 52 were of minorities, which comes to 9.6 percent of the beneficiaries. It indicates that from the TRYSEM scheme, Muslims could not be benefited even as much as is their proportion in population though the scheme was meant for weaker sections to which they largely belong.

Development of Muslims in rural areas is more problematic. Even specific development schemes could not benefit them as desired. For instance, Integrated Rural Development Programme (IRDP) is a specific programme for the uplift of weaker sections in rural areas. Its implementation in Pilibhit district shows that minority's participation as beneficiaries is discouraging. Total achievement has been above the target but in case of minorities, even the moderate target has not been achieved. Their share in the grants component disbursed has been only 13.7 percent and in loans 18.4 percent whereas they constitute 25 percent of the population and with a higher poverty ratio entitling them for larger share. This may be attributed to lack of education, awareness and approach.

The total achievement of the IRDP was 120 percent of the target but in case of minorities the achievement was only 92 percent of the target. Of the total grant under IRDP, 13.7



percent went to minorities and in loan disbursement under the scheme their share comes to 18.4 percent. A blockwise detail of the IRDP in Pilibhit reveals that minorities had their participation in IRDP in each development block but their participation differs widely from block to block. However, invariably, their relative participation has been less than their proportion in population in each development block of the district.

Irrigation plays very important role in rural development. Million Wells Scheme has been an important component of the IRDP. The progress report of district Pilibhit under this scheme reveals that among 109324 man-days created, minorities availed of only 26132. Their participation was particularly high in soil conservation, Sharda Canal System where 39082 man-days were created and minorities took advantage of 15635 days that comes to about 40 percent. This appears to be highly satisfying but at the same time it also reminds us that these man-days (of employment created) comprised of physical labour only. They did not require any type of education or training. The wages for these works correspond to the minimum wages in rural areas.

Occupational mobility is regarded as a symbol of a progressive society. But very little occupational mobility is found in the Muslim dominated surveyed area of district Pilibhit. This is true particularly for the Muslims in villages. Of the total households surveyed, less than three percent households reported out-migration of workers. Some Muslims of Bisalpur went out to Panipat and Delhi in search of jobs and in remaining surveyed area, virtually no out-migration was reported. Those Muslims who got employed elsewhere, became instrumental in inviting others from the same village to the area/city they were working in. Thus 'pull factor' became more powerful than employability backed 'push factor'. Of the people migrated, about 90 percent of them were reportedly working in handlooms in cities like Panipat and a few in Karchobi where their education was not of much avail. That education of the people did help in migrating to other place is, at best, evident from the fact it enabled them to settle smoothly at their new places of work. No remarkable out-migration from the poor region like the district of Pilibhit will only result in its own benefit. The exodus has neither generated any local impoverishment nor added to the local economy in any way worth mentioning.

As has been said about religious education in Arabic, virtually the same is true with regard to Urdu. Functional literacy is still illusive to the minorities. The politics of government aid has not been allowed to enter in the religious education of minorities. Most of the principals of Madarsa apprehend that accepting budgetary grants-in-aid will make them work under the pressure of the government. A few of them, however, were found to be very keen to receive government grants for their institution. They believed that it would help them improve educational infra-structure and pay better salaries to teachers in Madarsa.

Education acts as an antidote to conservatism. It generates objectivity and openness. General education provided an opportunity to Muslims for social interaction with other members of society. They have found common grounds to interact with other persons and communities. Muslims with religious knowledge and with better general education have been found to be politically more aware and proactive. Education has also helped the



Muslims, particularly the poorer ones in villages and towns, in greater social assimilation and respectful relationship.

The impact of education on the social and religious status of Muslims as brought out by this study can be explained in four ways:

1. It has remarkably reduced the influence of those attributes which differentiate Muslims and non Muslims, i.e. it has brought about more social cohesion;
2. It has reinforced those qualities, which help in social assimilation and reducing discrimination of various types.
3. It has, in certain cases, been able to force a change in the outlook of the Muslim villagers—transforming them into optimistic and enthusiastic individuals; and,
4. It appears to have caused a sense of religious insecurity among a few orthodox members of the minority community. They fear that strict religious identities will be undermined by the spread of general education through the formal system.

Invariably, education has increased the political awareness and political participation of Muslims. Educated Muslim women have been elected to village Panchayats (though some illiterate Muslim women have also made it there owing to reservation for women in the Panchayat elections). The study clearly brings out that the educated Muslim women reaching the Panchayat are self assertive and independent (as compared to their illiterate counterparts whose husbands often proxy for them). They have also become very optimistic and proactive. Contrasts have been observed in many other ways also. While illiterate Muslim women have remained pessimistic and passive, educated members are found to insist on their view being accepted in the village Panchayat.

It is rightly said that non-formal education is not the second best option; often it is the only option. In a special education project in Laluri Khera block of Pilibhit, nine non-formal education centres/*maktabs* were opened for Muslims. These have been started in the premises of mosques in Jahanabad, Quraishyan, Gaumeridan, Kanakor, Pauta Kalan, Akbarganj, Pasipur, Gonchh etc. Muslims of these areas believe that the impact of education imparted by the non-formal centers of education is opening up their minds for knowing the outer world. It is working as a remedy to their orthodox narrowness.

District Pilibhit, in general, is backward from the viewpoint of literacy and education. The impact of education on the development of Muslims is therefore less remarkable. Female literacy in Pilibhit is particularly very low and that of the Muslims in particular. It has resulted into general perpetuation of illiteracy among children. Employment scenario remains unchanged. Education appears to have little impact on the transformation of job structure in the village side that employs more than four-fifth of the workers. Traditional village industries providing self-employment to minorities have in no way been benefited by the governmentally supported education or the religious instruction through the network of *Madarsas*. The respondents lament the continuation of non-diversified education, which is unfruitful for them.

However, the social impact of education on minorities has been positive. It has increased their social assimilation and cohesion. It has dismantled the barriers of religious isolation.

Political participation has increased with the spread of education. Muslim women in particular have made a mark in village Panchayats. In brief, while economic role of education appears to have been less remarkable among the minorities in district Pilibhit, the social and cultural impact has certainly been more pronounced and encouraging.

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# SOCIAL REFORM AND MUSLIM WOMEN'S MOVEMENT IN INDIA—AN APPRAISAL

*Sekh Rahim Mondal*

**Abstract:** *Movements for social reform and protest against social evils that affect women is an important field of social scientific research. But in India we have very limited study on such important issues, particularly on Muslim Women's Movement in the country. The present paper is an attempt to delineate the social reform and social movement for Muslim Women's upliftment in India. To deal with these the nature of social reform and Muslim women's movement in India shall be examined. The paper is based on facts gathered from primary as well as secondary sources.*

Throughout India there is long list of social reforms which had taken the task of women's social upliftment. In Bengal Ishwar Chandra Vidyasagar championed female education and led the campaign for widow remarriage. Keshab Chandra Sen sought to bring women in to new roles through school education, prayer meetings etc. Swami Dayananda Saraswati raised his voice for women's emancipation. These leading giants had motivated many social leaders and as a result reforms were found throughout India and among all communities. They addressed a number of women's issues and those were mostly related to marriage, education and status of women. Movements against social evils affecting women began in India in the early nineteenth century. The effect of English education, missionary activities, promotion of monogamous and nuclear family, liberal ideas of the west, modern education, western culture and nationalist agenda against imperialism were some of the important factors associated with the social reform movements in India. The most prominent social issues tackled by the reformers were *Satidaha*, widow remarriage, polygyny, women's right to property, child marriage, female education and so on. The reform movements had a serious impact not only among the people belonging to Hindu community, but also among the people of other communities like Muslims.

In India the revival and reform of Islam took place around nineteenth century. The religious reform movements among the Muslims had transformed their beliefs as well as social and political lives. The two most important reform movements which the Muslims of nineteenth century had witnessed were: (a) the revival to Islam and (b) the education for

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Sekh Rahim Mondal is Professor of Anthropology and Sociology, Centre for Himalayan Studies & Head, Department of Anthropology, University of North Bengal, Darjeeling.

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men and women. The first was led by Deoband School and the second by the Aligarh movement.

Deoband remained a centre for Muslim religion and culture in India. In the pre-mutiny period many of its leading personalities had responded to the reformist movement led by Syed Ahmed Bareilvi. As early as the first decade of the nineteenth century the reformers set a pattern of spreading religious teaching by new methods of cheap publication. The reformers tended to publish the religious books in Urdu instead of Persian thus concerned more with regional than with pan Islamic cultures. Within the Muslim community in India great emphasis was given to religious education both for men and women. The nature of such education, usually called as *Dini Talim*, and which was based on the premise that the followers of Islam must have some basic knowledge about the fundamentals of Islam, specially about the Holy Quarn and teaching of the Prophet Muhammad. It was *Maktabas* and Madrasas which formalized the *Dini Talim* in their curriculam. The teaching was imparted for making *Hafiz*, *Maulavi* and *Qazi* i.e. to produce experts of religious teaching and interpreters of Islamic laws.

Since the social milieu of the Muslim women at that time was mainly confined to home and hearth, the reformers felt that the women lacked self control due to non availability of proper religious education. Thus a greater emphasis was laid on educating women from a moral and religious point of view. The most significant contribution of the Deoband School for women's education was formulation and publication of the religious text known as *Beheshti Zavar*. The book offered the whole knowledge necessary for women i.e. alphabets, letter writing, religious duties, social responsibilities, practical advice in cooking, caring of sick and domestic manners. The book was so popular that it was endlessly reprinted and considered as standard gift for the new Muslim bride. The text, *Beheshti Zavar*, was concerned not only with the domesticity of the women, but also considered as the 'role model' of an educated woman. As a text, it was an eye-opener on many issues concerning women especially their rights within the Islamic *sharia*. The education in nineteenth century was traditional in the sense that it was centered on sacred literature. Muslim girls were expected to learn the *Quran* and to acquire some accounting skills. But due to seclusion (*Purdah*) observed by the Muslim women they were prohibited from attending *Maktabas* and *Madrasas* located at a distance from home. This situation had attracted the attention of social reformers who had modern outlook.

The most prominent Indian Muslim social reformer of late nineteenth century was Sir Syed Ahmad Khan who popularized modern and higher education among the Muslims in India. He advocated modern education both for men and women because he believed that the decline of the Muslims in the British period was mainly due to their non acceptance of western or modern education. In 1875, he founded a Muslim University College at Aligarh for popularizing his mission for higher education among the Muslims. His reform movement was popularly called as Aligarh Movement and which had a serious impact on Muslim society in India.

Following the trend of Sir Syed Ahmad Khan the other Muslim reformers like Badruddin Tyabji campaigned against the rigidity of *purdah* system for the Muslim women. There



were many others who financed Muslim girls education by way of constructing schools or *Madrasas*. Among them the most prominent were Syed Imam who financed a Muslim girl school in Patna and Haji Mohammad Mohsin who worked for educational upliftment of the Bengali Muslims.

During nineteenth century many Muslim scholars like Sir Syed, Maulavi Mumtaz Ali Khan, Justice Amir Ali, Maulavi Chiragh Ali and others began to rethink on *Shariah* laws pertaining to women's rights. Sir Syed himself made insightful comments in his commentary on the *Quran* pertaining to verses on women and their rights. Maulavi Mumtaz Ali Khan wrote a book *Huququn Niswan* (Rights of Women) which boldly advocated equal rights for men and women at a time when women were not even allowed to come out of their houses and even in their houses they were confined to *Zananakhana* (women's quarters in homes). Maulavi Chiragh Ali also advocated changes in the Muslim laws so that women could get their Islamic rights which were denied to them for centuries. Amir Ali also advocated and popularized the importance of religious and modern education both for men and women. Thus modernity and modern changes directly impinged on the Muslim social thinkers and some scholars began to advocate changes in the traditional laws (Engineer 2004).

In India there were a few Muslim women reformers who had made significant contributions to promote education for the Muslim women. Amina Tyabji started Muslim girls school during 1895 in Bombay. Begum Abdullah founded a school in 1908 at Aligarh. Nawab Shah Jahan Begum of Bhopal was a spokeswoman for Muslim women's education. She was also a women social reformer.

Begum Rokeya Sakhawat Hussain (1888-1932) began her educational movement for Muslim girls firstly at Bhagalpur in Bihar and later in Calcutta (now Kolkata) in Bengal. She not only founded Muslim girls school but also fought against *purdah* restrictions. She raised her voice and organized movement against child marriage, polygyny, unilateral form of divorce, women's subjugation and social ban against widow remarriage. She was the woman who not only challenged the hold of convention and 'little traditions' prevalent in the Muslim society, but also helped in the development of philosophy of modernism without affecting the basic social, cultural and moral order of Islam. Under her active guidance the Muslim women's organizations like *Anjuman-e-Khawateen-e-Islam* and *Jagaran Samiti* (association for awakening of women) was constituted in Calcutta to look after the interest of the women (Engineer 1993, 1997; Firdaus 2004; Hasan 1975; Mondal 1988; Mondal and Begum 1999).

### Post-Independence Phase

The history of the women's movement in India is usually dated to the social reform movements of the nineteenth century when campaigns for the betterment of the conditions of women's lives were taken up by some men. But by the end of the century women had began to organize among themselves. It was the early part of twentieth century that the women's organizations like Women's Indian Association, Young Women's Christian Association and All India Women's Conference were formed and they took up the struggle for women's rights. Many of the women associated with those women's organizations



were also involved in freedom movement and from them the contemporary movements flow.

The Status Report of the Committee of the Status of Women in India (1974) and the International Women's Conference (1975) which highlighted the women's issues and concerns had given a new impetus to some Indians who started to work for women. Many parliamentary parties also constituted women's wings. A large number of women groups stayed outside the party framework and considered themselves as autonomous and independent. They concentrated on work in the social sector. Some of the earliest autonomous women groups were the Progressive Organization of Women in Hyderabad, Stree Sangharsh and Samta in Delhi and Forum Against the Oppression of Women in Bombay which played a vital role to protect the interests of women and also raised voice on some women related issues. Several women organizations in various parts of the country involved themselves in protests and struggles against rape, for civil liberties and against price rise. The women organizations of Hyderabad, Delhi, Maharashtra and some other places of the country organized movements against dowry and violence inflicted upon women in the affinal home. A *Dahej Virodhi Chetna Mancha* (anti dowry awareness forum) was formed in Delhi and under its umbrella a large number of party and non-party women groups worked together. The anti-dowry campaign attempted to bring social pressure on offenders so that they could be isolated from the community in which they live. Actually the seventies of the last century was known for the massive anti-rape and anti-dowry campaigns and those were followed by women's movements for various other issues. The Chipko movement in North India added a new dimension to women's movement from social to environmental issues. In the later phase the women's movement centred around displacement of disadvantaged people due to construction of dams and industrial projects in the name of development. These had attracted the national and global attention. All these women's movements had some impact on the Muslims in India. Some wise Muslim men and women of several parts of the country now constituted voluntary organizations (NGOs) to look after the interest of women.

During 1980s several campaigns were launched for protecting the rights of the Muslim women. Among them the most prominent was the campaign in support of a Supreme Court Judgment on a divorce case in which a divorced woman (Shah Bano) had petitioned to the court for maintenance from her husband. It generated debate within the Muslim society and also in the Indian society at large. As a consequence the Muslim Women Act (Protection of Rights on Divorce) was passed in 1986. For Muslim Women's movement in India Shah Bano controversy played a very crucial role on the question of uniformity and gender equality. The emerged situation also helped many Muslim women to raise their voice on some other matrimonial issues considered oppressive for them like unilateral form of oral divorce (*talak*) and property rights.

During 1990s street level protests and demonstrations were organized by various women groups for equal status, equal opportunities, employment guarantee, safety in home and family and also for survival needs such as water, housing, sanitation and health care. In the south a strong women's movement against alcoholism and domestic violence in 1992 caused



a serious impact on political and administrative system of Andhra Pradesh. Consequently the state government imposed a ban on issuing of licenses to liquor shops. This movement was called as 'anti-arrak movement'.

The constitution of India gave all its citizens including women the right to vote. The democratic socio-political framework of the country created a greater awareness among all the women including the Muslim women. It was only in later part of twentieth century that Muslim women at large began to go to schools, colleges and universities. Actually the post-independence situation began to bring fundamental change in attitude towards role and status of the Muslim women. From seventies of the last century more and more NGOs came into existence and suffering Muslim women formed their own NGOs in several parts of the country. The NGO activities certainly helped the Muslim women to a considerable extent as their major concern was the women's rights.

The beginning of the twentyfirst century was marked by the works and activities of several women's groups engaged in campaigning works for literacy, setting up of legal aid centers, counseling activities and training programmes for self employment etc. All these women activities spread to all parts of the country and to all communities.

There is a popular belief that the Muslim women in India are suffering because of lack of reform in the Muslim laws. Any move for change is usually resisted either by conservative community forces or by political leadership. The politicians consider it as amounting to interference in religious freedom of the minorities. Here the main obstacle is the minority status of the Indian Muslim Community. The Shah Bano case and the consequential movement was considered as an indicator of change in respect to Muslim women's status but the counter movement had shown the difficulties in bringing about change in favour of Muslim women and also in Muslim Personal Law. The Supreme Court judgement of 1985 in the Shah Bano case had to be reversed under the pressure from a large section of Muslims and it caused a great setback for Muslim Women's movement in India. However, the emerged situation had created a social atmosphere that brought a new light in the Muslim society. There is an increasing pressure from various corners within the Muslim society on the Muslim Personal Law Board (MPLB) to effect certain essential changes and among them the most important is the abolition of triple oral talak (oral divorce). The *model nikahanama* approved by the MPLB in May 2005 is now an issue of debate and discussion throughout the country. The optimist considered it as a step forward and believe that future will bring more relief. But the pessimist are of the view that it is too little and too late and that much more was expected from the Board.

In the twenty first century the most significant change which we noticed is the Muslim women's movement for leading the congregational prayer. Amina Wadud, an Islamic scholar of repute from US led the mixed congregational prayer on 18<sup>th</sup> March 2005 in New York and also delivered *Khutba* (sermon). It was a historic step as it was a unique development in the history of Muslim women's movement in the world. The initiative of Amina Wadud has made an effect on the minds of several aspirant Muslim women throughout the world and India is no exception to it.



During 2004 the electronic and print media had shown tremendous interest in the participation of some Muslim women in the Eid prayer. It was reported in several newspapers that in November 2004 some Muslim women of Malda in West Bengal had participated in Eid prayer which they themselves organized separately from men. The most significant aspect of such an event was that even some men of the locality were involved in organizing the separate Eid prayer for the women. Similar news was also reported from other parts of India, specially from South India.

In recent past Imrana issue has raised debate and counter debate among various sections of Indian population. It was reported that Imrana a housewife of a village in Uttar Pradesh was raped by her father-in-law. Imrana protested against such a sinful act and demanded justice. The episode has attracted the attention of the *Ulema*, political leaders and social activists of the country. A section of *Ulema* belonging to Darul-ulum, Deoband declared that Imrana's marital union stood terminated owing to such a shameful event and thus she is not entitled to stay with her husband as per Muslim (*Sharia*) laws. The liberalist Muslims as well as the human rights groups and women activists advocated that Imrana's family life to be protected and justice to be given to her under the emerged situation. Due to such debate and counter debate a view has been gradually cropping up that the time has come to review and reform of the Muslim Personal Laws within the spirit of Islam to protect and promote the interest of the victim women.

At present there are several Muslim managed NGOs in the country who are very much concerned with the women's issues. These NGOs played a very crucial role to organize the educated Muslim women to work in their localities as social activists for upliftment of their fellow sisters. Training for group formation, capacity building for leadership, and inputs for self reliance are usually provided by the NGOs for developing the organizations of women. The NGOs are playing a crucial role along with the government bodies to make the women aware about their rights and help them in organizing movements for gender equality and empowerment (Bhatty 1988; Engineer 2004, 2005a, 2005b; Hasan 1975; Government of India 1995; Lateef 1990; Mondal: 2004, 2005). The Muslim society is now in ferment and the forces of reform and modernization are now stronger than ever.

### Concluding Observations

The social reform and women's movement in Indian society was vibrant in character. There was no single cohesive movement in the country, but a number of fragmented campaigns. This infact was the strength of the movement which took different forms in different parts of the country and in different communities. The history of women's movement in India was usually dated to social reform movements of the nineteenth century when campaigns for betterment of the condition of women's lives were taken up, initially by some men. In twentieth century women had began to organize themselves and took up the issues associated with the women's subjugation and subordination. At the end of twentieth century the women's movements were primarily concerned with the struggle for equality and justice. But in the beginning of the twenty first century the women's



movements were marked by the struggles for empowerment and self reliance. These trends of social reform and women's movements were also noticed in the context of Muslim society in India to a certain extent.

In India more and more women are getting educated and a new awareness is fast generating. The growing gender awareness and rising NGO culture have awakened the Muslim women of the country. As a result women in contemporary Indian Muslim society are no longer content with the old situation rather raising the profile by demanding equality, justice and empowerment for which they are entitled to as per their religion and constitution of the country.

The facts and findings presented in this article are based on a few studies and some information on reform and movement for Muslim women's social upliftment in India. Undoubtedly more studies are required to get a comprehensive picture of this issue.

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## SOME REFLECTIONS ON THE STATUS OF MUSLIM WOMEN

*Kumkum Srivastava*

**Abstract:** *The status of Muslim women in history, law and contemporary society has been discussed in this article. Woman as a person, her rights vis-a-vis her religion, and her designed role as a good wife, sister, daughter, and mother have been brought into focus. With women as the focal point, the Islamic law (Sharia), the exponents of this law (the Ulema) and the so-called representatives of the Muslims, the AIMPLB, AIMWPLB, and the other bodies claiming exclusive rights to being the agents of the voice of Muslims and their powers within the secular framework of Indian society have been delineated. In such a web spread around her, can a Muslim woman even dream of escaping and venturing out as an independent woman, free of religious, social and economic fetters? These issues have been taken up in this paper.*

A young Muslim woman wished to know if she could pare her nails during her menstrual period. Another's query was whether Islam permitted test tube babies. Juveria Fathima, seeking 'guidance' on fashion trends, consulted the Dar-ul-Iftah, a collegiums of *muftia* (women religious leaders) in Hyderabad, which issued a *fatwa*, stating that patronizing beauty parlours, removing hair by waxing or bleaching, wearing men's clothes, or coloured contact lenses, is not allowed by the Shariah, and is therefore un-Islamic.

Maulana Hafiz Mohammad Mastan Ali, the director of Jamiat-ul-Mominat, the brain behind Dar-ul-Iftah, which has Nazima Aziz as its head, asserts that the women who are shy about discussing personal problems with *muftis* could now discuss them with the *muftia*. Since India is not an Islamic country, violation of the *fatwa* will not invite reprisals, however 'Allah will punish them for their sins.' The media has declared it as a '*fatwa* for women, by women.'

Another headline screams in triumph: 'Rape Victim defies Shariat' (*The Hindustan Times*, 20 June 2005). Having been raped by her father-in-law, Imrana denounced the *fatwa* of the maulvis of her village, to treat her husband as her son from now on. Imrana, a mother of five, announced that she would continue to live with her husband who endorsed her declaration. A week later, she had to retract her statement and agree to abide by the Darul

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Kumkum Srivastava teaches History in Janki Devi Memorial College, University of Delhi, Delhi.

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Uloom Deoband's edict, supported by the All-India Muslim Personal Law Board (AIMPLB) and the Bareilvi ulema. (*The Hindu*, 28 June 2005). The Shia Personal law Board however differed. Girija Vyas of the National Commission for Women (NCW) supported Imrana, the AIDWA held a demonstration in Muzaffarnagar against the *fatwa*, and asked for government intervention. Wahiduddin Khan, an Islamic scholar, avers that 'Deoband has stepped out of its domain; it is a criminal case, let court decide it' (*The Hindustan Times*, 29 June 2005). In Tahir Mahmood's opinion, in India where Islamic law was 'only selectively applicable, the rule need not be strictly imposed' (*The Hindu*, 29 June 2005).

One may also look at another case. Two hours after her marriage, Zahida Khatoon, divorced her husband, because he was drunk. Her father, Abdul Samad, called the clerics and decided to call off the marriage and married her off to another man, all in a single night (*The Hindustan Times*, 6 May 2005).

If this is the state of affairs in India, in the twenty-first century, the very mention of reform in Muslim personal law and the Uniform Civil Code (UCC) will touch a raw nerve in a majority of Muslims. There is an inherent fear that it would tamper with the assumed immutability of the Islamic code. This also brings out in the open the tension prevailing among Muslim women regarding their personal law and the freedom granted to them by the secular laws of their country.

The explosive reaction from some of the minority fundamentalists and secularists to Chief Justice V.N. Khare's observations in the course of a court verdict, recommending strongly the directive of Article 44 of the Constitution, to frame a UCC, is hardly surprising. As some observers have noted, it has reinforced the reality of Indian politics, that secularism and Muslim fundamentalism are two sides of the same coin (*The Times of India*, 16 August 2003). In his letter, Code and Caveat, G. Hasnain Kaif reveals his opposition to the enactment of a UCC (*The Pioneer*, 16 July 2003). Maulana Qureishi, the Secretary of the All India Muslim Personal Law Board, has said that 'the Muslims are bound by the Shariah and they will remain committed to it, and that a uniform civil code will not strengthen national unity; it will only damage it' (Zakaria, 1994). Balbir Punj, a BJP Member of Parliament, speaking of Justice Khare's recommendation, said that the issue here is not that of Hindu versus Muslim but modernity versus orthodoxy. The contribution of the so-called secular parties all these years has been to communalize every issue, which touches upon any section of the population. He further argued that the contest had been narrowed down to Muslim man versus Muslim woman (*The Times of India*, 16 August 2003).

There have been vigorous internal reforms in several minority communities, including Christians. The Mary Roy case judgment is well known, in which the Hon. Supreme Court conferred equal property rights to Christian women. In 2002, the Parliament passed a law correcting several anomalies in marriage, succession, etc., as applied to Christians and brought them more in line with modern liberal commitments. However, not a single reform has taken place in Muslim society because of the consistent opposition of its leaders. Kaif says that Dr. B.R. Ambedkar had assured the minority that the UCC would not be imposed on all citizens. He further says the 'abrogation' of personal laws of minorities is against the principle of democracy, secularism and justice.



The Constitution is based on the principles of liberalism, such as equality of all citizens before the law, nondiscrimination on any ground, the equality of opportunity for all individuals, liberty and freedom of expression, subject only to certain specific restrictions. The big question at this juncture is: Should the claims of a community – that it has a right to discriminate against women – on the ground of religious belief be allowed? One is tempted to ask: Who has perpetuated a system where a man can divorce his wife by a mere oral statement? The issue of marriage and divorce laws, succession or adoption, is a matter of human rights. The international community adopts it as basic to a decent civil society. If any religious text favours discrimination, the principles of civil society must take precedence over religion.

The Chief Justice's recommendation against the 'ghettoization of society' is not the first of its kind (*The Hindu*, 10 August 2003). The most important step, the apex court itself took, in the uniform application of civil laws as per the directive principles of the Constitution and the fundamental rights of equality enshrined in it, was the Shah Bano case verdict of 23 April 1985. In this verdict, the court held, that section 125 of the CPC did not nullify the right of maintenance for a divorced Muslim woman on the ground that such maintenance violated the Muslim personal Law. Mohammad Khan, Shah Bano's husband, insisted that he had according to the Muslim personal law, supported her for three months after their divorce (the period of *iddat*). The Supreme Court stressed there was no conflict between its verdict and the provisions of Muslim personal law, which also entitled woman to alimony, if they were unable to maintain themselves (Azim, 1997).

The Shah Bano case raised many of the same questions as the debate on Sati in the nineteenth century: the issues of scriptural interpretation, relation between scripture and society; the role of protective legislation for women; the tension between Shah Bano as an *individual* and Shah Bano as a *member of the Muslim community*. Still current though challenged by feminists and other progressives, is the notion of woman and scriptures as repositories of tradition. There are also important differences between the action against Sati taken in the nineteenth century and the Shah Bano case. Shah Bano initiated legal action against her husband, while intercession in Sati was undertaken not by widows but on their behalf. In addition, there has been active participation by women and feminists in the debate, and a successful pushing of the parameter of the discussion so that it has not developed merely or even primarily as a scriptural issue (see Engineer, 1987).

The passing of the Muslim Woman (protection of rights on divorce) Bill was a compromise with Muslim orthodoxy. Many scholars have argued that nothing could have been a greater insult than the word 'protection of rights' of Muslim woman in the title, for the specific purpose of the Bill was to nullify the right of maintenance Muslim women got on divorce by the Supreme Court judgment. The provision of the act, which was considered controversial, was that it gave a Muslim woman right to maintenance for the period of *iddat* (for three months) after the divorce and shifted the onus of maintaining her to her relatives or the Wakf Board. The Act was seen as discriminatory as it denied divorced Muslim woman the right to basic maintenance which woman of other faiths had recourse to under the secular law.



Flavia Agnes, a Mumbai based lawyer and social activist (of an NGO called Majlis), says that the liberal interpretation of this act is not wanting even if the entire body of Muslim orthodoxy opposed the view of the courts. It is also true that many liberal Muslims and woman's rights organizations hailed it as a blow for the dignity of woman denied by an orthodox interpretation of Islam. She justifies her view by giving details of the Act. Clause (a) section 3(1) says that a divorced woman shall be entitled to a 'reasonable and fair provision' and maintenance to be made and paid to her, within the *iddat* period by her former husband. She cites a number of rulings in Kerala, Maharashtra, Gujarat and Andhra Pradesh, which have availed of such a maintenance under 'reasonable and fair provisions', in the form of one time lump sum payment that Muslim women had never received before the 2001 ruling of the fully constitutional bench of the Supreme Court in the Daniel Latifi case, which in effect, gave Muslim women, a law on maintenance. While the 1986 Act appears to have worked better, what remains a concern to many is the inherent discrimination in excluding divorced women of law outside their personal law. Justice Khare underlined the curious conflation of issues – women's rights with definitions of the nation state – in the debate on the civil code. This has triggered off a strong reaction. Among those who have been involved with the issues of personal law and their impact on women and for those who have been fighting for women's constitutional right to equality, this is a false debate. It has an 'air of unreality' about it, since it ignores the core issue of women's rights and focuses on the emotive and easy idea of national integration.

Communalism, whose emergence is inextricably linked with colonialism, conditions what strategies are appropriate in the present case. A delicate balance is required to be maintained. For an attack on Muslim personal law is interpreted as an attack on the Muslim community as such. Simultaneously, we need to challenge disingenuous Hindu fundamentalists, who carrying on the 'civilizing mission' are lamenting the fate of Muslim women and demanding that they be brought into the twenty-first century (*The Hindu*, 10 August 2003). The Muslims in India have maintained a character of its own. They have always been distinct from Muslims of any other Islamic country, since they are a minority unwilling to give up their separate identity (Mujeeb, 1985). The Shariah, which all Muslims follow, came into force in India through ordinary legislation. Moreover, it applied neither from the days of the revelation, nor from those of Muslim Sultans or Mughal rulers. It was introduced by an Act of 1937, with drastic amendments. Some Muslim laws have been nominally codified in the Shariat Act of 1937, such as the Dissolution of Muslim Marriages Act, 1939, and the Muslim Women (Protection of Rights on Divorce) Act, 1986. The 1939 Act restricts Muslim women's right to seek divorce by placing conditions that did not exist in Islamic law and are difficult to prove, such as cruelty and impotence. But a Muslim man has the right to unilateral divorce of triple *talaq*. Women's right to property does not cover agricultural land. The Shariat Act states that the Muslim personal law will govern Muslims and that law has priority over custom. In practice, personal law is based mostly on the interpretations of the Quran, thus compounding the issue further. There are four schools of jurisprudence and many more legal traditions, which produce different interpretations.



Asghar Ali Engineer (1994) says: '...the ulema have always emphasized the need for *ijtihad*...in the light of the Prophet's advice to his companion M'adh bin-Jabal to resort to (it) when confronted with a new situation. This is an admission that divinely inspired laws... cannot serve the faithful.' The Shariat was codified by well-known Sunni Imams, thereby giving divine revelation to a human dimension. The Shariat is, therefore changeable. The Shariat Act was only ten years old when India attained Independence. Muslims, who wanted to be governed by the Shariah, chose Pakistan, and those who stayed back were to be governed by a Uniform Civil Code. Egypt, Syria, Morocco, Iran, Pakistan and Turkey offered changes within the framework of Islamic law so as to bring it within the confines of modern ethics. Pakistan westernized Shariat regulations in 1961. Alfred Guillaume says that in 'Egypt, a most ingenious way of bypassing the Shariat law has been worked out. The law has been left unaltered but the judges have been forbidden to entertain certain actions. Child marriage is repugnant to modern Egyptians, but they could hardly prohibit the practice in view of the fact that Mohammad married Ayesha when she was but a child... In 1923 they decreed that the courts must not give a hearing to any action (other than the claim of paternity) where the wife was under 16 and the husband under 18 years of age, at the time of the marriage, nor were officials allowed to register (such) marriages.'<sup>1</sup>

Some contemporary Muslim woman scholars are urging that the conditions of life in modern industrial society make it possible to affirm new visions of what the ideal core discourses of Islam should mean for women. These women argue that medieval thinking about gender should be transcended by new ways of understanding what justice should mean for Muslim women.

Leila Ahmed (1992), for instance, maintains that there has always been a tension within Islamic history between the ethical demands (demands for social justice) of the core discourses, the Quran and the Sunnah, and the later interpretations of these discourses. She argues that the practices relating to gender among the Muslims of early communities were shaped by the ethical voice of Quran – the imperatives to treat men and women equally. With the passage of time, however, the participation of Muslim women in community life declined, as they came to lead secluded lives in the cities of new Muslim empires. Later on, the patriarchal attitudes rather than the ethical imperatives tended to dominate. The codification of Islamic law under the Abbasids meant that gender relations had become more systematized and formal. Upper class women became increasingly marginalized. Another scholar, Fatima Mermissi (1991) documents personal tensions between Aisha and Abu Huraira, a companion of the Prophet seeing in him the source of numerous anti-feminist *hadiths*. Slavery, the buying and selling of women, led to the assumption by men that women were inferior, irrational beings, and men must control them. Women were fragile, incompetent and unreliable, and to be treated as commodities. Madrasas were established for training ulema to become guardians of religious law. In practice, this meant that anyone consulting the ulema on gender questions would tend to get answers emphasizing the need to protect women and establish male authority. However, some scholars feel that Mermissi's method shares with that of Islamists a tendency towards the 'remythologization of society', with both sides selectively citing the evidence that suits them.



All this has a certain amount of relevance on the present status of Muslim women in India. Impediments have been imposed on women by Muslim society by a series of social sanctions, which have limited her role principally to that of a mother and wife, denied her freedom to choose a role or a combination of roles, which is the fundamental precondition for self-realization. Besides this, a very low social valuation is given to her role of wife and mother. Zarina Bhatti (1976) had asked two questions nearly three decades ago. Does Muslim society in India provide equal opportunities to its women for self-realization so that they can make their due contribution to national development and world peace? Is the Muslim society moving towards greater equality of opportunity between men and women? She answered the questions herself: 'Slowly, haltingly and perhaps, in spite of herself'.

The situation remains the same even now. Bhatti's contention that Muslim society in India does not provide equal opportunities for women is based on two counts: legal and attitudinal. As the Muslim personal law stands today, a woman suffers from many serious disabilities. Her legal rights in respect of marriage and divorce are completely out of harmony with the demands of modern society. A Muslim man can have up to four wives. The law does not admit polygyny as a cause for seeking divorce by Muslim women. A woman can however marry after divorce and after her husband's death. A man can divorce at will, just by uttering the words 'Talaq, Talaq, Talaq', anywhere, anytime, without witnesses. A woman cannot give divorce to her husband; she must seek it (*khula*) and the husband must agree to give it. Another inhibiting factor attached to women seeking divorce, is that in doing so, they automatically forfeit the right to *mehr* as well as *iddat*. In matters of inheritance too, a Muslim woman is discriminated against. A girl can inherit only half of what her brother does. In case of landed property, one of its parts must go to their father's brother's son. When a wife dies, a husband is entitled to one-fourth of her property, but when a husband dies a wife is entitled to only one-eighth of his property.

Safia Iqbal (1988) discusses a survey that the Social Bureau of Muslim Women conducted in Delhi in 1986. She says that the survey revealed that the poor Muslim women had a strong longing for change in their social and family order, which might restore to them the rightful place. Iqbal is eloquent on the subject of the needs for wives and mothers for privacy within their homes so that their nurturing capacities are not interfered by outsiders. She thinks these wives and mothers will be strengthened by better education in their own tradition. It seems to be a representative voice from the point of view of many contemporary Indian Muslim women.

Whatever be its politics, it needs to be emphasized that the static character of personal law is a major hindrance to social change among Muslims in general, and in particular, to the improvement in the status of women. The attitudinal constraints are *purdah* and *burqa*. Mujeeb (1985) says that overemphasizing the body berates her other capabilities; *purdah* persists, marriages are arranged, bigamous marriages do occur, girls are educated less than their brothers and the role of women is submissive. Hasina Khan of the Awaz-e-Niswaan, Mumbai, believes that 70 to 80 per cent of women want a change in laws that violate their rights (*The Hindu*, 10 August 2003). They want to get rid of the unilateral triple *talaq* and



polygyny, have compulsory registration of marriage and divorce without losing compensation, custody and equal guardianship of children and a gender-just *nikahanama*.

The hurdles to change are however innumerable, chief among them is what Fali S. Nariman calls an 'atmosphere of intolerance' (*The Hindustan Times*, 14 August 2003). He believes that it is the thinking of men that needs reorientation. In India, men still treat women as chattel like they did some two hundred years ago. They do not think of them as individual human beings who are entitled to considerations separate from their husbands. Nariman sees no way out of this except women fighting and building a consensus within their own communities, especially now, in this atmosphere of intolerance.

Women's voices are crushed by the attacks on their community, says Hasina Khan. Every time there is a bomb blast, they blame the community. Woman's rights cannot be separated from the general political milieu, says Flavia Agnes. Events such as Gujarat carnage (2002) narrow down the space for a discussion of Muslim women's rights. With fingers pointed at the community, the women find themselves unable to give priority to their rights. With Muslims under attack, their leaders play on their sense of insecurity to silence the voices of change by equating personal law with Muslim identity.<sup>2</sup> Brinda Karat (of the All India Democratic Women's Association) is of the opinion that the issue of personal law is an issue of unequal laws with communities and between men and women. The business of uniformity is viewed from a single perspective. And those who propose uniformity of personal law speak from the perspective of uniformity between communities, not within communities. This is because they ignore the equality aspect and look at the issues from the position of men in different communities rather than as an issue of equality between men and women.

Maulana Abul Ala-Mawdudi, the founder and longtime leader of the Jamat-e-Islami in his booklet, *Purdah and the Status of Woman in Islam*, focuses on female weaknesses and the need for male authority and supervision. He warns of the demoralizing effects of modernization on Muslim women and is critical of birth control. He believes that the sexual excessiveness or 'white jaundice' of the modern west is entering Muslim society in the form of women's education, equality of sexes, birth control, divorce and so on. The revivalist ideas of Mawdudi have been a significant factor in the political life of the subcontinent, since the 1950s.<sup>3</sup> Zoya Hasan (c.f. Singh, 1992) feels that the much needed changes in the Muslim personal law cannot come about in the same manner as other Muslim countries, because there is no institution that can claim to represent the interests of the Muslims in India. Muslims constitute 12 per cent of the population and their representation in Parliament is 4 per cent or less, and the Muslim leadership like the All-India Muslim Personal Law Board depends on the Government and the state for its legitimacy.

Throughout the medieval period, Muslim women in India tended to live by following the patterns of behavior coming from early Islamic societies. Family life and childbearing were their central concerns. Impact of British rule precipitated Indian Muslims into various new reactions. Those who followed Saiyyid Ahmed Khan did not originally concern themselves with the education of Muslim women. He himself had said that the education of Muslim men was the first priority and that they would later think of what was appropriate



for Muslim women. New *madrassas* were founded at Deoband and Maulana Thanavi wrote *Behishti Zavar* in the nineteenth century, which intended to strengthen the moral well being of Muslim women. Importance of family, welfare of society in general, moral integrity of women who serve as wife and mother, were highlighted. The Muslim woman was portrayed as essentially a strong person as an answer to the moral and social threat of imperialists (Thanavi, 2001). The Muslim women of India have not organized to oppose this opinion of the ulema, but have rather supported the tendency of the Indian Muslims' wish to be represented by one voice (the ulema as agents of that voice) even today. Once the Shah Bano affair was perceived as an assault on Muslim control over their personal law, the Muslim have tended to revert to speaking with one voice. This widely publicized event and the reaction exemplified clearly the extent to which the ulema and the revivalist leaders have managed to get themselves accepted as spokespersons for the Muslim community in India.

The fact that the same groups do not play comparable roles in either Pakistan or Bangladesh is understandable only if we recognize that it is the minority status that gives communities the feeling that they must have corporate identity. It is easier for Muslims to differ publicly among themselves in Pakistan or Bangladesh than it is in India. Omvedt (2005), in her research on reservation for women in Parliament and empowerment of women, feels that though Pakistani women are on record to state that quotas have benefited them (33 per cent reservation in local government and 17 per cent in national and provincial assemblies and senate), they believe that the quota system does not change the position of women in society. Despite the high representation, discrimination of women continues in society.

Since the Indian Constitution permits the Muslims to retain control over their personal law, there has been relatively little state interference. A survey conducted by Safia Iqbal (1988) delineated the problems Muslim women were facing, such as:

1. poverty and lack of proper knowledge of their faith;
2. illiteracy, therefore wrongly denying the women freedom of expression;
3. men wrongly refusing to offer sufficient support to their families;
4. upper and middle class Muslim women said that economic instability was a factor causing problems but poor women emphasized ignorance of true Islamic values;
5. joint family system;
6. un-Islamic customs;
7. deprivation of women's rightful place in the domestic order;
8. exploitation and misuse of women;
9. communal riots; and
10. ignorance and non-implementation of women's rights granted by Islam.

Iqbal sums up the causes of the problems thus:



- (i) years of decadence;
- (ii) years of set patterns of the thinking of men;
- (iii) influence of non-Muslim communities;
- (iv) virtual famine of moral values;
- (v) a wide chasm between actual Islam and the Muslims;
- (vi) intolerance between communities as the root cause of Muslim women's afflictions;
- (vii) a deep emotional attachment to the Shariat among women.

She believes that Muslim community should be guided by the ulema and by Shariah courts for personal law. She agrees that *ijtihad*, the exercises of personal judgment on religious matters, should be used with respect to new problems. Muslim women in India generally still see the need for the ulema to be the spokesperson for the Muslim community. It may be because of the insecurity as a minority. Safia Iqbal's voice represents Indian Muslim woman's response to the Shah Bano affair. The women are aware of the need of guidance from the traditions of both Aligarh and Deoband forms of education. They want leadership that will be effective in indicating how to use traditional values in a constructive way in a modern context. The feeling of Muslim women that they need more education in their own tradition can be very positive. Iqbal is confident that the means to reform can be found within the tradition.

Asghar Ali Engineer's (1994) approach is to call for a reopening of discussions about gender among Indian Muslims in a manner that will help the people themselves resolve the questions of social change. Sir Sayyid Ahmed Khan's persistent arguing with his own community about the need to distinguish between the basic principles of religion as opposed to customary practices is coming alive in this new form. Indian Muslims taking this approach are insisting on justice as a primary Quranic value. It entails an effort to recover what Leila Ahmed (1992) calls the 'ethical voice of the Quran'.

A recent report (in 1996) from the Women's Research and Action group in Mumbai entitled, *Marriage and the Politics of Social Change in India's Muslim Communities*, states that because of the political state of religious and ethnic identity in India, it is unlikely that most Indian Muslim women in the near future will be interested in civil marriage. They think it is more realistic to work within the existing structure, namely the Muslim Personal Law Board. They think that pressure from women can influence religious scholar jurists who serve on the Board. Indian Muslim women who accept the minority's need to have the ulema as their spokespersons are thus arguing that the women need to influence the thinking of the ulema. Women and Law Programme had collected data from 15 Indian states about Muslim women. In Kerala, the consent of the bride was not required for marriage. In Gujarat, the bride was required to sign the contract. The Special Marriage Act, 1954, for Muslims was passed to affect a civil marriage but so far very few have used this legal possibility. 70 per cent of the respondents had married before eighteen. The reason for the difference with respect to the consent of the bride is because the Hanafi school of law requires such consent, whereas Shafi school of law, as practiced in Kerala, does not, the father's or guardian's



signature is adequate. Practices in contemporary India regarding *mehr* are also problematic. The report also shows deep concern for the social trend requiring the bride's family to give dowry, which is not part of the Muslim legal practice but is becoming customary.

The third issue is the *nikahanama*. This can be used to guarantee the wife whatever seems desirable if the husband remarries. In India, women activists want the All-India Muslim Personal Law Board to approve a standard form of contract. The Mumbai group concludes the report with the comment that the Indian Muslim women are not in a static situation and that they are finding ways to work within their situation to bring about changes that seem desirable to them. This is one reason why greater knowledge of Islamic law and history is likely to motivate more Indian Muslim women to work for more changes. It is also the absence of choice that enforces inequality. And, for long, women's rights activists have argued that what is needed is an "optional" common civil code based on secular laws (see Iqbal, 1988). Kumkum Sangari (1996) says that the idea is to 'leave personal laws as they are' and let them reform or change at their own pace, but make a provision for women to opt for a common civil code. There are issues such as dowry and domestic violence 'which not long ago were accepted as traditional or customary practice, but which are today governed by secular law.' What the proponents of the optional code say is that the pool of such laws relating to common circumstance should be widened.

In 2001, Hasina Khan attended an AIMPLB conference in Bangalore to discuss reforms in personal law. It was a 'wasted trip', she said. Invoking the Quran, the AIMPLB had told Muslim women's groups that their religion gave women their rights. In which case why are they not implementing them, wonders Khan. Outside the community, there is no dialogue on the real needs of Muslim women. Khan believes that this is because the state believes that religious identity is the only identity and that their religious leaders are the only representatives. Bhatti makes the same point. Absence of consensus among Muslims is partly to blame. There are other opinions, but the media and politicians neglect them. As a result, the issues of personal law and rights of women and children have got entangled in emotive issues of identity. Personal law is an issue of equal rights and has been guaranteed by a secular constitution and should be enforced, especially when it does not contradict a religion or religious identity.

At the July 2004 Executive Committee meeting at Kanpur, the All-India Muslim Personal Law Board failed to outlaw triple *talaq*. Unfortunately, it again failed Muslim women. The model *nikahanama* framed by AIMPLB at Bhopal (on 30, 31, April and 1 May 2005) could not even be called a 'contract' in a legal sense as there is nothing in the document to safeguard the rights of those who opt for it and make it legally binding on them. Apart from the personal details of the bride, groom, witnesses, the *nikahanama* simply implores the Qazi performing the *nikah* and the marrying parties to follow a set of guidelines – mere repetition of standard Islamic instructions found in the Quran and the *hadiths*. For example, the Qazi is to ensure that the bride and groom do not fall under the prohibited degrees of marriage on the ground of *nasab* (consanguinity), *raza'ath* (fosterage), and *musaharath* (affinity) (verses 22-24, chapter IV Quran). Section 5 (vii) of the *nikahanama* advises against triple *talaq* in one sitting, but does not instruct the groom to avoid it altogether.



Rahman says 'the phraseology used for *nikah* is carefully avoided to legitimize triple *talaq*' (*The Hindu*, 11 May 2005). However, the much-debated issue of maintenance, rights of divorced Muslim wife beyond the period of *iddat* was resolved earlier in the Daniel Latifi case.

Anjali Mody poses a question: Who will do the enforcing? Or will anyone be allowed to do it? Senior advocate, Indira Jaising, says there exists 'a gender plus' formula, which is repeatedly applied to subvert the constitutional guarantee of equality. Women are subjected to injustice and inequality on the basis of their gender plus something else. Where personal law is concerned, it is gender plus religion and/or culture. Unless we get these things sorted out, she says, "there is no point in talking about a uniform civil code or personal law freeform". There is only one common civil code in operation, she asserts vehemently, the 'common code of inequality' (*The Hindu*, 10 August 2003).

Another attempt by the AIMPLB to bring changes in the personal law was met with varied responses and reactions. *Nikahanama*, while falling short of the democratic demands made by the reformist sections of the community as well as the other organizations, including women's groups, is undoubtedly a step forward, says the All-India Democratic Women's Association. The Board has also amended its earlier draft by excluding its 'outrageous' sanction on child marriage. It has rightly demanded that no state government can deprive Muslim women of their equal right to agricultural land. The suggestion to those who accept this *nikahanama* to go in for arbitration and discussion is sound, but it is unfortunate that no outright ban on polygyny was made, though a concession was made that in case of a second marriage, if the husband is not fulfilling the responsibilities with regard to his children and to his first wife, then the Qazi should refuse to proceed with the ceremony. The AIDWA has demanded that besides 'Khula, Talaq-e-Tafuiz' (deferred divorce) be included in the *nikahanama* as it is in keeping with the Shariat. However, some scholars, such as A. Faizur Rahman of 'Harmony India', a Chennai based organization, regrets that the AIMPLB has not shed its 'medieval attitude' by the stand taken that the husband alone enjoys absolute right to divorce and Muslim women will continue to suffer if such a stance continues (*The Hindu*, 11 May 2005).

Answering a query as to why women desiring *Khula* (or dissolution of marriage) have to seek judicial intervention whereas a husband can affect a triple *talaq* without it, the AIMPLB general secretary, Abdul Rahim Qureishi, explained that since the wife does not have to bear the headache of the financial burden of divorce, she cannot have the right to break the marriage contract (*The Hindu*, 2 May 2005) and being given alimony. There is not a single statement in any authentic Islamic text to support his statement. Custody of children above seven for boys and above nine for girls remains with the father if the wife initiates divorce, (*khul*), and she also relinquishes her *mehr*.

Soon after the model *nikahanama* was issued, public and private debate and discussions on the status and condition of Muslim women in India ensued, since no subject is more fraught with controversy than this. There exists the widespread perception that the faith oppresses and even persecutes women; at the other end, there are arguments about the rights of women to assert themselves that differ from the ways in which non-Muslim women assert themselves.



In itself, the recommendation to avoid triple *talaq* may not be revolutionary but it is symptomatic that the leadership of the Muslim community was ready for compromise. One comment was that the issuance of a model *nikahanama* and the recommendation of the AIMPLB is a 'sad event in the history of Islam in India.' There was no pressure from the general mass of Muslim women, only a few westernized ones have been pressing for reform. This amounts to *ijtihad* which is undesirable in a *darul harb* (land of non believers) (*The Hindu*, 6 May 2005). However, this action, avers an angry man, was qualitatively different from some women getting together in Lucknow to set up a Women's Personal Law Board or other women in Tamilnadu building a separate mosque. Those were purely unilateral actions whereas the Bhopal discussion had the sanctity of ulema (*The Hindu*, 6 May 2005).

Muskaan, a participant of an organization in Mumbai, like dozens of others, present at a press conference called by the women's groups, tore the draft of the model *nikahanama*. The debate over the *nikahanama* transformed into an argument about the rights of Muslim women. The *Huquq-e-niswan*, an organization of Muslim women working in Mumbai slums, said that they 'don't accept this document because it treats women as second class citizens.' Thirty years' old Shamim wished to divorce her unemployed husband, but he refused to do so, while others shouted that they would make their own *nikahanama* and fight for their rights. The Muslim Women's Rights Network (the forum against oppression of women) and Awaz-e-niswan declared they were disappointed that the document had not outlawed triple *talaq*, that *mehr* was not given immediately at the time of marriage but deferred, and that it made no reference to the age at the time of marriage.

Majlis advocate Veena Gowda was optimistic: it is 'a positive step towards giving women some rights... that the AIMPLB was willing to listen to women and accept that women's rights could be negotiated' (*The Hindu*, 6 May 2005). Zafar Agha wrote: "Those who expect mullah-dominated bodies like AIMPLB to push reforms live in a fools' paradise" (*The Times of India*, 12 May 2005). Javed Akhtar delineates the reasons why Muslim women have been deprived of their rightful place in the community.

1. The literacy rate of Muslim women is much lower than the women of other communities.
2. The strong patriarchal structure of the Muslim community often denies basic human dignity to its women.
3. Women are imprisoned within walls of tradition and custom.

Repression always causes resistance. The new generation is not willing to accept a life that denies equal opportunities. The way in which women have raised their voice against the archaic attitudes of Muslim Personal Law Board reveals that the days of bondage and slavery are about to end for them. Times are changing, society is changing and so are Muslim women. The earlier the conservative understands this, the better it is (*The Hindustan Times*, 8 May 2005).

'What is it like being a young Muslim woman in India?' was part of the Big Story that *The Hindustan Times* carried in their Sunday Edition (8 May 2005). All women interviewed resented being categorized on the basis of their religion. A twenty-six year radio jockey, Safy Ali's mother has concerns, but none of them have anything to do with being a Muslim.



For Zainab Kakal in Mumbai and Zeba in Lucknow, the situation was different. Zainab was independent whereas Zeba had agreed to marry someone she had never met. Muslim Jan of Srinagar asserts that she is a Muslim, 'but not blind to the changes taking place' around her: 'I adapt to these changes without violating the parameters set by my religion.' Shireen Shaikh wants to be an airhostess; Yasmin Hussain is a free-lance television producer, Bollywood-item girl, Mumait Khan, declares that her skimpy clothes are her work clothes and she is not ashamed of wearing them. Nuzhat Hassan, a police officer in her recently published work, *The Marginals*, comments that 'unlike the margins of a page that are static those of our society are continuously stretching, changing.' Sania Mirza, the tennis icon's mother Naseema believes strongly that education has opened people's minds. Nusrat Aziz, Naib tehsildar, and Yasmeen believe that the Quran is very pro-woman, but the interpretation of the Maulanas leave women confused. Everything is 'man-man-man', women know nothing about their rights. Salma wonders about all the fuss for a *burqa*. Huma Javed of Ahmedabad asserts that 'education, exposure and economic development' are the three 'Es' for the advancement of women. And, if one is looking for the 'stereotype image of Muslim, look among the Sunnis in Mumbai's shelters and the bylanes of the walled city of Delhi', one of the respondents says. One agrees with the view of the Editor (*The Hindustan Times*, 26 May 2005) that in the developing world, rights, responsibilities and opportunities continue to be influenced by the fact of being born male or female. 'While men and women are meant equally to share the responsibility of creating healthy societies, the powers to make the desired changes rest with closed male mind sets.' It is indeed equally important to survey, measure, and influence the way in which men look at the changing role of women in society, and do not consider their growing rights a threat to their own. Kirti Singh, a lawyer, blames the 'atmosphere' or political environment that is not conducive to the generalized debate on changes in personal law. Across the board, there is inequality, whether it is the Muslim personal law or laws dealing with Christian women. There is a need for change, and equality has to be its basis.

The position and status of women in a society largely depends on its ideological basis. In post-colonial societies, the nature of ideology depends on the nature of élites and their perceptions of socio-economic formations. The implicit promise is of a new social order – egalitarian and just; therefore, the whole basis of existing society including the position of women is questioned. In these societies, the women have definitely gained from their evolutionary experiences but their liberation is not complete. Their position in society is still subordinate to that of men. Apart from the well-entrenched gender discrimination, the third world women have to struggle against poverty, overpopulation, unemployment, ecological degradation, class, racial and caste discrimination, and biased international division of labour. Shiela McDonough (2002) believes that the position of women in Islam is best understood as a part of the ongoing process of what Marshall Hodgson has called *The Venture of Islam*, a process that began within history by the Prophet's experience.

A survey of the above literature, both popular and academic, clearly shows that within the community of Muslims there are two levels of opinion on the personal law vis-à-vis Uniform Civil Code. The male perspective is vehemently opposed to the UCC, the answer



to which may be located in the structure of patriarchy and the politics of identity. The feminine point of view is divided in terms of class lines. The upper strata women support the personal law and traditional customs and practices. By comparison, women from the lower classes want changes to be introduced in the personal law so that they are not economically disadvantaged in the event of their divorce or the death of their husband or bigamy. In other words, women in general however do not wish that Shariah and the personal law lose their hold on the community. Like other diacritical signs, personal law also becomes a marker of identity; therefore, its decline is also seen as a weakening of the community in the face of the rising tide of communal oratory and violence. Against such a background, women have to compromise, irrespective of the class to which they belong, with certain strands of injustice against them, in personal law.

From this, it may not be surmised that they are resistant to change and wish to maintain the status quo. From my interaction with various members of the Muslim community, I have learnt that because of the considerations of the Muslim vote bank and the politics of identity, Muslim personal law will continue to be followed. It may be inferred here that there are less chances of change in the condition of Muslim women in India, under the given situation and the political atmosphere. The problems of Muslim women should be examined in the context of their relationship with other communities and the role of the state and its organs, in approaching problems without prejudice. So, the whole matter is not legal, religious, cultural or humanitarian, but political. It is in fact, motivated by a curious mixture of male chauvinism and political interests. The status of woman is dependent on a number of factors working within a social system. Social, political and economic changes and religious moorings of a community continuously and emphatically affect the status of its members. In the Indian context, the position of Muslim women is affected by and receives directions from the Muslim Personal Law, besides the Indian factor, and their minority status.

The secular and democratic nature of the government as well as the resistance of the minority community inhibit and restrict any reform in the personal law. The Muslim women are found to be suffering from an oppression which is two fold: (a) that they are women, hence subordinate; and (b) they belong to the Muslim community which itself is backward and holds a subordinate status in the Indian system. It is argued that minorities resist change because they are reluctant to integrate with the mainstream. This is not true. The just and equitable laws of all religions should be culled out and a blueprint prepared to ensure justice to all women.

I agree wholeheartedly with what is stated in the Quran: 'God does not change the condition of a people: Unless they want to change it by themselves.'

## NOTES

1. Also see Engineer (1989, 1992a,b).
2. See *The Times of India*, 26 February 1986, 22 August 2003; *Mainstream*, 8 March 1986; *The Hindustan Times*, 14 August 2003.



3. This booklet is sold in large numbers. I have seen it in bookshops in and around the *dargahs* and Jama Masjid, Delhi.

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# COLONIAL REPORT ON CENSUS AND ITS REFLECTIONS ON INDIAN MUSLIM WOMEN

*Firdous Azmat Siddiqi*

**Abstract:** *The paper analyses the report on Census prepared by the Colonial Government in India. This Report was heavily centralized and therefore its approach towards space and people was dominated by concerns of centralization. Like many other reports, the census report reduces the numerous variabilities into uniformities. Thus, the whole Indian Muslim population was treated likewise and the situation of Indian Muslim women was treated as a part of a general phenomenon and the several reflections on their conditions were demonstrated in a general way. The Census Report makes several observations which are derogatory and humiliating to Indian Muslim Women.*

This paper throws light on statements (rather comments) which were made by the Census Report about the fertility of the Muslim women. In this respect Census Report of 1901 has been taken as the dividing line.<sup>1</sup> The Census Report of 1911 and 1921 provide very different reasons related with the question of fertility and fecundity of Muslim women.<sup>2</sup> The Report of 1901 is probably not as explicit in providing the reasons for that concern, however, it is noticed in the report of 1901 regarding the great increase in the population figures related with Indian Muslims.

It appears that the greatest problem before the British Government was to maintain political hold on Indian society and as such, they instituted commissions whenever the problem arose which disturbed their control. The Gazetteers and the Census Reports were compiled by the government, probably with the intention of demonstrating its moral superiority. However, in the process of doing so the government necessarily undertook a peculiar kind of exercise of system building. This peculiar exercise, at times, resulted in the introduction of a kind of social engineering of Indian society. In this manner they sought out the way to merge the identity of all the Hindus as such into one group and all the Muslims as another group. They declared that one who eats cow was to be considered a Muslim and the one who performed idol worship was necessarily a Hindu. Although child marriage was uncommon among Muslims but widow remarriage and polygamy was

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Firdous Azmat Siddiqi is research fellow in the Department of Medieval & Modern History, Allahabad University, Allahabad.



considered to be common phenomenon.<sup>3</sup> As such, it was derived by numerous authors of Government Report that a liberal diet and the propensity among them for marriage resulted in making them sexually more fertile.

Although, certain observations of these Government Reports on social customs and behaviour might have been true, nevertheless, it cannot be overlooked that there was a latent intention to project the Indian Muslims far more sexually vibrant than others. It was, in this environment that a debate on the fertility and fecundity of Indian Muslim women was started in early 20<sup>th</sup> century.

In a generalized manner the British undermined Indian diversity found at the provincial level. They not only divided Indian society in the name of religion or caste but also provided a permanency to identity of people of different religions in a written form through gazetteer and Census Report.<sup>4</sup> In other words they reduced the numerous flexibilities of Indian society. The numerous statements and statistics provided by the Census Report demonstrated of an attempt by the authors of the Report to undermine the subject whom the Report dealt with. In this paper I would reflect upon such numerous misunderstandings and misstatements introduced by the authors of the Government Report.

It has been assumed by the medical sciences that fertility of a woman depends upon her health and living conditions viz., education, marriageable age and environment. It also considers the reproductive age of women and therefore the greater the number of women in this age group would mean more reproductivity. As such the mean age and sex ratio become significant. Census Report prepared by the Government somehow tried to convince about the tendency among the Muslims to multiply their population more rapidly. However, the statistics provided in the report does not support that contention. The Census Reports list explanations for the inordinate rise in population of Muslims. But their explanations are contrary to what is held by reports of medical sciences to explain the causes of fertility in human reproduction. The clinical reports state that fertility among women is determined through health and living condition, which include education, marriageable age and environment. The reports further elaborate that reproduction in a community is determined by the number of women of reproductive age, sex ratio, death rate, mortality rate among infant, birth rate and social and economic condition. Taking the considerations given in the clinical reports, we find that in the United Provinces the urban population was divided as 36% Muslims and 62% Hindus. In the rural areas there were only 11% Muslims and the Hindus were 88%.<sup>5</sup> Again the economic condition can be assessed from the fact that in the countryside, the Muslims held 1/5th of the total area of land in 1882.<sup>6</sup> And also, in 1882, Muslims held 35% of Government positions whereas their share in the uncovered services was higher and 45% of the positions in the subordinate judicial services were held by Muslims.<sup>7</sup> The above statistics clearly indicate that the general economic condition of the Muslims was satisfactory. This is not to deny that there was no poverty.

Again, from the point of view of education too, Muslim women were better educated than their Hindu counterparts.<sup>8</sup> The Census Report clearly shows that there was a denser concentration of Muslims in Western United Provinces.<sup>9</sup> In this area Muslims were generally



more well off in the economic sense for they held both land and government jobs. A large chunk of the Muslim population was urban based therefore the women tended to be educated. Statistics in 1921 gives the percentage of married girls of 12 years. Here the Saiyads were found to have the lowest number. In 1921 the percentage of 12 year married girls among the Saiyads was 25%, for Kayasthas 60% and for Shaikhs 86%.<sup>10</sup> This low percentage among Saiyads demonstrates that girls preferred education to marriage. As such it could be assumed that marriageable age increased with more education. Also, child marriage was almost unknown among the Muslims.<sup>11</sup> Thus it could be assumed that Muslim women were more educated than their counterparts.

However, despite having better economic and educated status the Census Report assumes that Muslim women reproduced more.<sup>12</sup> It was contended by the report that racially Muslim women were more productive and likewise it was assumed that Muslim women were sexually more active and fornicated frequently. Such derogatory remarks apparently dominates the analysis of the Census Reports.

Table I gives an idea of marriageable age for girls for different categories. As the figures for Saiyads is small, it is natural to assume that Saiyad girls among Muslims preferred to be educated at that age.

The Census Reports make a statement by establishing a relationship between the marriage age, fertility and fecundity of women. Table II provides statistics with regard to women belonging to the two major religious communities of India with their respective age. The Table demonstrates an increase in the age group 15 to 40 for Muslim women. Their counterparts, the Hindu women, showed a rise in marriageable women at the lower level of the age.<sup>14</sup> This can be explained from the fact that socially child marriage was common and acceptable among the Hindus. Also, as among the Hindus marriages were performed at an early age therefore death due to delivery of babies was often a common phenomenon amongst the Hindus.<sup>15</sup> It may also be observed that in general, for Hindu community, because of lack of proper medical facility, death in 0-5 age group dominated.<sup>16</sup> It may also be observed as a corollary that the number of Hindu married women declined gradually with growing years.

As a result, in the age group 20-40, the number of Hindu married women declined, while the figures for Muslim women showed consistency. The Census Report also comments on conditions of sanitation and death rate among women. It contains that the midwives called for delivery of babies were unaware of antiseptics. As a result, large number of deaths of women and infants were common. Also in some cases, surgery was applied for delivery and as surgery was in an under developed stage therefore infant deaths and physical deformities were common.<sup>17</sup> It was assumed by the Census Report that Muslim women being in *purdah* were more prone to such a phenomenon. However, it would be difficult to imagine that women residing in the urban areas would apply the same crude ways of delivery. More Muslim women resided in the cities and therefore it may be assumed that they applied better means for child delivery. Also, statistics demonstrates that infant death rate, particularly in the age group 0-5, was less for Muslims.<sup>18</sup>



The Census Report made a peculiar contention by drawing a relationship between widow re-marriage and high rate of birth. It is difficult to imagine that Muslim widows reproduced more in 1880s.<sup>20</sup> The figures for widows among Hindus and Muslims were approximately the same and the condition suffered by them were nearly the same.<sup>21</sup> It would be wrong to assume that till the end of the 19th century widow re-marriage was common among Muslims. The Census Reports faultily assume that the condition of widows had a bearing on birth rate. Taking into consideration the reproductive age, that is 15-40, percentage of widows to the whole population for the Hindus was 15.88 and 13.80 for the Muslims.<sup>22</sup> Again the Census Reports make an interesting observation that the Hindu widows lived longer because of enforced widowhood, whereas Muslim widows died because of child birth.<sup>23</sup> Statistics do not support the contention of Census Report for the number of widows among higher cast Hindu and Muslim remained constant and still. Also, both high caste Hindu and Muslim women considered it socially degrading to re-marry.<sup>24</sup> The change apparently started coming with the beginning of the 20<sup>th</sup> century when a large number of women of the lower class/castes also started giving up the practice of re-marriage.<sup>25</sup>

The Census Reports establish a relation between mean age of women and sex ratio with fertility. It is their contention that as the mean age in sex ratio for women was more among Muslims therefore there was a demonstration of more prolific activities and rise in birth. However, figures for 1911 do not support this contention. The Census Reports also contend that there was more death among adult women in Muslims. In 1911, among the Hindu females, mean age was 6.3 month longer than for Muslims. Whereas in 1901 the difference was only 3.7 month.<sup>26</sup> It may be added that there was a higher ratio of girl child among Muslims than Hindus. Unlike the Hindus, Muslims at that time did not dislike the birth of daughters.<sup>27</sup> Table III provides us the figures for both Hindus and Muslims as per sex ratio.

The Census Reports blame polygamy as a cause for high rate of birth. It may be pointed out that polygamy in India was not a religious but a social phenomenon. It was common amongst the ruling and the wealthy class.<sup>29</sup> The distinction of religion did not matter. However, polygamy was practiced only by a small number of Indians.

The Census Reports somehow contend that women of 'loose character' of Hindu community accepted Islam.<sup>30</sup> The fact is that the prostitutes took to Islam to safeguard their property for their children. Hindu law gave no right to property to women and therefore prostitutes in an attempt to provide maternal rights to illegitimate children, sometimes converted to Islam.<sup>31</sup> Also government statistics considered all prostitutes as Muslims. For them they could be registered as owners of property and could be taxed.<sup>32</sup> Probably this could explain why all prostitutes were taken as Muslims.

The Reports also show a connection of birth rate with famine, plague and malaria. Muslims were less affected by famine as they were less dependent on agriculture. As such, it contends that Muslims had greater power of resistance.<sup>33</sup> The contention of the report is wrong for if Muslims were less affected by famine then why they had declined after 1901 despite possessing more resistance power?<sup>34</sup> Moreover the spread and occurrence of famine was greater in the western plain.<sup>35</sup>



With regard to malaria same reasons were given as above.<sup>36</sup> It was unreasonable to relate resistance power with genetics or religion. Another observation on plague made by the Census Report was, Muslim males were not affected by plague while women were more affected by reason of strict *pardah*.<sup>37</sup> The Census Report contends that such calamities were more prevalent in Eastern United Provinces. Muslims of this region were not so well off as Western or Central Province. In Eastern United Provinces they lived in unsanitary surroundings. Also, because of poverty it can be assumed from the fact that a large number of *julahas* (weavers) started migrating to Calcutta and Kanpur.<sup>38</sup> As such more women were left there and therefore they were more affected by such calamities than men.

It was observed by the Census Report that Muslims had a liberal diet and never indulged in the use of *ganja* (marijuana), alcohol and other intoxicants and therefore were sexually more prolific.<sup>39</sup> It is surprising that the Census Report of 1911 suddenly changes its contentions and makes a peculiar statement that high birth rate was determined by universality of marriages.<sup>40</sup>

This paper has tried to pinpoint misstatements, misnomers and distortions developed through these reports to damage the reputation of Muslims. It may be contended that the government considered the entire Muslim population as a uniform, monolithic bloc. It did not attribute any kind of diversity to the Muslims. Somehow, the Reports appear biased for they do not consider education and economic well being prevailing among Muslim women. Table IV gives us variation of population from 1881 to 1921 and the variation for the Muslims is not very high. As a result misnomers and misstatements continue. It is reasonable to link living condition of women with their caste and region. 2/5th of the whole Muslim population resided in Western United Provinces, while *ashraf* Muslims were 36.3% of whole population.<sup>41</sup> Where and in which group this growth occurred? What was the average decennial growth rate that has been neglected in earlier report?

The net population gain from 1881-1921 was 802,081 and the average per decade growth rate was 2.35%. It was not too much as it was propagated. Actually this whole growth occurred during 1881-1901; after 1901 it decreased rapidly because of surplus death rate over birth rate which was common to the whole province.<sup>43</sup> In fact, it occurred only in four regions out of eight which occupied 71.18% of the whole Muslim population. It appears there was a big political objective behind these Reports, because it was that time when the British Government were facing a rush of Indian nationalism. For this reason they sought out a new kind of technique to 'divide and rule'. It also creates a question: why after 1880 W.W. Hunter became very important for British Government?

Table I<sup>3</sup>  
Marriageable age of 0-10 age group of females per 1000

Age	All religions					Hindu					Muslim				
	1921	1911	1901	1891	1881	1921	1911	1901	1891	1881	1921	1911	1901	1891	1881
0-5	7	10	9	6	51	7	10	9	6	53	6	8	8	6	35
5-10	102	101	110	99	11	107	106	115	104	-	72	77	82	73	-



Table II<sup>19</sup>  
Number of Married Women of Two Main Religions per 1000 Women

Age	Hindu					Muslim				
	1921	1911	1901	1891	1881	1921	1911	1901	1891	1881
5-10	101	106	115	104	53	72	77	82	73	35
10-15	520	541	562	594	569	379	419	419	456	428
15-20	882	896	881	920	907	812	840	830	867	849

Table III<sup>28</sup>  
Sex ratio of all Ages as per 1000 Males

All religions			Hindu			Muslim		
1901	1911	1921	1901	1911	1921	1901	1911	1921
937	917	911	935	915	909	957	921	912

Table IV<sup>42</sup>

	Percentage of variation increase (+) decrease(-)				Net variation	
	1911-1921	1901-1911	1891-1901	1881-1891	1881-1901	1901-1921
Hindu	-3.5	-1.4	+7.7	+6.11	+6.9	-4.9
Muslim	-2.6	-1.1	+6.06	+7.5	+13.11 (13.66)	-3.7

## NOTES

1. This is the only time period after which growth rate of the province decreased rapidly.
2. In these reports they started to accept provincial diversities and gave more reasonable cause about fertility in comparison to earlier reports.
3. All Census Reports of United Provinces show this.
4. CR (Census Report) of India, NW Provinces and Oudh, 1901, part-I, Vol.-XVI, R. Burn, Superintendent Government Press, Allahabad, 1902, pp. 254-255. This report divides Muslim Community in four groups and further into 130 sub-castes.
5. Ibid, p. 63.
6. Robinson, Francis: *Seperatism among Muslims of India*, Oxford University Press. 1993, pp. 254-55.
7. Ibid p. 23.
8. CR of 1901, op. cit., p. 154, See also, CR of India, United Provinces of Agra and Oudh, 1921, part-I, E.H.H. Edye, Government Press Allahabad. 1923, p-120. In 1881 27 Muslim women were literate at per 10,000, figures were much greater in case of urban 107, in 1901 it increased to 8 in every 1000 women and 38 in every 10,000 women that was much greater than Hindu women.
9. CR of India, 1901, p. 63.
10. CR of India, United Provinces of Agra and Oudh, 1921, op. cit., p. 103, see also CR of 1911 of United Provinces p. 242, Allahabad, 1912. Social customs favour the Muslims in several ways

such as marriageable age was much later among them, which means a greater proportion of physically unfit are married among the Hindus; see also in 1881 Report p. 78.

11. CR of 1881, op. cit. p.78.
12. Aforesaid statement has been given by all CR from 1881 to 1921.
13. CR of 1921.
14. Muslim women were healthier than their counterparts; probably later marriage was the main cause behind this. Consequently child-mother death was less among them Crof 1911, p. 192.
15. Ibid. The ratio of deaths of females to 1000 males for the decade at 15 to 20 was 1,081 during the decennium 1891 to 1900 they varied between 1008 and 1,176 per 1000 males. This loss falls for more on Hindus than Muslims simply because the Muslims marry considerably later.
16. CR of 1901, p. 129. No. of children at 0-5 age group per 10,000 was 1,142 (male), 1,225 (female) and 1000 (male), 1,150 (female) for both Muslims and Hindus respectively.
17. CR of India, 1911, United Provinces of Agra and Oudh, p. 172, E.A.H. Blunt, Allahabad, 1912.
18. CR of 1921, p. 105.
19. Davis, Kingsley: *The Population of India and Pakistan*, Princeton, New Jersey, 1951, p. 80.
20. Report from native new paper. *Azad* (Lucknow), 30 March, 1886, p. 273, see also my article published in *Perspective in Indian History*, ed. A.K. Sinha, Anamika Publisher and Distributors, New Delhi, 2004, p. 357.
21. CR of 1881, p. 81 while in CR of 1901, its % was 6.95 and 6.6 for both Hindus and Muslims respectively that was a long loss, surprisingly, there was a negative growth rate when the % of widow was less. The data given in Report is also doubtful because net variation between Hindu and Muslim was not as much as shown and figures were also contradictory.
22. CR of 1911 showed this.
23. *Aiyama* of Maulvi Nazir Ahmad and *Munajat-e-Bewa* of Altaf Husain Hali both showed miserable condition of contemporary widows.
24. CR of 1921, p. 103 a big number of widows are found among lower class Muslims, p. 111.
25. CR of 1911, p. 165.
26. Ibid p. 190, Hindu's proportion of females between 0-5 was 994, for Muslims 1,012 it was too high even to England (1,004).
27. CR of 1921, p. 95-96.
28. Ibid, p. 101.
29. CR of 1881, p. 80.
30. There is no religion in the world which acknowledges illegitimate child too through maternity link except in Islam. In *Liyaqat Ali vs Karim-un Nisa* and others. ILR, All. 1893, Vol. XV. See also in *Allahabad Khan vs. Ismail Khan*, ILR, X, All. 289.
31. CR of 1901, pp. 254-55, they occupied 0.3% of whole population and kept under category III as a professional caste.
32. CR of 1911, p. 110.
33. Ibid, p. 167.
34. CR of 1911, p. 167, while in 1901-1911, the impact of famine, malaria and plague was greatest in western plain.



35. Ibid.
36. Ibid, p. 110. The total loss among Hindus was 1.4 of which 0.3 was among men and 2.5 among women. Amongst Muslims a total loss of 1.1%, the males have increased by 0.7%, the women have decreased by 3%.
37. CR of 1911, p. 111. The greater decrease in Muslims is striking in the case of Mathura (-14% Hindu, 5.5% Muslims). Agra (-3.2 Hin., -7.6% Mus.) Marzipan (-.6% Hindu, -5.5% Muslim) Jaunpur (-2.7 Hindu, -7.2% Muslim), Ghazipur (-7.3 Hindu, -14.7% Muslim) Ballia (-14% Hindu, -20.8% Muslim) and Azamgarh (-0.6% Hindu, -18.1%).
38. CR of 1911, p. 63 see also, CR of 1911, p. 191, see also, *Dabdaba-e-qaisari* (Bareilly), 28 Nov. 1891, that many Muslim women have demonstrated against *chandu* smoking and drinking.
39. CR of 1921, p.102, Unmarried females were most numerous in the case of the Sayid (384), Shaikh (377), and Kayasthas (362).
40. CR of 1901, p. 254-55.
41. Data have been taken from CR of 1901 and 1921.
42. CR of 1921.

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# INDIAN MADRASAS AND 'TERRORISM': MYTHS, REALITIES AND RESPONSES

*Yoginder Sikand*

**Abstract:** *Recent events, particularly the rise and fall of the Taliban regime in Afghanistan and the blowing-up of the twin towers of the World Trade Centre in New York in September 2001, have led to a growing concern among government officials, policy planners as well as the general public about the madrasas of south Asia. Goaded by prejudice and preconceived notions, journalists and writers with their own agendas to pursue have been quick to condemn the madrasas as a whole as veritable 'dens of terror' churning out legions of fanatic 'warriors of Islam'.*

*This paper looks at the ongoing debates about the alleged 'terrorist' links of the Indian madrasas. It places this discussion in the wider context of the complex relations between the madrasas, as a whole, and the Indian state, on the one hand, and the non-Muslim majority, on the other. It examines the specific charges levelled against the madrasas by their opponents, including right-wing Hindu supremacist organisations and political parties and elements in the Indian state apparatus, and the responses to these allegations by leading Indian ulama. It also looks at how, in response to these charges, many Indian madrasas are now having to consider making substantial reforms in their curricula and methods of administration as well as to reiterate their commitment to peace and inter-community dialogue and to distance themselves from extremism.*

## **The Indian Ulama and Politics: Changing Equations**

Prior to India's independence in 1947, Islamic groups adopted a range of positions on the struggle between the Congress and the Muslim League. The bulk of the Barelwi *ulama*, representing an Islam centred on Sufi shrines and heavily drawing on popular Sufi-related

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*Yoginder Sikand taught at Henry Martyn Institute of Islamic Studies, Hyderabad and Jamia Hamdard, New Delhi. Currently working on a project for Dalailama Foundation and editing a web magazine Qalandar relating to Islam and Inter-faith Relations in South Asia and is based at Bangalore.*

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piety, vociferously supported the League and its demand for a separate Muslim state of Pakistan. They argued that Islam forbade Muslims from befriending 'unbelievers', and that since the Congress allegedly aimed at establishing a Hindu state the Muslims must have their own separate country. The Islamist Jama'at-i Islami, led by Sayyid Abul 'Ala Maududi, stridently opposed the Congress, arguing that its call for 'united nationalism' was simply a cover-up to Hinduise the Muslims or else to reduce them to utter subjugation under a Hindu majority. The Jama'at also bitterly castigated the 'Muslim nationalism' of the League, claiming that the notion of nationalism was completely foreign to Islam. All Muslims the world over, Maududi had argued, were one nation, and hence there could be no room for a separate Indian Muslim nation in the form of a separate state of Pakistan. However, shortly after the Partition, Maududi left for Pakistan, there to continue the struggle for an 'Islamic' state. Following the Partition, the Jama'at split, with separate units being set up in Pakistan and India. As for the Deobandis, who represented a scripturalist reformist form of Islam, leading *ulama* associated with the Dar ul-'Ulum at Deoband were closely associated with the Congress party. They were bitterly critical of the 'two-nation' theory of the League, arguing that Islam did, in fact, allow for territorial nationalism. The Muslims and Hindus of India, they insisted, were members of the same nation. As they saw it, as long as Muslims were allowed to practise their religion and observe their own personal laws in a free India there could be no contradiction between Islam and Indian nationalism. Some Deobandis, such as Ashraf Ali Thanwi and Shabbir Ahmad Usmani, dissented from this view and supported the League, but they remained a small, albeit vocal, minority.

Partition reduced Muslims to an even small minority, increasingly marginalized and threatened with the rise of aggressive, anti-Muslim Hindu militancy. This, in turn, led to growing pragmatism among various Muslim groups in India and a clear distancing from aggressive communal politics. The Barelwis turned their attention to attacking fellow Muslim groups as non-Muslims, thereby seeking to establish for themselves a clear identity of their own. On the whole, the Barelwi '*ulama* stayed away from overt political involvement, preferring to concentrate their attention and resources on undermining their Muslim rivals. The Jama'at-i Islami Hind, while not renouncing its commitment to an Islamic state in India, stressed the need for accommodation to the fact of non-Muslim rule. This was regarded not as an abandonment of the long-term goal of the 'rule of Allah' (*hukumat-i ilahiya*), but, rather, as a sensible 'pious pragmatic policy' (*mukhlisana hikmat-i amali*), given the virtual impossibility of establishing an Islamic state in India as long as Muslims remained a relatively small minority. Thus, moving away from Maududi's insistence that secularism and democracy were wholly un-Islamic, Jama'at leaders argued that in the specific Indian context Muslims must work along with people of other faiths for promoting secular democracy, for the only other alternative was a fascistic Hindu state. Meanwhile, it argued, Muslims needed to engage in missionary work among the Hindus and other non-Muslims of the country, in the hope that, if the majority of Indians were won over to Islam, its goal of an Islamic state would be made much easier. The establishment of such a state was, however, postponed into the remote, unspecified future. The Jama'at also stressed the importance of working for inter-community harmony, for only in such a climate would at least some people be



receptive to the Islamic message. On the political front, the Jama'at gave up its rigid insistence that its members should desist from voting in a political system that Maududi had condemned as 'un-Islamic'. Instead, the Jama'at argued that Muslims must closely seek to work with and support political parties that were willing to serve Muslim interests as it envisaged them.

The Deobandis faced relatively little problem in coming to terms with the Congress-ruled Indian state, for most of them had remained closely allied with the Congress in the course of the freedom struggle. Leading Deobandi *ulama* were easily co-opted by the state, some of them even being nominated by the Congress as members of parliament. The Deobandis, along with the pro-Congress Jami'at ul-'Ulama-i Hind, itself largely Deobandi in composition, appealed to the Muslims of India to shun the communal politics of the Muslim League, which had, they rightly argued, brought untold misery to the Muslims who had been left behind in India. Instead, they advised them, they should work with secular political parties to establish genuine democracy and secularism and for the overall development of the country. The Jami'at also focussed its attention to promoting Muslim religious education, providing relief to riot victims and defending Muslim personal law.<sup>1</sup> Like other *ulama* groups, they, and the Deobandis more generally, often protested against pogroms directed against Muslims that were sometimes orchestrated by the state, and against threats to Muslim identity.

For its part, the Indian state did not pursue a clear-cut strategy on *madrasa* education. The Constitution of independent India, promulgated in 1950, gave all religious and linguistic minorities the right to establish and run educational institutions of their choice, which meant that legally Muslims had full freedom in setting up and managing *maktabs* and *madrasas*. However, the state did little to actually promote modern education among Muslims. Critics have argued that by deliberately paying little attention to the spread of modern education among the Muslims the state actually strengthened, deliberately or otherwise, the influence of the *madrasas* and the conservative '*ulama*'. The state in fact sought to use some of the leading madrasas, particularly Deoband, to 'showcase', as Mushir ul-Hasan puts it, India's claims to 'secularism'.<sup>2</sup> It even sought to project the madrasas abroad to serve its own foreign policy goals, to convince Middle Eastern countries that Muslims were safe and prospering in India, thereby seeking to counter Pakistani claims to the contrary. Thus, in 1949 officials from the Home Ministry and All-India Radio visited Deoband, and prepared a programme on the *madrasa* for the external radio service, lauding the achievements of the *madrasa*.<sup>3</sup> Various state governments set up boards of *madrasa* education that provided financial assistance to a small number of madrasas. Larger *madrasas*, such as Deoband and Nadwa, were granted official permission to give admission to students from other countries, and the state provided visas to a number of such students.

The Dar ul-Ulum at Deoband, today under attack for its alleged connections with the Afghan Taliban, received particular attention of the state, in recognition of its powerful influence among Muslims in India and abroad. Thus, for instance, in 1957, the Indian President, Rajendra Prasad, visited the *madrasa* in his official capacity, offering to the *madrasa* a present of a thousand rupees as a token of his appreciation.<sup>4</sup> In his speech to



the students and teachers of the *madrasa* he praised what he described as the great services of the institution in India's struggle for independence, expressing the hope that it would 'carry on in this tradition in the future as well' and 'expand its work'. He waxed eloquent about his close association with leading Deobandis in the course of the freedom movement.<sup>5</sup> He even went so far as to assert that by attracting students from many other countries, the *madrasa* had become a source of 'pride' for all Indians, ending his speech with a prayer that the *madrasa* would expand and prosper 'in order to serve not just India but other countries as well'.<sup>6</sup>

Leaders of the Congress Party kept up good relations with Deoband, acutely aware of the crucial importance of the *madrasa* and the influence that its *ulama* enjoyed among large sections of Muslim voters. Thus, in 1980, the then Prime Minister, Indira Gandhi, visited Deoband to participate in the *madrasa*'s centenary celebrations, an occasion which caused a split in the *madrasa* between two rival groups contending for power. In her speech, Mrs. Gandhi lauded the efforts of the *madrasa* in India's freedom movement, and expressed the hope that it would continue in the tradition of its forebears.<sup>7</sup> Probably with an eye on the Muslim vote, she heaped praises on the '*ulama* of Deoband for their scholarship, patriotism and their contribution to India's plural society. The same year, the government of India issued a special thirty paise stamp in honour of the *madrasa*.<sup>8</sup> For their part, the authorities at Deoband seem to have warmly welcomed the prospect of hobnobbing with the highest authorities of the land, for it gave them a certain prestige in Muslim circles, reinforcing their claims against *ulama* of other Muslim groups. It also gave them an opportunity to stress their patriotic credentials and highlight the role of their elders in the freedom struggle, thus seeking to win the support of the Indian establishment and non-Muslim opinion in general.

Overall, then, after 1947 the Indian *madrasas* seem to have made a pragmatic adjustment to a situation of 'Hindu' rule, most of them consciously eschewing all concern with the state and preaching a generally politically quiescent sort of Islam. Although many *ulama* associated with the *madrasas* continued to believe that Islam provided a comprehensive set of laws governing all aspects of personal as well as collective life, including the political sphere, they seem to have remained content with the limited applicability of Islamic law in the area of personal affairs allowed for by the Indian state as long as Muslims continued being in a minority. Muslim personal law thus emerged as the defining element of a separate Muslim identity in India. This was also reflected in the curriculum of most *madrasas*, which continued to focus on matters of *fiqh* related to worship and personal affairs. Few *madrasas* actually taught the chapters on politics contained in the books of medieval *fiqh*, although this did not mean that they regarded them as redundant. It was generally stressed that while the *fiqh* formulations on politics and public law were indeed an integral part of Islam, as long as Muslims remained a minority in India it made little sense to talk in terms of an Islamic state ruled by the *shari'ah*. Rather than the Islamisation of the state or the capture of state power, the *madrasas* seem to have been particularly concerned about the need for the protection of Muslim religious identity, which was seen to be threatened by a subtle process of Hinduisation promoted by the state in the name of a homogenous Indian



nationalism that borrowed heavily from Hindu mythology. This explains, in part, the rapid spread of *madrasas* in various parts of India after 1947, propagating an extremely apolitical form of Islam, focusing essentially on imparting knowledge of basic Islamic beliefs and rituals to Muslim children. Few, if any, *madrasas* taught anything overtly 'political'.

The shift from the political to the personal did not, however, mean that *madrasas* had willingly embraced religious pluralism and secularism, understood here as the principle of complete separation of the state and religion. As has been suggested, this represented, for most *ulama*, a pragmatic adjustment to a situation of Muslim powerlessness, which, while they lamented it, they could do little to redress. Faced with the obvious fact of Muslim marginalisation and victimhood, they sought solace in the belief in the ultimate victory of Islam. In God's eyes, they preached to their students, Islam alone represented the truth, and all other religions were either corruptions of earlier divinely revealed faiths or else mere human constructions. In either case, they were insufficient to qualify their followers for salvation in the hereafter. If Muslims were persecuted and oppressed today, they believed, they could take comfort in the belief that they alone would enter heaven on the Day of Judgment. Further, many traditional *ulama* argued, if Muslims were to eschew political involvement and other 'worldly' wranglings, and focus, instead, simply on cultivating their faith, God might be moved to grant them political power over the 'unbelievers' in the future, if He so willed.

### Ulama and Islamist Perceptions of the Contemporary Indian State

An indication of how many Indian *madrasas* have pragmatically come to terms with the Indian nation-state are the ways in which the Indian state is perceived and projected in the activities of the *madrasas* and in their curricula. Thus, several *madrasas* organize special functions on Indian Independence Day and Republic Day, inviting local Muslims as well as non-Muslims to participate. The Indian flag may be unfurled, and *madrasa* students may be asked to sign patriotic songs extolling the greatness of India. Generally, senior *madrasa* teachers, and sometimes even students, deliver speeches praising the country, and stressing, in particular, the role of the *ulama* in the freedom struggle and the many contributions made by Muslims to Indian civilization. This is also often accompanied by a general lamentation of the fact of Muslim marginalisation, the poor representation of Muslims in government services, the colossal loss of Muslim lives in frequent rounds of organized violence and so on, these being presented as a cruel betrayal of the ideals of the freedom movement.

Explicit reference to politics is rare in classes at the *madrasas*, for this is considered to be 'worldly', and, therefore, strictly beyond the purview of *madrasa* education. Some *madrasas* do, however, refer to debates on the legal status of the Indian state in their discussion of *fiqh*. The general understanding, despite exceptions, appears to be that although India is not an Islamic state, and, therefore, not *dar ul-islam* ('abode of islam') in the complete sense of the term, neither is it *dar ul-harb* ('abode of war'). Some *ulama* choose to characterize it as a 'land of peace' (*dar ul-aman*) or 'land of agreement' (*dar ul-ahad*), that is, a land where Muslims, although not the ruling class, are free to practise their faith.



In the teaching of the books of medieval *fiqh*, often the chapters on politics dealing with the relations between the Caliph and their subjects and based on the assumption of Muslim rule, are conveniently left out. This, however, is not because it is believed that they are no longer relevant or are now redundant. For, as an '*alim* associated with a Deobandi *madrasa* in Delhi argues:

Whatever is written in the books of *fiqh* about politics is part of our religion. The ideal state is one ruled by a Muslim caliph in accordance with the *shari'ah*. Islam sets out detailed laws for this, specifying the rights and duties of the Caliph and his Muslim and non-Muslim subjects. But that can only happen in an Islamic state, not now. We familiarize our students with all these laws but do not treat them in any great detail.

For the vast majority of the *ulama* associated with the *madrasas*, the Islamic state, ruled in accordance with the *shari'ah*, is seen as the ideal political dispensation. The necessity of such a state, it is argued, follows from Islam's insistence on the need for following God's laws in every sphere of personal and collective life. The laws of God have, it is claimed, been revealed in the Qur'an and the Hadith and further clarified and detailed in the books of medieval *fiqh*. The project of establishing an Islamic state in India is recognized as a long-drawn process, and as only possible after Muslims overcome their minority condition. Meanwhile, it is generally argued, Muslims must obey the laws of the land, as long as these do not contradict the provisions of the Qur'an and the Hadith.

In India today, a growing number of 'modernizing' *madrasas* now teach Indian history and civics, including the principles of the Indian Constitution. This indicates a growing accommodation to a situation of the absence of Muslim political power, and one not envisaged by the medieval books of *fiqh*. In addition, in these as well as other *madrasas*, arrangements are also often made for the teaching of Islamic history. Students are taught about the life of the Prophet, including his role as the ruler of Medina, and the rule of the 'four righteous caliphs'. All these are presented uncritically, being glorified as the 'golden age of Islam'. This brief period of Muslim political history is represented as the highest stage of humanity's evolution. The belief is constantly sought to be stressed that the ideal state is one ruled by a pious Muslim caliph in accordance with the laws of Islam. This also represents an implicit critique of the nation-state, where Muslims are effectively disempowered and the role of the *shari'ah* is severely limited. Yet, this must not be taken to suggest that *madrasas* are actively involvement in political indoctrination of their students. In fact, most *madrasa* rules prohibit any form of explicit political involvement on the part of their students. Only in a few *madrasas*, such as those associated with the Jama'at-i Islami, are Islamist student groups, such as the Students' Islamic Organization, allowed to recruit members.

As on the question of the state, the *ulama* belonging to different schools of thought display a remarkable diversity of understandings and positions on the crucial question of nationalism, citizenship and loyalty to the nation-state. On the one hand, many Deobandis would argue, carrying on in the tradition of the Deobandi elders involved in the freedom movement, that all Indians, irrespective of religion, belong to one nation, although members of clearly different religious communities. Like any text, the Qur'an can be interpreted diversely, in order to read into the text alternate political agendas. If many Deobandis



argue that all the inhabitants of India share a common nationality, others, interpreting the Qur'an in strikingly different terms, offer different understandings of politics and nationalism. To some *ulama*, Islam has no place for nationalism, and Muslims and non-Muslims are seen to be polar opposites. Nationalism might even be seen as an 'anti-Islamic conspiracy' to divide the worldwide Islamic ummah, so many Jama 'at-i Islami ideologues would argue.

Pan-Islamist commitment thus does not necessarily lead to militancy, although it does make for a certain rigid insularity and cultural separatism. Contemporary constructions of the Caliphate appear to take into account modern sensitivities as well as critiques of historical Islam. Thus, the Caliphate is presented as a unique political system that guarantees peace and prosperity for all peoples, Muslims as well others, thus representing an idealized image that bears little relation to the historical Caliphate. While sharing the same broad view of the Caliphate, Islamists differ on the methods they advocate to achieve it. While some militants call for armed uprising against existing states, others advocate peaceful and more diplomatic means. In the case of the latter, their advocacy of 'wise pragmatism' (*hikmat-i amali*) in pursuance of pan-Islamist goals might actually work to further integrate Muslims with people of other faiths. Thus, as a Jama'at-i Islami sympathiser quoted says:

Although Hindus and Muslims thus belong to different nations, we live in the same country and share the same citizenship. As Muslims, we must seek to present the truth of Islam to our Hindu fellow countrymen. We must also serve all the inhabitants of this country, irrespective of religion, helping the poor and the needy. There is a saying of the Prophet, which says, 'Love of the country is half of the faith', and so we must be committed to work for its welfare. So, as Muslims, we must love India, although we do not agree with those Hindus who insist that this love must take the form of nation-worship. If we can sincerely express our concern for our country through our deeds, our non-Muslim fellow Indians might be suitably impressed by Islam and might even take the step of accepting it. In this way, we will gradually move closer to the goal of establishing the global Islamic Caliphate.

The choice of means for working for the establishment of the Caliphate is seen to vary according to the context and is not pre-given. If militancy is seen as ineffective and as only threatening to further marginalize the Muslims it is to be discarded in favour of peaceful and more efficacious methods, such as dialogue and even a temporary acceptance of secular democracy, this pragmatism being sought to be given appropriate 'Islamic' sanction.

Overall, then, a remarkable diversity of positions and a distinct ambiguity characterises the ways in which the *madrasas*, the *ulama* and Islamist groups in India have sought to relate to the Indian nation-state. Despite their internal divergences, a general consensus seems to exist on the need to accept, albeit for some only as a temporary concession, the legitimacy of the Indian state. Yet, alongside this remains a powerful nostalgia for the idealised 'Islamic' state and a firm belief that if 'true' Muslims were to rule India in accordance with Islam all the problems afflicting the country as a whole, and not just the Muslims alone, would be somehow immediately solved.



### Madrasas, the Ulama and Non-Muslims

Linked with the question of the nation and the nation-state in the world-view of the *ulama* is the perception of the non-Muslim 'other', a central issue in contemporary discussions of the Indian *madrasas* and their implications for national security. A crucial concern of the *madrasas* is the maintenance and preservation of Muslim communal identity, which itself is often predicated on drawing rigid lines between Muslims and others. As the *madrasas* see it, Muslim identity is under grave threat in India today. In such a context, one of the principal concerns of the *ulama* is the preservation and promotion of a distinct Muslim religious and cultural identity. Like all other processes of boundary maintenance, this entails the construction of clear dividing lines clearly marking off Muslims from others, setting 'true' believers apart from the rest.

The theological 'other' thus plays a central role in the discourse of the contemporary Indian *ulama*. The 'other' serves as a crucial means of self-definition. In the process of constructing the 'other' as perverse, an enemy of God or simply misguided, the self is imagined as the one truly guided community of faith, God's only trusted followers. For the contemporary Indian *ulama* the 'other' can take various forms. Often, the 'other' within is seen as more dangerous than the 'other' without, for its very familiarity threatens the integrity and faith of the community. Operating in a Muslim guise and claiming to speak for Islam, the 'other' within is seen as possessing potent powers of seduction, able to misguide 'true' Muslims in a manner that the 'other' without clearly cannot. This explains why for many '*ulama*' associated with the *madrasas* the 'other' within receives much greater attention in the form of heated attack and censure than the 'other' without.

The ways in which the theological 'other' is understood by the *ulama* is also reflected in how other religions are depicted in the *madrasa* curriculum. *Madrasas* and their *ulama*, irrespective of *maslak* or sectarian divisions, are convinced that Islam alone represents the truth, although the ways in which they interpret Islam are diverse and often mutually contradictory. In the minds of the *ulama* it is only through Islam (as understood by each *maslak*) that one can attain salvation in paradise after death. Non-Muslims, no matter how pious and noble, are believed to be doomed to fierce punishment in the fires of hell. They are often described, although rarely openly, as 'misguided' (*gumrah*) and 'ignorant' (*jahil*). Harsher descriptions include 'unclean' (*napak, najis*), 'enemies of Islam' (*dushmanan-i islam*) and 'friends of the devil' (*auliya-i shaitan*). Overall, the 'other' without is seen as having no hope for redemption unless he or she converts to Islam.

Although comparative religions are generally not taught as a separate subject in most *madrasas*, reference to them is sometimes made in the course of teaching other subjects or in general conversations. Often, such references are made in a derogatory sense, stressing the claim of Muslim superiority. These understandings are based on selective readings of the Qur'an and the Hadith and the books of *fiqh*, and must not be thought of as shared by all Muslims or even by all *ulama* themselves. Numerous Sufis, for instance, as well as certain 'modernist' Muslim writers who are seriously engaged in inter-faith dialogue have sought to interpret the same texts to argue that salvation is open to people of all faiths, but the majority of the *ulama* of the *madrasas* would vehemently disagree.



In recent years, some *madrasas* have begun teaching comparative religions to higher-level students as part of a specialized course after the regular *fazil* degree. Knowledge of other religions is seen as providing these students with skills and information that they would find useful in missionary work among people of other faiths. Tracts and books on various religions, mainly written from a polemical perspective by the *ulama* themselves, are generally used for these classes. Rather than seek to understand other religions dispassionately as their followers understand them, these texts set out to prove them false or limited and, conversely, also aim to reinforce the belief in Islam as the ultimate truth. Almost no *madrasa* makes any arrangements for non-Muslim scholars and religious specialists to interact with their students and teach them about their religions on their own terms. This naturally does little to promote genuine dialogue and respect between Muslims and people of other faiths. Yet, the belief that non-Muslims are 'enemies of God' does not necessarily mean that *madrasas* preach uncompromising hatred and violence against people of other faiths, as is commonly imagined. On the contrary, the *ulama* often stress that Muslims must seek to cultivate good relations with people of other faiths, for only in that way would they be willing to lend a receptive ear to the message of Islam.

For the *ulama*, who see themselves charged with the divine mission of spreading the 'true' word of God, one of the principal tasks of the Muslim *ummah* is *da'wah*, inviting non-Muslims to Islam. If Muslims fail in discharging that duty, the *ulama* stress, they would be severely chastised by God, in this world or in the next. In recent years, some *madrasas*, as well as a number of Islamic organizations, have set up their own *da'wah* departments, publishing literature on Islam in local languages meant specially for non-Muslims, and organizing seminars and conferences on Islam to which non-Muslims are regularly invited. Other, more engaged, forms of *da'wah*, include inter-faith dialogue initiatives as well as active involvement with non-Muslim groups in working for social welfare or inter-communal harmony. Thus, reaching out to non-Muslims through a variety of *da'wah* ventures actually helps establish new points of contact between Muslims and others, which can, ironically, gradually undermine the separatism and insularity that the worldview of the traditional *ulama* otherwise is so carefully aimed at promoting.

Although *madrasas* have been in existence in India for centuries, it is only recently, in the past decade or so, that they have come to be associated with militancy and terrorism in the eyes of many Indians. As Mushirul Hasan remarks, while earlier Deoband and other *madrasas* that had been closely involved in India's freedom struggle were projected by the state as symbols of India's commitment to secularism and as a strong rebuff to the 'two-nation' theory of the Muslim League, in recent years they have come to be routinely branded as 'the source of evil'. He argues that the propaganda against the Indian *madrasas* is based on 'misplaced suppositions and imaginary fear', adding that while radical Islamism might have found strong support in several Pakistani *madrasas* this is certainly not the case with their Indian counterparts.<sup>9</sup>

As Hasan's comment suggests, the association of certain *madrasas* in neighbouring Pakistan and Afghanistan with militant activities in recent years has been used to argue the case that many *madrasas* in India, too, have turned into 'dens of terror'. This argument,



while lacking any firm evidence, is also based on the assumption of *madrasas* in India being homogenous in terms of orientation and political outlook, which is far from being the case. While the role of certain *madrasas* in Pakistan in militant activism in recent years is undeniable, to argue that all or most Indian *madrasas* are also treading the same path is grossly misleading. Many commentators seem to conflate the Indian *madrasas* with their radical Pakistani counterparts in order to argue the point that the former, too, have emerged as 'dens of terror', but this is a claim that is completely untenable.

The emergence of the Taliban, the involvement of radical Islamist groups in Pakistan and Afghanistan and the war in Kashmir helped create a climate of grave and widespread suspicion in India regarding Islamic organizations in general. Fiercely anti-Muslim Hindu groups, taking advantage of the growing fear of and hostility towards Islam among many Hindus, now stepped up their anti-Muslim propaganda. Muslim bashing had all along been a favourite pastime for the Hindu right-wing, and the growing suspicions about the *madrasas* gave them a further boost. It was now claimed that the Indian *madrasas* were hand-in-glove with Kashmiri militants and the Pakistani secret service agency, the Inter-Services Intelligence (ISI) as part of a wider conspiracy to destabilise India through the spread of terror and hatred against the Hindus.<sup>10</sup> In 1995, Ashok Singhal, leader of the fiercely anti-Muslim Vishwa Hindu Parishad (VHP), angrily declared that his organization 'would not tolerate any *maktabs* and *madrasas*', on the grounds that they were allegedly teaching 'anti-Hindu ideas' to their students. He insisted that the *madrasas* must teach only 'Hindu culture', for that alone was 'Indian culture', adding that if they did not agree to this Muslims should leave India.<sup>11</sup> His colleague, Praveen Togadia, general-secretary of the VHP, echoed the same view, claiming that the 'one hundred thousand' *madrasas* in India were all engaged in a sinister plot to train *jihadists* to massacre the Hindus and establish Islamic rule all over the world.<sup>12</sup>

Virulent Hindutva propaganda against the *madrasas* as 'dens of terror' led to strident demands being made by leading right-wing Hindu politicians that they should be carefully monitored and controlled. Indian newspapers were agog with reports of alleged 'dens of terror' being run in literally thousands of *madrasas* scattered all over the country. Hardly any Hindu-owned paper, not even the most 'secular', had anything positive to say about the *madrasas*. Carefully doctored 'investigative' stories about *madrasas* now began to routinely appear in the Indian press, clearly calculated to defame Muslims as 'terrorists' and to fan the flames of anti-Muslim hatred. The vernacular Hindu press, known for its pro-Hindutva slant, took a leading role in this campaign, but even the so-called 'national' English papers, thought of as being somewhat less imbalanced, did not remain uninfluenced. Interestingly, while lashing out at Muslim organizations for allegedly supporting militancy and threatening the unity of India, intelligence reports and many newspapers remained curiously silent on the role of militant Hindu outfits that have caused such murder and mayhem in India in recent decades.<sup>13</sup>

Like large sections of the Hindu-owned press and the intelligence services, senior government officials and ministers from the Hindu rightwing Bharatiya Janata Party (BJP), which headed the coalition government at the centre at that time, joined in the witch-hunt



of the *madrasas*. Wild, generally unsubstantiated, claims were made to the effect that the *madrasas* were in league with 'enemies' of the country and posed a grave danger to India's stability. BJP ministers spoke in contradictory voices, singing different tunes before different audiences, thus clearly suggesting that their allegations about the *madrasas* were largely unfounded. The then Union Minister of State for Home Affairs, Vidyasagar Rao, for one, claimed that 'some' *madrasas* in Kerala were promoting 'terrorist activities' and that 'most' of the *madrasas* in the state were involved in 'shady dealings'. Predictably, the minister refused to name any of the *madrasas* he had accused, and nor did he provide any reliable source for his claims. The media, of course, refused to point this out, and simply quoted his statement without any further clarification.<sup>14</sup> On the other hand, the then Union Minister for Human Resources, the Hindutva hawk Murli Manohar Joshi, claimed that a statement issued by the acting President of the VHP, Ashok Singhal to the effect that the *madrasas* in Uttar Pradesh were terrorist dens was baseless.<sup>15</sup> Surprisingly, while his own ministers, along with senior leaders of the Hindu fascist Rashtriya Swayamsevak Sangh (RSS) and the VHP, were lashing out at the *madrasas* as centres of the ISI, the then Indian Prime Minister Atal Bihari Vajpayee chose to differ, while not directly contradicting his own colleagues. To a delegation of Muslims he claimed that he had no knowledge of any Indian *madrasa* that was engaged in anti-India activities on behalf of the ISI. Instead, he is said to have praised the *madrasas* as centres of learning and for their role in India's freedom struggle.<sup>16</sup>

Despite these conflicting statements by government officials, the state now began to take measures directed specifically at the *madrasas*. In 1998, the government decided to stop issuing visas to foreign students to study at several *madrasas*, including Deoband.<sup>17</sup> The next year, in the wake of the conflict in Kargil, where Islamist militants and Pakistani regulars fought Indian soldiers in what threatened to break out into a full-scale war between India and Pakistan, the Indian Prime Minister set up a four-member central ministerial group to suggest measures to beef-up the country's security. The committee consisted of the Home Minister, L.K. Advani, the Defence Minister, George Fernandes, the Union Finance Minister, Yashwant Sinha, and the Foreign Minister, Jaswant Singh. In February 2001 the group presented a 135-page report, titled *Reforming the National Security System*, which received the approval of the government but was not made public. Yet, it was widely reported in the press, and led to a tremendous controversy, further stoking allegations against the *madrasas*.

Detailing various 'threats' to internal security, the report claimed:

A recent phenomenon is the mushrooming of pan-Islamist militant outfits with links of radical orientation in Pakistan, Saudi Arabia, Sudan and some other West Asian countries. Funded by Saudi and Gulf sources, many new *madrasas* have come up all over the country in recent years.

The report went on to add that a chain of *madrasas* had been recently established in the country's sensitive border areas, claiming that they were engaged in 'systematic indoctrination of Muslims' in what it called 'fundamentalist ideology', warning that this was 'detrimental to communal harmony'.<sup>18</sup> In short, it suggested that many *madrasas* had



turned into threats to 'national security'. While making these claims, the report recommended that the government take appropriate measures against such *madrasas*, and advised that they should be carefully monitored. In order to wean *madrasa* students away from possible ISI-inspired propaganda, it suggested that steps should be taken to arrange for *madrasas* to provide 'modern' education in order to bring them into the national 'mainstream'. For this purpose it suggested the setting up of a Central Advisory Board of Madrasa Education under the Ministry of Human Resources Development.<sup>19</sup> In other words, as the framers of the report appear to have seen it, *madrasa* reform and the promotion of Muslim education were not important in themselves. They were of concern only insofar as they seemed to impinge on 'national security'.

Predictably, the report led to considerable controversy. Hindutva groups claimed that it had only confirmed what they had been saying all along. Their critics, on the other hand, argued that the report seemed to have been carefully designed in order to promote the Hindutva agenda.<sup>20</sup> Muslim groups and leaders saw the report as undeniably anti-Muslim. They pointed out to what they saw as serious lacunae in the arguments put forward in the report. By claiming that many *madrasas* had been receiving external funds, allegedly from 'pan-Islamic' groups, the report, they insisted, had grossly exaggerated the magnitude of such support. Only a few, larger *madrasas* were said to have received such funds, while the vast majority of the *madrasas* in the country entirely dependent on local resources, operating on minimal budgets. It was argued that the *madrasas* that did receive foreign funding had done so after seeking the approval of the state authorities, and that, therefore, this was perfectly legal.<sup>21</sup> Several Hindu and Christian organizations, too, they pointed out, received foreign money, and in fact far more than Muslim organisations.

The report's suggestion that *madrasas* needed to be brought into the national 'mainstream' and the proposal to set up a central *madrasa* authority under close state supervision were seen as a sinister move on the part of the government and Hindutva groups to dilute the religious character of the *madrasas* and bring them under state control. The notion of the 'mainstream' that the state had sought to impose was itself critically interrogated and dismissed. In defending the *madrasas* from the charge of keeping Muslims apart and away from the 'mainstream', Muslim leaders insisted that the *madrasas*, far from encouraging cultural separatism, were actually deeply committed to 'national unity'. Thus, Maulana Ja'far, senior leader of the Jama'at-i Islami Hind, argued that if by the 'mainstream' one meant 'national unity, patriotism and peace', then the *madrasas* needed no reform in that regard as they had been working precisely for these goals all along. Speaking for many Muslims, he implicitly suggested that the report had a rather different understanding of the 'mainstream' in mind, possibly one based on a Hindutva understanding of nationalism that brooked no space for non-Hindu identities, which was quite unacceptable to the Muslims. Likewise, Maulana Asrar ul-Haq Qasmi, Assistant Secretary-General of the All-India Milli Council, dismissed allegations of *madrasas* preventing Muslims from joining the 'mainstream', and claimed that, in actual fact, the *madrasas* themselves represented the 'mainstream'. They were engaged in the onerous task of 'preparing noble-minded people and good citizens, taught humanism, provided true guidance for all humankind, stressed



universal equality and considered the Prophet Muhammad as a source of mercy for all'. Hence, he stressed, one simply could not question the credentials of the *madrasas* or seriously argue that they were an impediment to 'national integration'.<sup>22</sup>

Given the government's Hindutva leanings, it was quite natural that the report's proposals for the 'modernisation' of the *madrasas* was greeted with widespread scepticism and suspicion, being seen as a disguised effort to undermine the *madrasas*. Muslim leaders questioned the motives of the government, asking that if the government were really concerned about the educational plight of the Muslims why was it that it had done virtually nothing about it all along, and that it was only now raising the issue in the wake of the Kargil conflict and the rise of the Taliban. Several Muslim leaders recognized that the *madrasa* system was indeed in need of reform on several fronts, but decried the government's threats of intervention. It was for Muslims, particularly for the ulama of the *madrasas* themselves, stressed Syed Shahabuddin, a noted Muslim politician, to undertake efforts to reform the *madrasas*. He claimed that in the name of 'modernising' the *madrasas* the government wanted to plant its own men in the *madrasas*. Gradually, this would open the way for the state to impose its own curriculum in the *madrasas*, much of which might be opposed to Islamic teachings. The state might then seek to promote the teaching of secular subjects to such an extent that the place of Islamic disciplines would be drastically reduced, as a result of which the original purpose of the *madrasas*, the preservation and promotion of Islamic knowledge and the training of *ulama*, might be completely lost. Intervention by the state would, he argued, might allow the state to appoint non-Muslim teachers in the *madrasas* and to interfere or even control their administration. This would lead to a serious dilution of the Islamic identity of the *madrasas*, turning them, for all practical purposes, into state schools. In short, it was stressed, state intervention in the name of promoting reform, as the report had recommended, would make it immensely easier for the state to control the *madrasas*, thus helping Hindutva groups carry on with their agenda of absorbing the Muslims into the Hindu fold.<sup>23</sup>

The report's suggestion to the government recommending the setting up of a Central Advisory Board of Madrasa Education under the Ministry of Human Resources Development was also viewed with grave suspicion by many Muslim leaders. Just as in the case of proposals for the 'modernisation' of the *madrasas*, this was seen as a subtle means to put an end to the independence of the *madrasas*, to bring them under state control and to undermine and ultimately to destroy their Islamic character and identity. By providing funds to the *madrasas*, it was claimed that the proposed board would cause the *madrasas* to lose their organic bonds with the wider Muslim community, making them a virtual appendage of the state instead. It was feared that the board would be used as an instrument by the state to keep a close watch on the *madrasas*. It was claimed that the board might seek to regulate the *madrasas* by making a false and unconstitutional distinction between, on the one hand, *madrasas* registered with the board, which would be considered legal, and, on the other hand, other *madrasas*, the vast majority that wished to maintain their autonomy, which might then be branded as illegal and then closed down.<sup>24</sup> This fear was not entirely unfounded, as the press and even senior politicians (including, surprisingly



enough, the Marxist Chief Minister of West Bengal) had already begun talking of a large and growing number of 'illegal' *madrasas*, which were not recognized by the state or affiliated to any of the state boards of *madrasa* education. Several Muslim critics argued that those who spoke alarmingly about the mushrooming of 'illegal' *madrasas* conveniently overlooked the fact that, from the strictly legal point of view, none of these were technically illegal, for according to the law, they claimed, the state's permission was not required for setting up a school, whether secular or religious.

Charges about *madrasas* being involved in militant activities became even more shrill following the decision of the Taliban to give shelter to Osama bin Laden. With the incidents of 11 September 2001, rumours of the association between *madrasas* and terrorism grew into something like a national obsession in India. Right-wing Hindu groups and their ideologues, ever on the look-out for any opportunity to pick on Muslims, were quick to take advantage of the growing anti-Muslim sentiments in the West, going so far as to suggest that the time had come for India to join hands with America and Israel to combat what they called the monster of 'Islamic terrorism'. Militant Hindu groups declared that all *madrasas* should be banned forthwith. Shortly after, reports began pouring in of policemen and intelligence officers raiding various *madrasas* on the pretext of looking for 'militants', harassing the teachers and students and generating a climate of terror and fear. In most cases the police found nothing incriminating, and several cases were reported of perfectly innocent *madrasa* students being arrested, accused of being terrorists.<sup>25</sup> Hindu-owned newspapers were quick to accuse the *madrasas* from where these students were picked up as 'ISI-dens', and even after the students were released with the charges against them being found to be false most papers refused to publish clarifications or apologies.

The Union and various state governments now began to plan new steps to control and combat *madrasas*. In early 2000, the Ministry of Human Resources Development announced plans of setting up a committee to 'modernise' the *madrasas*. The government was also said to be working on a 'secret project' to prepare a computerized database of *madrasas* and mosques all over the country.<sup>26</sup> In May 2002, the Union government suggested a new law to regulate and monitor foreign funding of *madrasas*.<sup>27</sup> Plans were afoot to set up a new, FBI-style intelligence agency, one of whose principal tasks would be to keep a track of 'terrorists', including those alleged to be associated with various *madrasas*.<sup>28</sup> The government sent out a 'secret letter' to all chief secretaries and education secretaries of governments of states and union territories asking them to verify the antecedents of *madrasas* applying for financial assistance from the state, instructing them to ensure that none of the applicants was 'indulging [in], abetting or in any other way linked with anti-national activities'.<sup>29</sup> *Madrasas* along the Indo-Nepal border were ordered to furnish proof that they were not involved in 'activities that pose a threat to national security' and that they did not 'bear hatred towards any caste, creed or religion'.<sup>30</sup> Orders were given forbidding the building of new mosques and *madrasas* in several areas along the border except without prior permission of the district administration.<sup>31</sup> In March 2003, the BJP government of Gujarat announced special steps targeted against the large number of *madrasas* in the state. The State's Education Minister, Anandiben Patel, declared that the government had set up



a 'task force' to study the functioning of *madrasas*. She was commenting on a non-official resolution moved by Sunil Oza, senior BJP member of the state assembly, seeking de-recognition of religious institutions not imparting 'modern' education, which many took to refer simply to *madrasas* alone. Conveniently ignoring the mushroom growth of schools run by Hindu groups that could by no stretch of imagination be called 'modern', Patel argued that the government was 'dissatisfied' with the functioning of the *madrasas*, stating that the education imparted therein was not consistent with the vision of 'modern Gujarat in the twenty-first century'. Without offering any firm evidence, she went so far as to claim that 'most' of the *madrasas* in the state had turned into breeding grounds of religious fundamentalists.<sup>32</sup>

Despite the tirade against the *madrasas* launched by the government, the intelligence agencies and large sections of the press, little evidence seemed forthcoming to back the claim that the *madrasas* were engaged in any sort of militant activity or in a conspiracy against the country. In some places, activists said to be associated with militant groups were indeed apprehended, including even some *ulama* and *madrasa* students.<sup>33</sup> Muslim leaders admitted that some of their co-religionists had engaged in violent activities, in response to take revenge for massacres of Muslims by Hindu mobs, often in league with agencies of the state, but claimed that almost none of these were *madrasa* students, but, rather, graduates of regular schools and colleges. *Madrasa* leaders themselves acknowledged that some of *madrasa* students, present and former, might have been associated with or sympathetic towards militant groups, such, as for instance, the now-banned Students' Islamic Movement of India<sup>34</sup>, but argued that if this had happened, it had occurred without the knowledge and permission of the *madrasa* authorities themselves. The possible involvement of a few *madrasa* students in criminal activities, they stressed, must be seen as part of a larger social problem that affected all educational institutions, and not just *madrasas*. As a Bareilwi *alim* quipped, 'Criminals are found everywhere. For every criminal you find in a *madrasa*, you will probably find the same number in a Hindu school and perhaps ten times the number in a regular university. Would you then demand that Hindu schools and regular universities, too, be closed?'.<sup>35</sup>

Speaking for many Muslims, a Muslim journalist remarked:

It is simply a joke to claim that *madrasas* teach terrorism. The general environment of the *madrasas*, their curriculum and their teaching methods are such that their students become peace-loving to the point of even cowardice, and are cut off from the world around them [...] How can our students, who feel shy to ask even their teachers any questions, and live in a very restricted environment, ever become terrorists? The *madrasa* syllabus itself is so old, outdated and over-burdened that *madrasa* students are ignorant of the rapidly changing world around them and the revolutions happening there. So, how would they be able to even conceive of rebellion or taking to terrorism?.<sup>36</sup>

Another Muslim writer claimed that *madrasas* were actually playing a major role in combating terrorism, rather than promoting it. As he explained,

The growth in the number of *madrasas* is because the growing poverty among the Muslims. Remove poverty and the number of *madrasas* will automatically decline. But



if you don't bother to address the problem of Muslim poverty and go ahead and close the *madrasas*, the poor children who now study in them would be denied food and education. They would become beggars, dacoits, and criminals and might even take to terrorism.<sup>37</sup>

The ulama were among the most vociferous to condemn allegations of any association between the *madrasas* and violence, fearing that, if unchecked, the propaganda could lead to state control or even banning of the *madrasas*. The vice chancellor of the Deoband *madrasa*, Maulana Marghub ur-Rahman, insisted, 'In our *madrasas* you will not even find a stick to beat anyone',<sup>38</sup> adding that *madrasas* did not even train their students in self-defence techniques. Rather, he insisted, their concern was to produce 'simple, educated and law-abiding' citizens, for which they should actually be praised, rather than condemned.<sup>39</sup> He challenged the critics of the *madrasas* to name even one *madrasa* student who had been charged with rape, arson, killing innocent people, spying or attacking non-Muslim places of worship. He stressed that the gates of their schools were open twenty-four hours a day, and that anyone, Muslim or other, could come at any time to the *madrasa* on a surprise visit. He assured them that they would find nothing at all incriminating, asserting:

We're like an open book. I, as the rector of Dar ul-'Uloom Deoband, cordially invite anyone from the VHP to visit without prior notice and attend all our classes, take rounds and inspect and assess if any terrorists are being sheltered here, if anyone is manufacturing weapons.<sup>40</sup>

Dismissing the allegations against the *madrasas*, Muslim leaders claimed that the *madrasas* were simply devoted to providing religious and moral education 'in a peaceful environment'. Islam, they insisted, completely ignoring the activities of militant Islamists in neighbouring Pakistan and elsewhere, was a 'peace-loving' religion that teaches 'peace, unity, tolerance and harmonious relations with others'. They argued that a 'true' Muslim could never be a terrorist, and that the term 'Muslim terrorist' was a contradiction in terms.<sup>41</sup> Some of them willingly admitted that certain *madrasas* in Pakistan were, indeed, involved in terrorist activities, but claimed that the Indian *madrasas* had nothing to do with them.<sup>42</sup> Even though some militant Pakistani *madrasas* did share a common ideological orientation with certain Indian *madrasas*, they insisted that allegiance to a shared *maslak* did not mean that the Indian *madrasas* had any organizational links with their Pakistani counterparts. The two were completely separate, and there were no co-ordination between them. They argued that the context in Pakistan was completely different from that in India, and so the *madrasas* in the two countries had followed quite different paths. The Pakistani state had extended generous largesse to several *madrasas* in the country, and had in fact actually encouraged the politicisation of the *madrasas* by enabling their *ulama* to enter politics and to serve Pakistani strategic interests by training their students to undertake militant activities in Afghanistan and Kashmir. This was in complete contrast to the situation in India, where not a single *madrasa* was involved in militant activity, not even in the troubled region of Kashmir. While numerous Pakistani *madrasas* had sent their students off to *jihad* in Afghanistan and then elsewhere, no Indian *madrasa* student is said to have trodden that path. It was also pointed out that the *madrasas* that had the most militant bent in Pakistan



were those that had been set up in areas inhabited essentially by 'war-like' and 'martial' peoples, such as the Pathans and the Punjabis. It was claimed that it was actually the 'martial racial spirit' of the Pathans and the Punjabis that had led the *madrasas* of the Pakistani Punjab and the North-West Frontier to path of militant activism. In contrast, the Indian Muslims were said to be 'docile' and 'peace-loving', which had made for their *madrasas* to stress gradualism and accommodation, rather than confrontation and conflict. In other words, they argued, the circumstances in India had made the Indian *madrasas* adopt a clearly quietist stance *vis-à-vis* the state, as a result of which it was completely misplaced to draw parallels between them and their Pakistani counterparts.<sup>43</sup>

That the government had no solid evidence to back its claim of *madrasas* being involved in training their students for disruptive activities was forcefully asserted by Muslim activists and '*ulama*'. It was pointed out that despite allegations of several *madrasas* along the Indo-Nepal<sup>44</sup> and Indo-Pakistani borders being used by the ISI, senior government officials, when asked, could not identify even one such school.<sup>45</sup> It was pointed out that even in Kashmir, where Islamist movements were waging a bloody battle with the Indian army, *madrasas* were found to have no association with terrorism or militancy. Kashmir's Inspector-General of Police, K. Rajendra, was quoted in Muslim papers as admitting that the police had 'never caught any militant with a *madrasa* background'. He is said to have conceded that since the *madrasas* in Kashmir had clearly 'distanced themselves from extremism', focusing, instead 'solely' on 'religious studies', he had 'no objection to their functioning'.<sup>46</sup> The fact that not a single case of indulging in questionable activities had been registered against any of the 500-odd *madrasas* and *maktabs* in Rajasthan's border districts adjoining Pakistan was also widely highlighted in the Muslim press.<sup>47</sup> A senior police officer in Rajasthan was quoted as admitting that *madrasas* in his state were not centres of the ISI and had not engaged in any 'anti-national' or 'criminal' activities.<sup>48</sup> A similar statement was issued by the Director General of Police of Uttar Pradesh,<sup>49</sup> and the same point was made by the chief minister of Assam, another sensitive border state.<sup>50</sup> A senior BJP leader was said to have admitted that most Indian agents of the ISI were Hindus, not Muslims.<sup>51</sup> In fact, some Muslim papers announced, the Prime Minister himself, had declared 'in loud and clear terms' that *madrasas* were 'fountains of learning'. He had recognised that they had played an important role in India's freedom movement, and had also conceded that it was wrong to accuse them as being centres of the ISI.<sup>52</sup> In all, then, critics maintained, the propaganda against the *madrasas* was largely baseless. It was calculated to defame the Muslims, to terrorise them, to make them even more suspect in the eyes of the Hindus and to stamp out the humble efforts that they were taking to educate their children.

To many Muslim leaders, including *ulama* associated with the *madrasas*, the attacks on *madrasas* in India appeared as part of a broader, American-inspired conspiracy against Islam and the Muslim *ummah*, in which the Indian government and right-wing Hindu groups were now seen as major actors, serving the interests of their American masters. Some saw the tirade against the *madrasas* as part of a larger Zionist or Jewish conspiracy against Islam, in league with the West.<sup>53</sup> Interestingly, they seemed to agree with the alarmist thesis



of a 'clash of civilisations' between Islam and the West propounded by right-wing Western policy makers, claiming that since Islam had emerged as the main challenge to American global supremacy, America had launched a fierce war on Islam, tainting the *madrasas* as 'dens of terror' in order to give Islam a bad name.<sup>54</sup> Yet, it was also pointed out, America had not hesitated earlier to use *jihadist* elements, including *madrasa* students, in its war against the Soviets in Afghanistan. Now, however, since its goal had been achieved and that the *jihadists* were seeking to challenge their former masters, America had launched a war against Islam, branding what it had earlier described as 'valiant freedom fighters' as 'blood-thirsty terrorists'. America, it was argued, was now mortally afraid of Islam, considering it as the only force that could challenge its global hegemony. That is why, it was claimed, the Americans had embarked on a war against Muslims. Since the 'enemies of Islam' had realized that *madrasas* were actually the 'power house' and the 'forts' of Islam, they had now launched a global campaign against them.<sup>55</sup> America wanted to exploit the entire world, it was argued, but found that the biggest hurdle in its path were the *madrasas* who were engaged in serving the poor and working for equality and morality.<sup>56</sup> The calumny heaped on the *madrasas* in India, it was alleged, was actually aimed at destroying Islam in the country, for once the *madrasas*, the real guarantors of Muslim identity and faith, had ceased to exist, nothing could prevent the absorption of the Muslims into the Hindu fold. Muslims were appealed to stand up and unite to face what was described as the most grave threat facing the community. If the campaign against the *madrasas* continued, Muslims were warned, the Indian Muslims would be sure to meet the same tragic fate as their co-religionists had several centuries ago in Spain. As the editor of the official organ of the Deoband Old Boys' Association put it, the vilification campaign directed against the *madrasas* was 'in reality, the most fierce challenge faced by the Indian Muslims in the fifty years of independent India, and responding to it is the most urgent need of the hour'.<sup>57</sup>

Interestingly, the heated debate on the alleged terrorist links of the *madrasas* led to numerous ulama openly expressing their commitment to 'true' patriotism and allegiance to the Indian Constitution, branding their detractors as the real 'enemies of the nation'. They argued that while the *madrasas* trained their students to become 'good, law-abiding citizens', and so had absolutely no links with terrorism, those most furiously vociferous to them—Hindutva chauvinists—were terrorists and blood-thirsty fascists themselves, bent on inciting civil war and responsible for the massacre of Muslims and other marginalized communities, besides even being behind the murder of the 'father of the nation', M.K. Gandhi.<sup>58</sup> In other words, it was repeatedly stressed, it was not the *madrasas*, but, rather, their opponents, who were the greatest enemies to the unity and prosperity of India and India's 'national interests'.<sup>59</sup> The Indian nation and its foundational values of democracy and secularism thus became the ground of fierce contestation, with rival parties to the debate furiously battling each other, each claiming the mantle of true nationalism and love for the country. Thus, a Muslim journalist stressed that the majority of Indians arrested for spying for Pakistan were Hindus, not Muslims, and of the latter almost none was a *madrasa* student or graduate.<sup>60</sup> Likewise, a noted Deobandi *alim*, and head of the 'Council for the Protection of Madrasas in Gujarat', argued that while *madrasas* had all along supported



the freedom and unity of India and all its peoples, those opposed to the *madrasas*, by which he meant right-wing Hindu groups, had played no role at all in the freedom movement, serving, instead, as lackeys of their British colonial masters. While the *madrasas* had never challenged the Indian Constitution, the proponents of Hindutva had openly condemned the founding document of the republic, and were demanding a new 'Hindu' constitution to replace it. While *madrasas* taught their students 'civilised manners', their opponents preached hatred and terror, and were responsible for the mass murder of thousands of innocent Indians. While *madrasas* stressed inter-communal harmony, 'mutual trust', 'public order' and the 'honouring of different religions, their followers, their holy books and their religious leaders and institutions', their detractors were vehemently opposed to secularism, inter-communal amity, and therefore, to the unity of the country. They were, in short, 'communal fascists', while the *madrasas* and their *ulama* were true patriots.<sup>61</sup>

### Anti-madrasa Propaganda: Changing Roles of the Madrasas

The persistent propaganda campaign against *madrasas* as 'dens of terror' has forced Muslim leaders, including the *ulama* associated with leading *madrasas*, to consider measures to defend the *madrasas* from attack. Interestingly, going by their public statements, many of them are now calling for a greater engagement with non-Muslims, seeking to build bridges of understanding with people of other faiths and with the government in an effort to clear the *madrasas* of the charges levelled against them. In turn, this envisions new roles for a more socially involved *ulama* seeking to interact with the wider society that they have hitherto deliberately sought to remain insulated from. It also entails an apologetic defence of traditional doctrines, which, in the process of being sought to be defended, are interpreted sometimes in ways in order to be more acceptable to a non-Muslim audience.

In the face of the attacks on the *madrasas*, not a single *madrasa*, it is important to note, is known to have called for retaliatory violence or even for armed *jihad*. Rather, the trend seems entirely in the other direction, thus suggesting a growing realization on the part of the *ulama* of the need to reach out to others if *madrasas* are to be allowed to function freely. A Deobandi *alim* echoed the mood of numerous *ulama* when he appealed that, in the face of the campaign against the *madrasas*, the *ulama* must not 'take any step that will play into the hands of those opposed to the *madrasas*'. Rather, he argued, *madrasas* should follow the Qur'anic dictum of repelling evil with good, as a result of which their most inveterate foes might turn into their greatest allies and supporters.<sup>62</sup> This is no exceptional voice. In January, 1995, shortly after a police raid on the Nadwat ul-Ulama, Lucknow, the All-India Muslim Personal Law Board, the apex body of the Indian '*ulama* belonging to almost all the various *maslaks*, met at Lucknow to discuss, among other issues, the growing wave of attacks on *madrasas*. Among the resolutions passed was one that stressed the need for *madrasas* to regularly organize meetings to which they should invite non-Muslim intellectuals, social activists, journalists, government officials and political workers to explain to them the curriculum, methods of functioning and aims of the *madrasas* in order to clear their misunderstandings. It was further stressed that the *madrasas* must seek to combat the organized campaign against them through 'wisdom' (*hikmat*), eschewing



'emotionalism' (*jazbatiyat*).<sup>63</sup> The same sentiment was expressed seven years later, when the campaign against the *madrasas* had reached new heights in the aftermath of the attacks of September, 2001. At a meeting of various *madrasa* heads held in October 2002 near Lucknow, Muhammad Rabey Hasni Nadwi, rector of the Nadwat ul-Ulama and head of the All-India Muslim Personal Law Board, argued that in this 'age of democracy', when 'no community could seek to eliminate all others through force', the only way to combat the concerted campaign against Islam and the *madrasas* was through the use of the mass media.<sup>64</sup> At the same meeting, a carefully worded resolution was passed appealing to the Muslims of India rebut the propaganda against the *madrasas*, but only through peaceful means. *Madrasas* were advised to abide by the principles of 'seriousness, justice, tolerance and love for humanity', and Muslims were cautioned against taking to violence and thereby playing into the hands of the 'anti-Muslim' forces.<sup>65</sup>

Similar suggestions have come from *ulama* from different parts of the country. Since one of the major charges levelled against the *madrasas* is their alleged involvement in 'anti-national' activities, many *ulama* have now begun to argue for the urgent need for *madrasas* to highlight before the non-Muslim public the role of the *madrasas* and the 'ulama in the freedom struggle in order to stress their patriotic credentials. Influential sections of the Indian *ulama* today feel the necessity of addressing multiple constituencies, Hindus as well as Muslims, if the *madrasas* are to be left untouched. This entails actively reaching out to the wider non-Muslim public in order to convince them of the services that *madrasas* are said to render not just to the Muslims alone but to the country as a whole, and to provide them with a more objective understanding of Islam and the *madrasas*. Thus, for instance, one *alim* suggests that *madrasas* must actively seek to counter the widespread conviction among non-Muslims that Islam sanctions indiscriminate killing of others and is vehemently opposed to secularism and democracy.<sup>66</sup> Another *alim* argues that in the face of the attacks on the *madrasas* the *ulama* must seek to convince the Hindu public that, far from preaching rebellion against India and hatred against other communities, the *madrasas* instil in their students such noble values as 'love for the country', 'unity and oneness' and 'good morals'.<sup>67</sup> *Madrasas* must seek to promote inter-communal harmony, says a leading Deobandi 'alim, as this would help clear people's misconceptions of Islam as a violent religion.<sup>68</sup> Non-Muslims need to also told of the significant benefits that *madrasas* have provided the country, such as by attracting large numbers of foreign students and thereby 'glorifying' the name of India abroad, and also by enabling their students to acquire jobs in the Arab world and send back to India valuable foreign exchange. Further, they need to be enlightened about the free services that the *madrasas* are providing to poor Muslims, thereby saving the government an enormous amount of money that it would have otherwise had to spend on their education.

In order to communicate with their non-Muslim fellow countrymen and disabuse them of 'misconceptions' that they might have concerning the *madrasas*, senior *ulama* are now advocating that *madrasas* should open their doors to welcome non-Muslims, and allow them to freely meet and interact with the students and teachers in order to discover what *madrasas* are really all about. As part of this effort to reach out to others, some *madrasas*



have begun organizing functions, on special days such as Independence Day, Republic Day and on festive occasions, inviting local non-Muslims to participate. Often, these provide occasions for the *ulama* to stress the patriotic credentials of the *madrasas* and their commitment to inter-communal harmony. Some *madrasas* have already begun limited efforts at promoting inter-faith dialogue with religious heads of other communities. In mid-2002 a newspaper reported that some 800 *madrasas* in and around the city of Hyderabad were planning to introduce a separate subject on patriotism in their syllabus, in order to highlight the role of the *madrasas* in India's freedom struggle and the 'Islamic concept of love for the country'.<sup>69</sup> In early March 2003 a film commissioned by the Special Service Bureau, a hitherto 'secret organisation' under the Home Ministry, discovered numerous *madrasas* along the Indo-Nepal border whose *ulama* were preaching the values of patriotism to their students, thus contradicting reports by the Intelligence Bureau that spoke of these *madrasas* as being actively engaged in 'anti-national' activities.<sup>70</sup>

As part of this broader effort to reach out to the non-Muslim public in order to combat the propaganda against the *madrasas*, numerous *madrasas* have brought out booklets, mainly in Urdu, but also in Hindi, English and various regional languages, stressing the constructive role of the *madrasas* and denying any association with terrorism. Some larger *madrasas* have organized press conferences and issued press statements dissociating themselves from terrorism. Muslim-owned newspapers generally enthusiastically publish such statements of the *ulama*, but the *ulama* complain that, in general, non-Muslim papers show little interest in highlighting their views.

The campaign against the *madrasas* seems to have goaded Muslim leaders, including leading *ulama*, to take seriously at least some of the arguments of their critics. That all was not well with the *madrasas* themselves was widely recognized, and it was felt that although the calumny heaped on the *madrasas* as alleged dens of 'anti-national' elements and 'terrorists' was baseless, there was indeed scope for some degree of internal reform. As Asghar Ali Engineer noted, although the propaganda against the *madrasas* was 'unfair and unsubstantiated' and the Indian *madrasas* could not be accused of 'engaging in any sort of political activity', the time had come to seriously consider efforts to modernize their curricula and methods of teaching.<sup>71</sup> In a sense, the growing attacks on the *madrasas* came as a blessing in disguise for advocates of *madrasa* reform. Recognising that the rhetoric of reform provided the state with a powerful justification to interfere in the *madrasa* system, Muslim leaders, including numerous *ulama*, argued for the urgent need for *madrasas* to modernize, even if simply to stave off the threats of government-imposed 'modernisation' programmes. Proposals for reform were limited, yet, in many ways, significant, suggesting the growing realization on the part of significant sections of the *ulama* of the need for them to take seriously the charge that the *madrasa* system as a whole had remained stagnant and out of tune with the demands of the times and had also left them open to false accusations of being hand in glove with 'enemies' of the country.

One question that received particular attention from many *ulama* in the wake of the growing attacks on the *madrasas* was the issue of registration. Many *madrasas* are not registered societies or trusts, but, instead, are run as informal organizations. Although legally



such institutions need not be registered with the state, it was recognized that registration might help, rather than hinder, them. A senior Deobandi *alim* advised *madrasas* to register themselves to prevent possible harassment by the state, which was said to be considering passing a law to control non-registered *madrasas*.<sup>72</sup> In 2002, the newly-founded Rabita-i Madaris-i Islamiya (Federation of Islamic Madrasas), an apex body of Deobandi *madrasas*, issued a statement suggesting that *madrasas* should register themselves with the government; keep written records of all income and expenditure; get their accounts audited annually; open and maintain a bank account and procure a license under the Foreign Exchange Regulation Act (FCRA) if they sought foreign funds.

Faced with mounting anti-*madrasa* propaganda, *madrasa* leaders were also forced to consider the urgent demand for the careful monitoring of their students and to establish closer links with the state administration. Thus, a widely respected Deobandi scholar suggested that to weed out possible unwanted elements the *madrasas* must properly inspect and examine their prospective students before giving them admission and preferably get them to supply letters of recommendation from reliable persons. *Madrasas*, he suggested, should maintain a list of people visiting their campuses and not allow anyone in who could be suspected of disruptive activities. He also advised that *madrasas* should ensure proper discipline of their students and see that they did not unwittingly fall prey to any 'conspiracy'.<sup>73</sup> Recognising that a distinct lack of communication between *madrasas* and the state was responsible for much misunderstanding on the part of the latter about the activities of the *madrasas*, the rector of the Nadwat ul-Ulama advised *madrasas* to regularly interact with government officials and supply them with the information that they needed.<sup>74</sup> A leading *alim* from Kerala, Maulana Abu Bakr Qadri of the al-Sunnah Cultural Centre, Calicut, called for 'frequent interaction' between *madrasas*, Muslim educational boards and government officials to discuss Muslim educational problems and concerns.<sup>75</sup>

The attacks on the *madrasas* also seem to have prompted many Indian *madrasas* to seriously consider the question of curricular and administrative reform. This growing internal demand for curricular reform is today visible in even the most 'conservative' of *madrasas*, and has not left the great Dar ul-Ulum at Deoband, considered to be the centre of Islamic traditionalism in South Asia, unaffected. In 2002, the newly-founded Rabita-i Madaris-i Islamiya, set up by the Deoband *madrasa*, appealed to *madrasas* to introduce, 'to the extent required' (*hasb-i zarurat*), subjects such as mathematics, social science, Hindi, English, computers, etc. in their syllabus. The 'extent required' was not specified, and was left to each *madrasa* to interpret on its own, thus leaving a way out for *madrasas* that did not feel the need to teach such subjects at all. The statement also suggested that *madrasas* should go beyond their limited tasks of teaching to work along with non-Muslim groups in charitable and developmental activities, fight social ills such as dowry and alcoholism and make efforts to promote inter-communal amity.<sup>76</sup>

## Conclusion

As this paper has tried to show, there is no evidence to support the claim that *madrasas* in India are engaged in a concerted, organized campaign of training 'terrorists'. True, there



may well be certain individuals associated with some *madrasas*, students as well as teachers, who might support militant forms of activism, not so much to forcibly establish an Islamic state, for that is recognized as impracticable in the immediate future, but, rather, as a response to or as a means of defence against organized Hindu militancy. Thus, several leaders and activists of the now banned Students' Islamic Movement of India, accused of promoting terrorism, were graduates of the Madrasat ul-Falah in Azamgarh. They justified their call for *jihad* as a response to the massacre of Muslims at the hands of Hindutva groups in league with the state. Likewise, many *madrasas* did support the Taliban regime and its policies. However, and this point needs to be borne in mind, hardly any *madrasa* students, even in war-torn Kashmir, have actually been involved in any militant sort of activity. There is no Muslim counterpart in India to armed Hindu groups, who are known to have been responsible for the murder of thousands of Muslims in recent years. This owes much to the fact of Muslims being a relatively powerless minority, and the acute consciousness that violence committed by Muslim groups would invite severe reprisals from the Hindus and the 'Hindu' state.

In such a situation, opposition might take symbolic, instead of physical, forms. The belief that although Muslims might be persecuted in this world, they would be granted eternal solace and joy in heaven, with their 'disbelieving' oppressors despatched to doom in hell, might be a substitute for actual armed *jihad*. However, as the case of *madrasas* in Pakistan and Afghanistan shows, such exclusivism can, if accompanied by growing feelings of threat, exclusion and oppression, lead over time to active involvement in militant movements. In this sense, the absence of any direct involvement in militancy does not necessarily mean, as the *'ulama* have sought to suggest, that the *madrasas* are completely above board. Instilling an undying hatred of other religions, or insisting that the ultimate goal of Islam is the establishment of a state ruled by pious Muslims in accordance with the *shari'ah* might not, technically, be considered as akin to militancy. Yet, it undeniably cultivates a mentality that can easily be exploited by militant demagogues, as has happened, for instance, in the case of numerous *madrasas* in neighbouring Pakistan.

The fact that so far few Indian *madrasas*, if any, might actually be associated with or engaged in terrorist violence, does not, however, mean that the situation might not change in the years to come. Much hinges on the political situation in India. It is possible that if fiercely anti-Muslim Hindutva groups gather further strength, whipping up anti-Muslim hatred and inciting violence against Muslims, as has happened recently in Gujarat, the halting efforts towards reform and openness to the wider society that *madrasas* have been making in recent years would be able to make little headway. In such a situation, many Muslims, finding themselves even more beleaguered and oppressed, might find in militant reaction the only way to defend themselves. This might easily affect the *madrasas* as well—the widespread negative stereotypes of non-Muslims as 'disbelievers' or even as 'enemies of God', which today encourage cultural insularity and exclusivism and a general lack of concern for worldly affairs, could easily, in the face of growing attacks on the community, be used to mobilise support for militant struggle against oppression.



In other words, if militancy in the *madrasas* is not to turn into a self-fulfilling prophecy, the problem of Hindu-Muslim relations needs to be urgently tackled. Islamist and Hindu militancy feed on each other, and one cannot expect to counter one without also consistently opposing the other. Yet, to see the *madrasas* solely in terms of a potential security threat, as the state and much of the Indian media seem to, is obviously not the best way to relate to them. *Madrasas*, as this article has tried to show, serve several valuable functions, particularly catering to the poorer classes of Muslims, victims of considerable governmental neglect and discrimination. These significant contributions are often ignored in debates about the *madrasa* system. True, as many Muslims themselves recognise, *madrasas* are in need of considerable reform, and today many *madrasas* are increasingly willing to consider such proposals. To subject the *madrasas* to unrelenting attack and demonisation is the surest way of putting an end to this process, driving the *ulama* to turn their backs on change, seeing it as a menacing threat to the integrity of the faith. Hindutva militancy thus only promises to block *madrasa* reform while claiming to solve the 'Muslim problem'. If *madrasas* are indeed to shed their insularity and engage constructively with the wider Indian society the problem of Hindu-Muslim relations needs to be squarely addressed. And this, in turn, requires a consistent struggle against all forms of religious chauvinism and obscurantism, Hindu, Muslim, and other. On the larger front, and this holds true for *madrasas* elsewhere too, it requires a consistent struggle against Western imperialism that is seen by many Muslims as today being principally targeted at them, their faith and their religious institutions.

## NOTES

1. For details about the work of the Jami'at ul-Ulama-i Hind after 1947, see Sa'eed Suhrawardy and Abdul Hamid Nu'mani, *A Glance at the Services of Jami'at ul-Ulama-i Hind*, New Delhi, Jami'at ul-Ulama-i Hind, n.d.
2. Mushir ul-Hasan, 'The Madrasas in India', *Daily Times*, 22 May, 2003.
3. Sayyed Mahbub Rizvi, op.cit., p.250. Apparently, one of these officials is said to have remarked on his visit, 'Here simple life and the spirit of high thinking is met with in its true sense'.
4. Ibid., p.31.
5. *Sadr-i Jumhuriya-i Hind Dar ul-'Ulum Deoband Mai*, Deoband: Dar ul-'Ulum, 1957, pp.24-25.
6. Ibid., p.27.
7. Habib ur-Rahman Qasmi, *Dar ul-Ulum Deoband: Ek Maktab-i Fikr, Ek Tehrik*, op.cit., p.31.
8. Barbara D. Metcalf, *Islamic Revival in British India, 1860-1900*, op.cit., p.15.
9. Mushirul Hasan, 'Nipping Thought In The Bud?', *The Indian Express*, New Delhi, 20 February, 2002.
10. 'Abdul Qadir, 'Call to Ignore Singhal's Demand', *The Times of India*, New Delhi, 12 April, 2003.
11. Quoted in Manjari Katju, *VHP and Indian Politics*, Delhi: Orient Longman, 2003, p.110.
12. Habib ur-Rahman Qasmi, *Dar ul-Ulum Deoband: Ek Maktab-i Fikr, Ek Tehrik*, op.cit., p.57.
13. Yoginder Sikand, 'The ISI Bogey and the Not-So Intelligent Intelligence Reports' (<http://www.milligazette.com/Archives/15-9-2000/Art4.htm>).



14. 'Madrasas Posing a Threat to Kerala's Security', *The Hindu*, 10 April, 2002.
15. *Da'wat*, 4 October, 2002.
16. 'Madrasa Ilm Ka Sarchashma: Vajpayee', *Rashtriya Sahara*, 9 August, 2001.
17. Kartikeya Sharma, 'Deoband, The Second Largest Centre of Islamic Learning Fights Off the Taliban Tag', <http://www.the-week.com/21jul01/life8/htm>.
18. Nasim Ahmad Qasmi, *Madaris-i Islamiya Ke Hifz-o-Baq Ke Liye Imarat-i Shari'ah Ki Jad-o-Jehed*, Patna: Imarat-i Shari'ah, 2002, pp.10-11.
19. Ghatrif Shahbaz Nadwi, 'Qaumi Hifazati Nizam Ke Barey Mai Vizarati Group Ki Report: Kya Kahtey Hain Akabirin-i Millat?', *Afkar-i Milli*, August 2001, p.15.
20. Syed Shahabuddin, 'Throttling the Madrasas in the Name of Security' (<http://www.milligazette.com/Archives/01072001/16.htm>).
21. Ghatrif Shahbaz Nadwi, *op.cit.*, p.14.
22. Ghatrif Shahbaz Nadwi, *op.cit.*, p.15.
23. Ghatrif Shahbaz Nadwi, *op.cit.*, p.15.
24. Ghatrif Shahbaz Nadwi, 'Madaris-i Islamiya Ko Darpesh Khatrat Aur Unka Tadrak', *Afkar-i Milli*, May, 2002, pp.18-19.
25. Thus, for instance, in April 2001, the police arrested a student of a *madrasa* at Hapur, accusing him of being linked to a Kashmiri militant group and of being involved in two cases of bombings. A few days later, the Bhopal court declared him innocent (Muhammad Manzur 'Alam, *Naqush-i Karavan: All-India Milli Council Ki Karkardagi Report*, New Delhi: All-India Milli Council, 2002, p.26).
26. 'Prof. Joshi Has Designs on Madrasas' (<http://www.milligazette.com/Archives/01-2-2000/Art1.htm>).
27. This announcement was made in Parliament by the Minister of State for Home, Vidyasagar Rao. Yet, Rao admitted that the government had not conducted any survey on the nature of funding of the *madrasas*, particularly in the border areas. Without choosing to name any particular *madrasa*, he alleged that the ISI was 'trying to infiltrate the *madrasas*' in order to 'exploit and mislead' their students ('India to Monitor Foreign Funding of Muslim Seminaries', *Indo-Asian News Service*, 19 March, 2002).
28. <http://www.silchar.com/news/news57.html>.
29. Mushirul Hasan, 'The Madrasas in India', *Daily Times*, Lahore, 22 May, 2003.
30. 'Muslims Unhappy With Laws to Monitor Madrasas', *Muslim India*, January-July, 2003, p.298.
31. 'No New Mosques and Madrasas in Indo-Nepal Border Areas', *Muslim India*, January-July, 2003, p.298.
32. 'Gujarat Sets Up Task Force To Study Functioning of Madrasas', *The Hindu*, Chennai, 9 March, 2003.
33. See, for instance, Leena Mishra, 'Madrasas Multiply on Gujarat Borders', *The Times of India*, New Delhi, 20 February, 2002.
34. The Students' Islamic Movement of India (SIMI) counted among its leaders and several of its activists former students of the Jami'at ul-Falah, Bilariyaganj, a *madrasa* associated with the Jama'at-i Islami. Although the Jama'at had been instrumental in setting up the SIMI, it later dissociated itself from it because of its growing militant posture.



35. Interview with Muhammad Shaukat Barkati, Islamic Education Board of India, New Delhi, 7 January 2003.
36. Ghatrif Shahbaz Nadwi, 'Madaris-i Islamiya Ko Darvesh Khatrat Aur Unka Tadrak', op.cit., p.19.
37. Khawar Hashmi, 'Dini Madaris Par Sarkari Control: Dusra Pahlu', *Qaumi Awaz*, 27 June, 2002.
38. Quoted in Celia W. Dugger, 'Brothers in Islam, But Not in Politics' (<http://www.milligazette.com/Archives/15072002/1507200219.htm>). This article originally appeared in the *New York Times* (26 February, 2002).
39. Firoz Bakht Ahmed, 'Defender of Faith', *The Times of India*, 24 March, 2003.
40. Ibid.
41. Habib ur-Rahman Qasmi, *Dar ul-'Ulum Deoband: Ek Tehrik*, op.cit., pp.5-6.
42. Interview with Maqbool Ahmad Siraj, executive editor, *Islamic Voice*, Bangalore, 20 December, 2002. Thus, one Deobandi 'alim agreed that some *madrasas* in Pakistan had indeed taken to terrorism, but laid the blame for this on Pakistan's 'political instability' and the 'wrong policies' of its government (Waris Mazhari, *Madaris Ke Khilaf Muhim: Ek Khamosh 'Amal Ki Zarurat'*, *Tarjuman-i Dar ul-'Ulum*, September, 2002, p.4).
43. Based on conversations with numerous 'ulama.
44. *Radiance Viewswweekly*, the official organ of the Jama'at-i Islami quoted the Deputy Inspector-General of Gorakhpur, H.S.Bilwaria, as saying, 'It is proved after the (sic.) investigations by different agencies that the *madrasas* on the India-Nepal border are not the centre (sic.) of ISI' ('Madarasas Are Not Centre of ISI', *Radiance Viewswweekly*, 23 February-1 March, 2003, p.22).
45. Yoginder Sikand, 'Targeting Muslim Religious Schools', *Economic and Political Weekly*, 1 September, 2001, p.3342.
46. Quoted in Meena Kandaswamy, op.cit., p.21. See also 'Kashmir Madrasas Have Not Produced a Single Militant', *The Milli Gazette*, 1-15 June, 2002, p.16.
47. Andalib Akhtar, 'Defamatory Campaign Against Rajasthan Madrasas: Milli Council Plans Action', *Islamic Voice*, October 1998. Also, 'Milli Council Sees Conspiracy', *The Hindu*, 2 September, 1998.
48. 'No ISI Activity in Rajasthan Border Madrasas' (<http://www.milligazette.com/Archives/01022001/Art19.htm>).
49. 'Top U.P.Cop: No ISI-Presence in Madrasas' ([www.milligazette.com/Archives/01-6-2000/n0\\_ISI\\_in\\_madrs.htm](http://www.milligazette.com/Archives/01-6-2000/n0_ISI_in_madrs.htm)).
50. 'Madrasas' Predicament' (<http://www.milligazette.com/Archives/01032002/0203200212.htm>).
51. 'BJP Leader: Hindus Are More Involved in ISI Activities' (<http://www.milligazette.com/Archives/15-10-2000/Art9.htm>).
52. 'Madrasas Fountains of Learning: PM' (<http://www.milligazette.com/Archives/01092001/02.htm>).
53. 'Dini Madaris Ko Registration Karne Ki Tajviz Naqabil-i Qubul', *Qaumi Awaz*, 2 July, 2002.
54. H.'Abdul Raqib, 'Dini Madaris Ki Mukhalifat Aur Hamari Zimmaderi', *Da'wat*, 28 January, 2003. See also Ibn ul-Hasan Abbasi, *Dini Madaris: Mazi, Hal, Mustaqbil*, Deoband: Idara-i Islamiyat, 2001, p.74.
55. See, for instance, Khalid Nadwi Ghazipuri, 'Madaris-i Diniya Ka Tahaffuz: Milli-o-Dini Fariza', *Bang-i Hira*, July-August, 2002, p.7.



56. 'Report: Madrasa Convention', *Bang-i Hira*, September-November, 2002, p.17.
57. Waris Mazhari, 'Madaris Ke Khilaf Muhim: Ek Khamosh 'Amal Ki Zarurat', op.cit., p.4.
58. Habib ur-Rahman Qasmi, *Dar ul-'Ulum Deoband: Ek Maktab-i Fikr, Ek Tehrik*, op.cit., p.60.
59. Marghub ur-Rahman, 'Dar ul-'Ulum Ki Ta'limi, Milli Aur Difa'i Khidmat', in Habib ur-Rahman Qasmi (ed.) *Dar ul-'Ulum Deoband—Ek Maktab-i Fikr, Ek Tehrik*, Deoband: Markazi Daftar Rabita-i Madaris-i Islamiya 'Arabia, n.d., pp.53-54.
60. Husam Siddiqui, 'Sangh Parivar Ki Madraso Aur Masjido Ke Khilaf Lambandi', *Bang-i Hira*, July-August, 2002, p.34.
61. Mufti Ahmed Devalvi, *Madressas: Where Civilised Manners Are Taught*, Jambusar: Jami'a Uloom ul-Qur'an, n.d., pp.1-2.
62. Waris Mazhari, 'Madaris Ke Khilaf Muhim: Ek Khamosh 'Amal Ki Zarurat', op.cit., pp.4-6.
63. 'Tahaffuz-i Madaris Ke Mauzu Par Zimmedaran-i Madaris Ka Ijtim'a', *Bang-i Dara*, January, 1995.
64. 'Report: Madaris Convention', *Bang-i Hira*, September-November, 2002, p.16.
65. Ibid., p.18.
66. Waris Mazhari, 'Madaris Ke Khilaf Muhim: Ek Khamosh 'Amal Ki Zarurat', op.cit., p.5.
67. Nasim Ahmad Qasmi, op.cit., p.4.
68. The late Qazi Mujahidul Islam Qasmi, former president of the All-India Muslim Personal Law Board, quoted in *Kul Hind Dini Madaris Convention Delhi: Pas-i Manzar, Rudad*, op.cit., p.16.
69. Shaik Ahmad 'Ali, 'Madrasas to Introduce Patriotism As A Subject', *The Times of India*, Bangalore, 11 June, 2002.
70. 'SSB Film Contradicts IB Reports On Madrasas', *The Times of India*, Lucknow, 31 March, 2003. The report quoted the director-general of the SSB as saying that while some *madrasas* along the Indo-Nepal border were 'suspected' of being funded by the ISI, 'the big danger to India on the Indo-Nepal border is from Maoist organisations'.
71. Interview with Asghar 'Ali Engineer (<http://www.islaminterfaith.org/oct2002/interview.html>).
72. Asrar ul-Haq Qasmi, 'Dini Madaris Ke Khilaf Hukumat Ki Nayi Muhim', op.cit., p.35.
73. 'Report: Madaris Convention', op.cit., p.18.
74. Sayyed Abul Hasan 'Ali Nadwi, 'Distinctive Features of Arabic Schools and Their Role in Indian History and Culture', *Fragrance of the East*, vol. 5 no.1, January-March, 2003, p.29.
75. 'PM Asks Muslim Leaders to Evolve Consensus on Madrasa Reforms', *Muslim India*, January-July, 2003, p.298.
76. *Muhtamim-o-Muntazamin-i Madaris-i Islamiya Ke Liye Zaruri Ma'aruzat-o-Sifarishat*, New Delhi: Rabita-i Madaris-i Islamiya, Tanzim-i Abna ul-Qadim Dar ul-'Ulum Deoband, 2002, pp.5-53. The statement added that the police and intelligence officers did have the right to investigate the *madrasas*, but only if they had the appropriate identity card and on the basis of a written complaint. In this case, the *madrasas* were told that they must co-operate with them, on the basis of the 'Islamic principles of good morality' and provide them with correct information (Ibid., pp.52-53).



## ELEMENTS OF HINDUISM IN INDIA'S 'LIVED ISLAM' : A RELIGIO-CULTURAL PARADIGM

Anand Singh

**Abstract:** *Islam in South Asia is a classical example of how the 'textual Islam' and the 'lived Islam' are not one and the same thing. At the ideological level sufism-the 'humane face' of Islam-was different from the 'imperialist Islam'-the 'political face' of Islam. It was sufism, influenced in several ways by vedanta, which won many adherents from the local Hindu Population. In socio-cultural realm there are a number of shared traditions, customs and practices between the local Hindus and Muslims. The present paper tries to pinpoint and highlight, a number of areas from day today life where the 'lived Islam' carries a number of elements of Hindu thought.*

Islam was the last of the great organised and structured religions founded by Prophet Mohammad. It came to India in different ways-through the traders, conquerors, *sufis* and immigrants and found a congenial atmosphere. The influence of Indian civilization on Islam in the field of religion, philosophy and science is unparalleled. There was continuous interaction in these fields between India and its neighbouring areas because of geographical, commercial and political reasons. Buddhism and Hinduism survived in the remote regions of Khurasan, Balkh, Bukhara and other parts of Central Asia till the tenth century. In the early medieval age works on Buddhism and the Indian works dealing with astronomy, medicine, ethical books such as *Hitopadesh*, and treatises on logic and military science, etc were translated into Arabic. The Arabs were exceedingly keen to learn about the customs, manners, science and religions of the Indian people. Al-Kindi wrote a book on Indian religions. Al-Nadim, Al-Ashari, and many others devoted chapters to describe and discuss Indian religion and philosophical systems. Al-baruni who came in the 10<sup>th</sup> century notes sufi parallel in the *Yogasutras* of Patanjali which was translated into Arabic. This shows that during early days of Islam the Arabs were open minded in accepting foreign influence. However, despite this, the fundamental tenets and philosophy of Islam remained rooted in the *Quran* and *Hadith* of the prophet.

Religion is a complex phenomenon and a sensitive subject with the votaries of each religion claiming it to be unique and uninfluenced by any other faith. However, such rigid demarcations are difficult to maintain, especially when the followers of different religions

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Anand Singh teaches in the Institute of Management Sciences, University of Lucknow, Lucknow.

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live in the same geographical region or when people convert from one faith to another, bringing with them some of their previous ideas, beliefs and practices. Because of these interminglings Islam got a new outlook at a very early stage. In the reign of Abbasid Caliphate *Mutazila* or rationalist philosophy emerged. The Mutazalits or Rationalists were favoured by the Abbasid Caliphs. They tried to systematize theology by applying reason to it. They were concerned with the nature of God, creation, relationship of man with God, nature of soul, etc. They argued that man was author of his own actions, good or evil. The rationalists had some impact of Vedantic thought. Vedantist and yogic ideas were widespread in Iran and adjoining regions before the advent of Islam. The Vedanta<sup>2</sup> system arose out of the Upanishads which marked the culmination of the Vedic speculation and is known as the *Vedanta* or the end of the Vedas. The philosophy gives the idea of one supreme person (*Purusa*) who pervades the whole universe and yet remains beyond it. All objects of universe—animate and inanimate, men and gods—are conceived here as part of that person. In the Upanishads this unity of all is found developed into the conception of one impersonal Reality (*sat*) or the conception of one soul, one *Brahman* all of which are used synonymously. The world is said to have originated from this reality, rest in it and return into it when dissolved. All is God (*sarvam khalu idam Brahma*). The Soul is God (*ayam atma Brahma*). There is no multiplicity here (*neha nanasti kinchana*). This soul or God is the Reality (*Satya*). It is infinite consciousness (*jnana*) and bliss (*ananda*).

### Sufism

The sufi movement absorbed a variety of ideas and practices from the vedanta and yoga schools. Sufism, in its advanced stage, was like a stream which gathered values by joining the tributaries from many lands. Sufi mysticism sprang from the doctrine of *wahadatul wujud* or the 'unity of being' which identified *Haq* (the creator) and *khalq* (the creation). This doctrine means that God is the unity behind all plurality and the Reality behind all phenomenal appearance. In this journey to achieve union by the absolute, they had to pass through ten stages which are: *tauba* (repentance), *wara* (abstinence), *zuhd* (piety), *faq* (poverty), *sabr* (patience), *shukr* (gratitude), *khauf* (fear), *raja* (hope), *tawakkul* (contentment) and *riza* (submission to the divine will). In passing through these stages of spiritual development, the sufi felt extreme love for god. Like *Gurukul* system, the practice of spiritual preceptship, known as *pir-murid* was also prevalent in Sufism. Those who entered into a particular fraternity of sufi saints were called *murids* (disciples). The *murid* had to pledge for absolute submission and devotion to his spiritual guide called *pir* (teacher). The sufi in India, particularly of the *Chisti* and *Suharawardi* order followed *Sama* and *Raqs* (audition and dancing) as a mode of invocation to God. His *Majlis-i-Sama* (devotional music) was different from *Majlis-i-Tarab* or musical entertainment. To the sufi, music was means to an end. *Sama* exhilarated their spiritual spirit and lifted the veil between them and God and helped them in attaining the supreme stage of ecstatic swoon. The sufis adopted several spiritual practices of the Hindus i.e. shaving the head of new entrant to the Sufism, the *zambil* (bowl) for collecting food, offering water to visitors, etc. *Chilla-i-makus* (inverted forty days ritual) performed by Shaikh Faridu-din Ganj-i-Shakar was taken from



*Urdhamukhi Sadhu*. The practice of controlling breath (*habs-i-doam*) was taken from Hindu *Yogis*.

The sufi attitude towards Hinduism is epitomized by Amir Khusaru in the following verse:

*Nist Hindu orche ki dindar chu man*  
*Hast basi jay ba qarar chu man*

(Though Hindu is not like me in religion, he believes in the same thing as I do)

*Ay ki zi but tana ba Hindu bari*  
*Ham az way amuz parastushgari*

(O you who condemn the idolatry of the Hindu, learn also from him how worship is done).

The sufis had developed doctrines of the mystical union. The sufi experience of union had a profound understanding of the nature of divinity and human being. It brought about a unique understanding of *tauhid*.<sup>3</sup> *Shirk*, the greatest sin for orthodox Muslims is usually defined as associating any other with Allah or departing from strict monotheism, is reinterpreted as awareness of duality of existence outside of Allah's omnipresence in both time and space. This is a dramatic shift in emphasis from monotheism towards monism. It provides the possibility for comparison between teaching of the sufis and the philosophy of Hindu Vedanta. Two most influential exponents of this positions were Sheikh Muhiyud-Din Ibn Arabi (1165-1240 A.D.) and Shaikh Abdal-Karim al-Jili. According to them pure being or *Haqq* (the real) descends as emanation from absoluteness to manifestations. This expression of reality in the created order is known as *Khalaq*. *Haqq* can have neither name nor attributes but as it becomes *Khalq* names and attributes appear. So for most of the sufis spiritual quest is not about integrating the soul back to the divine but it is about removing the veils so that one may see what actually is, that is, the reality of the unity of the Allah. The idea of a veil that hides the reality of God from human perception coincides with the variety of Hindu doctrines concerning *Maya*<sup>4</sup> (illusion).

The object of all sufi preaching is to discover the unity of Allah both within and without this creation. This process of purification that gradually leads to self-illumination is known as *tariqa*. For the *tariqa* and removing the self from the centre of one's life to be replaced by Allah, three elements are needed i.e. *maqamal*,<sup>5</sup> *ahwal*<sup>6</sup> and *tamkin*.<sup>7</sup> *Tamkin* leads to *fanafil-Haqq* or union with the ultimate reality of being. It may be compared with the state of *Samadhi*<sup>8</sup> experienced by a *yogi*.

Generally most sufis in India subscribed to Ibn al-Arabi's formulation of the doctrine of *Wahdat-al-Wujud* (Unity of Being) concerning Allah's unity. But some followed a modified form known as *Wahdut-al-Shuhud* (Unity of Appearance). This was first propounded by Ala'u'd-Dawla Simnawi (1261-1336 A.D.) of Iran whose disciples traveled to different parts of India. Simvani disagreed that Being and God were the same. He argued that Unity of Being was only a stage on the mystical journey and the final stage reasserted transcendence. The Naqshbandi reformers like Shaikh Ahmad Sirhindi (1564-1624 A.D.) and Shaikh Wali-Ullah (1703-1762 A.D.) adopted this view and argued that Muslims had



been too influenced by Hinduism. But most of the sufis believed in immanence concentrating on interpreting the central tenet of Islam as 'there is nothing but God'. This focus on immanence led some sufis become close to pantheism and monism in their relation with Allah. And in their experience of *fana* (complete loss of self) they were liable to announce a condition of oneness. The most prominent of them was Al-Hallaj (857-922 A.D.) known in India as Mansur, who was killed by his fellow Muslims for 'blasphemy'. He had announced the former utterance *Anal-Haqq* (I am the Truth) and was perceived to have identified himself with God. His *Anal-Haqq* has been compared with *Aham Brahmasmi* of Upanishads.

Zaehner (1994) points out that there are similarities between typical ecstatic utterance of sufis and the famous prose of the *Chandogya Upanishad*: *Tat tvam asi* (That thou art) which suggests that the reality of the *atman* (self) is identical to the reality of *Brahman* (Ultimate Being)

'Adorn me with Thy Unity  
Clothe me with Thy Selfhood  
And raise me up to Thy Oneness,  
So that when Thy creatures see me  
They will say we have seen Thee  
And Thou art That (Zaehner 1994: 94)

If the unique understanding of *tauhid* was accessible to an Advaita Vedantic interpretation, then the doctrine concerning union of the lover with the Beloved allowed sufi teachings access to Hinduism through the *Bhakti* (devotional) tradition. Allah is perceived by the sufi as the Beloved and they see themselves as His lover longing for the union with the divine essence that is only attainable by the heart. Those who achieved the ecstatic state of loss of individual self and were immersed in the bliss of Allah became known as the *awliya* (the friends of Allah). The key factor here is that both Islamic and Hindu theism were able to interface and even sometimes mingled with each other as well as with the rare manifestation of monism.

By the time of the Mughals, sufis were well settled in the courts of the rulers as well as in the hearts of the common people. The Mughal emperor Akbar (1556-1605 A.D.) and Darashikoh (1615-1659 A.D.) were both followers of sufis and were integrationist in their approach to India's major religious traditions. Darashikoh contributed much to the mystical literature of India and has earned a wide reputation for the catholicity of his views and for his efforts in harmonizing Islamic and Hindu religious ideals. His important works are :

1. *Safinat-ul-Awliya* – a collection of biographies of sufi saints,
2. *Sakinat-ul-Awliya* – a biography of his two preachers Mullashah Muhammad Badakhshani and Miyan Mir;
3. *Hasanat-ul-Arifin* and *Majmul-Bahrin* containing his philosophical and religious ideas, and
4. *Sirr-i-Akbar*, containing his translation of fifty two Upanishads.



His own introduction to the text indicates that he considered them to echoing the teachings of the *Quran*. Every difficulty and every sublime topic that he had desired or thought of and had looked for and not found, he obtained from essences of the most ancient books, and without doubt or suspicion, these books are first of all the heavenly books in point of time and the source and the fountain head of the ocean of unity in conformity with the Holy *Quran* (Embree 1988: 473-74).

Darashikoh's poetry indicates both the influence of Ibn al-Arabi and the Upanishads

Here is the secret of unity, O friend, understand it;  
Nowhere exists anything but God.  
All that you see or know other than Him,  
Verily is separate in name, but in essence one with God.  
Like an ocean is the essence of the Supreme Self.  
Like forms in water are all souls and objects;  
The ocean heaven and stirring within,  
Transform itself into drops, waves and bubbles (ibid: 472).

However, Sufism's affinity with the unity of *Brahman* and *atman* may be seen. But the main confluence of Islam and Hinduism was to be with the *Bhakti* tradition, especially the north Indian *nirguna*<sup>9</sup> *bhakti*. The Hindu *bhaktas* and the sufis share together the pain of separation and longing for union. Both are recipient of grace of God given as loving gift to a servant who remains in constant remembrance of the Lord's name. Both can be absorbed into the divine state where all awareness of individual self is lost—the *bhakti* in condition of *Samadhi* and the sufi in the state of *fana*. The central act of *bhakti* is *prapatti* (self-surrender) that could be likened to Islam's 'surrender'. The central components of *prapatti* are :

- (i) the intention of submitting to the Lord
- (ii) giving up resistance to the Lord
- (iii) the belief in the protection of Lord
- (iv) the prayer that the Lord may save His devotees
- (v) the consciousness of complete helplessness and dependence on God's grace (Klostermaier 1994: 229).

According to Albaruni the sufi theories of the soul are similar to those in Patanjali's *Yogasutra*. Like Patanjali, sufis also described that the bodies are the snares of the souls for the purpose of acquiring recompense. He also identifies the sufi doctrine of divine love as self-annihilation with parallel passages from the *Bhagavadgita*. Shaikh Nizamuddin Auliya's description of his conversation with the *yogis* shows that he was impressed with their theory of division of human body into the region of Siva and Shakti. The area from the head to the naval, associated with Siva was spiritual; the area below the naval associated with Shakti was profane. He was also impressed with yogic theory that a child's moral character was determined by the day of the month in which he was conceived. Shaikh Nasirurddin Chirag-i-Dehlvi observed that controlled breathing is the essence of sufism. Yogic posture and breath control became an integral part of Chisti sufi practices and



controlled breathing was incorporated finally as a vital aspect in all the sufi orders except the Indian *Naqshbandiyas*.

The sufi theory of *Wahadat-ul-Wujud* and sufi analogies for it were remarkably similar to those of the *yogis*. Shaikh Hamiduddin Nager's Hindi verses reflects the yogic influence. The *Nath Panthi* doctrine had a far reaching influence on the Chisti Shaikh Abdul Quddus Ganghoi. His Hindi *nom de plume* was *Alakh* (imperceptible). In his *Rushadanama* he says that the Imperceptible Lord (*Alakh Niranjana*) is invisible but those who are able to perceive him, are lost to themselves. In another verse the Shaikh identifies *Alakh Niranjana* with God (*Khuda*). Reference to the yogi saint Gorakhnath in the *Rushdanama* equates him with ultimate Reality of Absolute Truth. The union of Shakti and Siva is, according to the Shaikh, symbolized by prayers performed hanging upside down with the legs suspended from a roof or the branch of tree. It is a reference of practices of Hindu *tantric* system influencing sufi beliefs.

The intermingling of sufi beliefs with the ideology of Kashmiri Sarvite woman Yogi Lalla (Lall Yogesavari) has affected the Rishi movement of Shaikh Nuruddin Rishi (15th century) of Kashmir. The Shaikh's teachings are almost identical with those promoted by Lalla Yogeshvari: Nuruddin and his disciples preferred to call themselves *rishis*. Their main theme was universal love. They served the people without considering caste and clan distinction, planted trees on roadside etc. Shaikh Nuruddin believed that although eating meat was permitted by *shariat* it entailed cruelty to animals and he became vegetarian. The Nath ideas found great popularity in Sufism. The *Amratkunda*, a text on *Hathayoga*, was translated into Arabic in Bengal in the early thirteenth century. Sayyid Murtaza wrote the *Yoga-Qulandar*, identifying the *Qalandriya* discipline of Abu Ali-Qalandar with yoga practices. The *Haqiq-i-Hindi* of Abdul Wahid was intended to curb orthodox opposition to the use of Vaishnavite themes in Hindi poetry recited by the Chisti sufis to arouse ecstasy. Gesu Daraz says that Hindi poetry was more subtle, elegant and transported the sufis to higher stages of mystical ecstasy than Persian verses did. So the common beliefs and practices of the *bhakti* saints are hard to distinguish from those of the sufis. Both share the idea that God is one, all pervading reality. Both perceive the divine to be immanent in creation and thus capable of being experienced through the human soul. The names may be different according to language and culture. They may be remembered silently in the heart or chanted by the tongue, but essentially sufi *Dhikr* and *Nam Simran* of the saints performed the same lesson.

Like roaming *sanyasi* of Hinduism, there were also wandering individual ascetics known as *Qalandars*<sup>10</sup> or *fakirs*, in Islam. When *pir* or shaikh died, he was buried in a tomb. It was believed that the power to intercede and perform miracles was contained now within the tomb of the saint as he was in the same way still alive awaiting the day of judgement. The proliferation of shrines of deceased saints brought a new dynamics into Muslim belief. There was considerable criticism of the need to submit to the authority of charismatic men who claimed a special relationship to Allah through ecstasy.

### Language, Society and Culture

The Impact of Hinduism led to the emergence of a new language-Urdu-in Muslim Period. It emerged as an independent language only towards the end of the 14th century. Its base



was *Khadi Boli* which is also known as *Zuban-i-Dihlawi* or Hindustani. It assumed a new character by absorbing words and idioms and also the literary forms and themes of Persian, which had itself imbibed Arabic and Turkish elements. It was thus a composite language and served as a fit medium of intercourse between the local people of India and those Muslims who came from Islamic countries. But initially, the cradle of Urdu literature was South India. The earliest available work in *Dakhni* (southern) Urdu is *Miraje-Ashiqin*, a mystical prose treatise written by saint Gesu Daraz in 15<sup>th</sup> century A.D. Wali gave final shape to Urdu by substituting the edition of Delhi for that of *Dakhini* and hence he is called the 'Father of *Rekhta*'. Gradually, an elegant literary language emerged in the work of Mirza Jan-i-Janan Mazhar of Delhi (1699-1781), Mir Taqi Mir of Agra (1720-1806 A.D.), Muhammad Rafi Sauda (1713-1780 A.D.) and Mir Hasan (1736-1786 A.D.). Sauda tried successfully all forms of verses – he excelled both in *Ghazal* and *Qasidah* but he was master of satire. Mir was a lyricist par excellence. Indian music made irresistible appeal to the Muslim heart. It had a very healthy effect on the exuberance of Muslim feelings. All this inspired the Muslim society to take keen interest in music. Consequently, great musicians like Khusru were produced in the Sultanate period. He recited his poems in accordance with the Indian tunes and invented new *ragas* like *Qawwalis* and *khayals*. The Muslim musicians adopted instruments like *Sitar* and the *Tabla* of the Hindus. Music made remarkable progress during the Mughal period. Akbar was great patron of music. The courtiers of Akbar like Abdur Rahim Khan-i-Khanah, Raja Bhagwan Das and Man Singh contributed substantially to the growth of Hindustani music. The new varieties of *ragas* like *Tarana*, *Thumari* and *Ghazal* were composed and Sanskrit works on music were translated into Persian. The close association of Hindu and Muslim musicians and exchange of thoughts between them also promoted the general progress of music and growth of Hindustani school of North Indian music was the result of this cultural fusion. The most notable result of this patronage was the compilation of *Gunyat-ut-Munya* written in fourteenth century which was the first work in Indian music by a Muslim scholar. The national music which had its birth in Agra in the time of Akbar holds the field even today. The growth of *Kathak* style of classical dance was also one of the results of this cultural fusion. In this age Baz Bahadur of Malwa created an immortal tradition of music. Sultan Husain Shah Sharqi of Jaunpur was a great musical expert. He developed many notes, scales and melodies of which *Hussaini* or *Jaunpuri* is very famous. He composed a raga known as *Zangula* or *Jangla*. He is credited with making improvement in *Khayals*. In Kashmir Sultan Zainul Abideen's patronage to musicians was responsible for the compilation of a commentary on the *Sangitaratnakara*. Amir Khusru pioneered music popularly known as Indo-Persian music. He studied Karnataka school of music which presented the musical tradition of ancient India with the greater purity. He is said to have invented several treatises on music. Later works credit him for invention of about nineteen melodic *ragas* like the *Khayal*, *Tarana*, *Qawwali*, etc.

Human life has been intimately connected with the customs and conventions from the earliest times. Customs vary from place to place because geographical conditions vary.



Customs and festivals are also intimately connected with religions. In fact many of the customs ordained by Muslims in India were different but later on they heartily participated in Hindu customs and festivals. Indian surroundings, their customs and sites definitely influenced them. These customs appear prominently during birth, marriage, death, etc. Although some customs were adopted in original form but some have been modified and have been given a new name and Muslim colour. All these rituals are mostly related to Hindu *samskars*.<sup>11</sup> During pregnancy two rituals are important like *Garbhadhana* and *Pumsavana samskar* of Hindus. The *satmasa* (the seventh month) ritual begins at the seventh month of pregnancy. In this custom the bride's parents bring gifts called *sidhor* which comprises seven vegetables, dry fruits, etc. She is bathed, dressed in colourful clothes, has hair freely done, decorated with flowers and made up as a bride again. A coconut is broken and if the kernel is white it is considered a good omen, a son. On the onset of the ninth month *Naumasa* ceremony is performed. In this a set of clothes, a comb, perfumes, flowers, etc. are sent for the bride by the parents. When a child is born in a Muslim house he is given a bath in the first instance and a pious member from the household recites *Azan*<sup>12</sup> in the right ear and *Iqamat* in the left ear of the child—a call for the *Namaz*. The customs of reciting *Azan* in the ear of a child was started by Prophet Muhammad. This ceremony is like *Jatkarma samskar* of the Hindus where vedic hymns are recited in the ear of a newly born child. *Chhathi* (the sixth day) is also a Indian custom. Both the child and the mother are given bath on the sixth day after the child birth. The mother is seated on a low stool. The husband's sister pour milk-mixed with blades of fresh *doob* grass or betel leaf on her head. A golden band is tied on the head of the mother and the child is also decorated in the same manner. Felicitations are sung. Regarding marriage customs too, impact of Indian rituals can be seen. The custom of *Mangni* does not exist in Islam and has been adopted from Hindus. This ceremony is an announcement of finalization of marriage. Marriage is fixed and arranged by the parents and on a fixed date the family members of the boy go to the girl's house. The eldest woman of the boy's family puts a ring in the girl's finger and the *mangni* is complete. The bride's palms and feet are decorated with flower pattern by *Mehndi* in a custom prevalent among Hindus. Another important custom is *Haldi* (turmeric). One week before the marriage ceremony, family members put *haldi* on the face and body of the bride and the bridegroom. The custom of *chowthi* was originally absent in Islam. On the fourth day after the marriage, the girl again is dressed like a bride and made to sit among the women and the young boys, including her husband. The bridegroom strikes the bride with flower sticks and *vice-versa* and the males and females of both sides throw flowers on each other. The post-death customs also show some impact of Hinduism. The ceremonies like *Teeja*, *Dasvin Chaliswan* are like *Antyesti samskar* of Hindus. After burial relatives come on the third day i.e. on *Teeja* or *Phool ka din* and this continues till the fortieth day (*Chaliswan*). *Fatiha* prayer is offered on the second day after the death. This is forgiveness of the soul of the departed one and complete recitation of Holy *Quran* is undertaken. A new set of clothes, a few utensils, a chain of beads (*Tasbih*) etc are donated. It is like *Terahveen* (13th day) function of the Hindus. *Barsi* or anniversary is observed after one year of death.



On the birth of a child, even in Muslim families, the mother is considered to be 'impure' for some days like the Hindus. At the time of marriage the pomp and show, feasts and festivities are almost the same; songs are sung by women. The joking practices are all alike in both the communities. Muslims became monogamous as a result of contact with the Hindus. Remarriage of widows declined under the Hindu influence. The Muslims adapted themselves to the political, social and religious conditions of this country. Many rulers followed the policy of religious toleration towards the Hindus. The Hindus who had become converts to Islam did not give up completely their previous beliefs. Muslims also adopted many Hindu customs. They started celebrating the festival of *shabe Barat* under the influence of Hinduism. *Tazia* processions are found only in the Indian subcontinent, probably an imitation of the religious procession of the Hindus. Akbar put *Tilak* on his forehead. Humayun and Akbar both had great regard for *Rakshabandhan*. Jahangir used to indulge in *Holi* festivities.

The Hindu caste system also has not left the Indian Muslims unaffected. Indian Muslims are generally divided into three categories. *Ashraf* Muslims belong to the elite class—Syed, Shaikh, Pathan are *Ashraf*. The *Ajlaf* Muslims are inferior to the first one—weavers, tailors, barbers, etc. belonged to this category and *Arzal* are mostly untouchables. A loose type of endogamy is prevalent in these groups.

In conclusion it may be said that when Muslims came to India, they were attracted and fascinated by the Indian civilization. The sublimity of the Indian philosophical ideas and the expanse of the Indian intellect were a strange revelation to them. The Muslim mystic movement was highly influenced by the Indian philosophical system. The influence exerted by the Hindus on the Muslim social life and customs was no less remarkable.

The Indo-Muslim strands have woven into the texture of India's national existence, a new design of composite culture by inter-twinning the threads of Sufism and *Bhakti Marg*, the Indian social customs with the Turko-Iranian modes of collective life, thereby creating a refreshing and a new inter-cultural synthesis, in which the value of man and social ethics collected a new ethos. Because of all these the composite culture in India originated in an environment of reconciliation rather than refutation, cooperation rather than confrontation, co-existence rather than mutual annihilation.

## NOTES

1. *Hadith* : Sayings of Prophet Muhammad. The entire Muslim world follows them for seeking solutions to their problems.
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6. *Ahwal* : It is the state of being which are provided by the grace of God as gifts along the path.
7. *Tamkin*: It is achievement of the point of arrival at the cessation of self. This state of cessation is known as union with the ultimate reality of being.
8. *Samadhi* : It is a last stage of *yoga*. This school was founded by Patanjali. There are eight steps in the practice of *yoga*. These are *yama* or restraint, *niyama* or moral culture, *asana* or posture, *pranayama* or breath-control, *pratyahara* or withdrawal of the senses, *dharan* or attention, *dhyān* or meditation and *samadhi* or concentration. *Samadhi* is that stage in which the contemplative consciousness is lost in the contemplated object and has no awareness of itself.
9. *Nirguna*: It is a way of worshipping God. It's followers discarded idol worship and said that God is omnipresent and reside within the heart of man. On the philosophical side they believed in the Upnishadic philosophy of *advaita Vedanta*.
10. *Samskar*: These are aspirations and ideals of the Hindus. They aim at securing the welfare of the performer and developing his personality. The constituents of *Samskaras* are grouped under five heads: prenatal, natal, educational, nuptial and funeral. Important *Samkaras* are *Gardbhadharna*, *Pumsavana* (to procure male child), *Simanto Nayan* (for safety of mother and child), *Chura karma* (tonsure), *Upanayan* (thread ceremony), *Vivah* (marriage), *Antyesti* (last rites).
11. *Azan*: *Azan* is a call to the faithful for the prayer. They are invited and informed that time for the prayer is approaching, "come along for the payer, come along for success". *Azan* is recited in every Mosque before the prayer. The person reciting the *Azan* is called as *Muazzan*.
12. *Qualandars*: They are a class of Muslim mendicants who did not believe in private property and wandered from one place to another and lived by persistent begging.

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## ISSUES/DISCUSSION

*This would be a regular column of the Journal. In order to include important and interesting issues of contemporary relevance for discussion, comments and debate it has been decided to give place to such material too which has already been published elsewhere. However, readers are encouraged to contribute original notes and interviews (preferably within 2000 words).*

—Editor

### I

#### WAITING FOR A MUSLIM GANDHI? ISLAM AND NON-VIOLENCE

Non-violent resistance will always be associated with the name of the Hindu-born Mohandas Gandhi, who invented the word satyagraha. "Arab region in dire need of 'non-violence'" calls Jessy Chanine in The Daily Star, 9 July, 2004. Skeptics might argue that Gandhi has had no really successful follower anywhere. Yet it is still worth asking why the non-violence movement is so weak in the Muslim world.

Why? It's not because of any lack of backing in Islamic theology. Muslims greet one another daily with a "Salaam aaleikum," the salutation of peace given by the angels to the righteous on entering Paradise (Koran 13.23-4), while rich connotations of peace as well as submission are enfolded in the verbal noun "Islam" itself. And the Koran (2.190) tells us that "Allah loves not aggressors."

Nor is it because of a lack of contemporary Muslim organizations promoting non-violent ideals. But theirs is an uphill struggle. One of the most articulate apologists for Islam in the West, Professor Akbar Ahmed, claims that Muslims "do not believe in turning the other cheek" ("Living Islam" 1993), and across the West, Islam is stigmatized as dangerous, potentially non-democratic, resistant to modern influences, economically marginal, reminding Europeans of their guilt with regard to the third world. There is enormous cognitive dissonance between the notions of non-violence and Islam.

A probable explanation for the weakness of non-violence in the Muslim world is an informed perception that the chances of its success are generally limited. "Migrants and Militants: 'Fun' and Urban Violence in Pakistan" (Princeton University Press), Oskar Verkaaik's recently published political ethnography of Muhajirs in Pakistan - families of Urdu-speaking migrants after the Partition of British India - devotes some space to the deritualized Sufi pantheism of a leading Sindhi separatist, G. M. Syed (1904-95), but he cannot be said to have deeply affected the tenor of Pakistani politics. Verkaaik gives a sophisticated narrative of the rise of the Muhajir Qaumi Movement (MQM), stressing the role of streetwise, disrespectful young men in fomenting ethnic-religious violence - violence as addiction, quite different from the rule-bound control of high Islamic culture. After episodes such as the ethnic cleansing of Muhajirs in Sindh in 1990, the MQM deployed Islamic themes of martyrdom-Karbala and the hijra - but focusing on numbers rather than individuals.

The MQM's aestheticization of violence has countless parallels, both in sectarian confrontations and in coercive institutions run by governments. Suicide bombing is another matter. It has emerged as a pattern in various historical circumstances, but only exceptionally - which is what one would expect, as the human survival instinct is so strong. While much has been written about the joyful



sacrifices of the Japanese "kamikaze" air pilots toward the end of World War II, most were enlisted teenagers who faced their death missions in a state of despair. Moreover, suicide is forbidden by the major world religions, so that casuistical arguments have to be deployed in order to justify it. As Christoph Reuter points out in "My Life is a Weapon: A Modern History of Suicide Bombing" (also Princeton University Press), Hizbullah was responsible in the early 1980s for the first suicide bombings in the Middle East, but gradually renounced them. The armed Islamist movement in Algeria has never gone in for suicide bombing.

As has been argued by Avishai Margalit in the New York Review of Books (Jan. 16 2003), the Palestinian case is "the only one in which civilians of one society regularly volunteer to become suicide bombers who target civilians of another society." The ethical justification advanced by Hamas is that "martyrdom operations" are acts of legitimate self-defense against military occupation, even if the victims are schoolchildren. This is against *shariah* rules of war, but many in the Arab-Muslim world sympathize with the argument in the special case of the Israeli occupied lands.

In order to motivate suicide bombers or *shuhada* (martyrs), aestheticization must be specially intense. As the Japanese-American anthropologist Emiko Ohnuki-Tierney has shown, cherry blossom had come to represent the Japanese soul, and the motif of a single cherry blossom was painted in pink and white on both sides of the kamikaze's plane to symbolize his giving his life for the Emperor. Hamas' shuhada are videoed before setting out, and later depicted on posters and calendars, often surrounded by the green birds that, according to a *hadith*, carry the martyr to God. Osama bin Laden's propaganda videos set out to evoke a holy man in his mountain retreat from the world.

Studies of the backgrounds of the Palestinian shuhada suggest a wide range between frustrated intellectuals and poor people with no prospects. A sense of humiliation seems to motivate them, rather than extremes of deprivation. The primary motivation that suicide bombers seem to have in common is to make a heroic mark by their deaths. In any case, the present cycle of punitive killings would seem to be barren ground for a non-violent movement.

But let us look again at Akbar Ahmed's assertion that turning the other cheek is alien to Islam. One of the most impressive instances of non-violence in Muslim history is the Khudai Khidmatgar, "servants of God," an organization of Pakhtun (Pathan) nationalists in the North-West Frontier Province of British India, who conducted a non-violent campaign against British rule between the two world wars, inspired by Gandhi - despite the Pathans' reputation as a warrior people. Their leader, Khan Abdul Ghaffar Khan, was known as the "Frontier Gandhi." Mukulika Banerjee has shown in "The Pathan Unarmed" (James Currey, Oxford) how their dedication to Indian nationalism resulted in their being erased from the historiography of Pakistan after Partition in 1947. She also shows how they explicitly drew on Islamic values of patience and self-restraint.

Other examples of Muslim non-violence are cited by Stephen Zunes ("Non-Violent Activist", January-February 2002). Though the Iranian revolution soon turned bloody, it started in 1978 as a form of non-cooperation by means of demonstrations, strikes and the use of media such as audiocassettes, so that the Shah's powerful forces could not prevent his downfall. The first intifada in the Palestinian territories, though remembered for stone-throwing by youths and the murder of collaborators, was predominantly non-violent. According to Zunes, it was influenced by the successful non-violent resistance of the Druze villages of the Golan Heights against incorporation into the Israeli state after annexation of the Golan in 1981. This prompted Palestinians under Israeli occupation to rethink their previous dependence on armed struggle by exiled guerrilla groups. Bangladesh's separation from Pakistan in 1991 was also achieved largely by non-violent means.

For a non-violent movement to succeed, much depends on the political complexion of the dominant power. During the Nazi period, the Jehovah's Witnesses in countries under German rule



refused to do war-related work or to vote. The sect was banned, they were ruthlessly persecuted, and some 1,400 of them, mainly Germans, died in the concentration camps. By contrast, Gandhi's "saintly style" of politics proved on the whole effective in India, despite racial hatred against the British occupier evoked by memories of the Anglo-Indian War of 1857-58 (the "Mutiny") or the Amritsar massacre of 1919. Gandhi's philosophy was to seek a level of "truth" (*satya* in Sanskrit) uniting two opposing parties and "firmly grasp" it (*agrah*), so as to convert the opponent eventually. Since truth must always be life-affirming rather than life-destroying, *satyagraha* must be non-violent. Thus he was able in 1931, for instance, to form a personal relationship with the devoutly Christian viceroy Irwin that resulted in a pact to lift some of the government's repressive measures in return for the suspension of civil disobedience. Gandhi had a barrister's training and made masterly use of the mass media of his day.

Why should we assume that the characteristics attributed to great religions are fixed? National characteristics are surely not fixed, and they can change rapidly in response to traumatic events. Thus the German and the Japanese peoples, both formerly considered bellicose, are now generally peaceful in their sympathies. European Jews have sometimes been criticized on the grounds that they accepted their fate under the Nazis too passively - a grotesquely unjust criticism, given the brutal nature of Nazi ideology - but Israel is now one of the most militarily sophisticated nations in the world. Similarly, the discourse of all the world religions is subject to continuous creative modification.

What then are the prospects for non-violence in Palestine, such as that promoted by MEND (Middle East Non-Violence and Democracy)? It might seem to be an over-idealistic program at present, with Israeli society traumatized by suicide bombings, their army given an increasingly free rein, many Palestinians more embittered and hating than ever, the Palestinian Christian presence (which has always acted as a moderating influence on extremist Muslim zeal) becoming more marginal. However, no other political program seems at present to have a remote chance of resolving the conflict. Some essential ingredients at least are present. Israel has a free press (by contrast with nearly all its Middle Eastern neighbors) and independent judiciary. Moreover, Judaism and Islam are bound together by close theological and ethical links. The potential for an appeal to common ground, raising the level of discussion to Gandhi's "truth," is there. The only alternative is likely to be escalating bloodshed until a new generation grows sick of it.

The trouble is that violence is addictive. Non-violence is worthy but dull. It lacks the glamour of Hamas's green birds, the Muhajirs' evocation of Karbala, the kamikaze pilots' cherry blossom. But the Khudai Khidmatgar were not dull. Organized on quasi-military lines, they were known as Red Shirts - the color red having historical associations in India with the military and the police. Banerjee suggests that whereas Gandhi's way was to mock British hypermasculinity through renewing Hindu values of androgyny, the Khudai Khidmatgar set out to subvert it with a countervailing image of restraint and self-control that was truly manly.

Charismatic leadership, such as the Dalai Lama's, seems to be a must. In the Arab context, non-violence backed by Islamic principles would surely have a better chance than a movement taking as its reference points Gandhi, Martin Luther King and other culturally distant figures. Can one imagine a quasi-military but non-violent organization taking root there, embracing if necessary the idea of non-violent martyrdom? Or can one imagine the Sufi tradition, once an integral aspect of Islam, being reintegrated into its mainstream and bringing with it some of the ecumenical attitudes of Buddhism? All this may seem a long way off. But at least, unlike the Hamas approach, it is not a cul-de-sac.

—Jonathan Benthall (Copyright, *The Daily Star* Beirut).



**Jonathan Benthall** co-wrote *"The Charitable Crescent: Politics of Aid in the Muslim World"* with Jerome Bellion-Jourdan (I.B. Tauris) and is an honorary research fellow in the Department of Anthropology at University College London.

## II

### THE DALIT MUSLIMS AND THE ALL-INDIA BACKWARD MUSLIM MORCHA

Forming almost a fifth of the Indian population, the Scheduled Castes or the Dalits, a conglomeration of numerous caste groups considered as untouchable, by caste Hindus, are victims of the most sternly hierarchical social order that human beings have ever devised. Since the social and economic oppression of the Dalits has been so closely intertwined with the Hindu religion, over the centuries many Dalits have sought to escape from the shackles of the caste system by converting to other religions. Consequently, a considerable majority of India's Muslims, Buddhists, Christians and Sikhs today consist of descendants of Dalit and other 'low' caste converts.

Recent decades have witnessed a remarkable upsurge in radical Dalit assertiveness. This resurgence of Dalit consciousness has not been limited to those defined according to the law as Scheduled Castes, though. Rather, the Dalit struggle for human rights has had a profound impact on other communities as well, most particularly the large category of castes, the Other Backward Classes (OBCs), who form over half of the Indian population, as well as the Christians and Muslims, most of whom who share, in terms of social and economic background, much in common with the Dalits. This note looks at the growing consciousness and assertiveness of a large conglomerate of Muslim castes, some of whose leaders are now seeking to advance for them a new identity as 'Dalit Muslims'. It examines the politics, programmes and broader agendas that advocates of this new identity seek to put forward on behalf of a large section of India's Muslim population. We deal here with the origin and development of a particular Muslim organisation, the 'All-India Backward Muslim Morcha' [AIBMM] to see how this new identity seeks to position itself in the context of debates over Muslim identity in India as well as how it relates itself to the wider multi-religious Dalit community.

#### The 'Dalit Muslims': Who Are They?

Most Indian Muslims are descendants of 'untouchable' and 'low' caste converts, with only a small minority tracing their origins to Arab, Iranian and Central Asian settlers and invaders. Although the Qur'an is fiercely egalitarian in its social ethics, Indian Muslim society is characterised by numerous caste-like features, consisting of several caste-like groups (*jatis*). Muslims who claim foreign descent claim a superior status for themselves as *ashraf* or 'noble'. Descendants of indigenous converts are, on the other hand, commonly referred to contemptuously as *ajlaf* or 'base' or 'lowly'. As among the Hindus, the various *jatis* among the *ajlaf* Muslims maintain a strong sense of *jati* identity. The emergence of democratic politics is, however, bringing about a radical change in the manner in which this sense of identity is articulated. Aware of the importance of numbers in order to acquire political power and the economic benefits that accrue from it, the Dalit movement has sought to establish a wider sense of Dalit identity that transcends inter-caste and inter-religious divisions and differences among the 'lower' caste majority. This wider Dalit identity does not seek to deny individual *jati* identities. Rather, it takes them into account but seeks to subsume them within the wider collective Dalit identity, based on a common history of suffering as well as common racial origins as indigenous people. This seems to have been a crucial factor in the emergence of a specific 'Dalit Muslim' identity that the AIBMM seeks to articulate. 'Lower' caste Muslim ideologues and activists in the AIBMM are now in the process of fashioning a new 'Dalit Muslim' identity, seeking to bring all



the 'lower' caste Muslims under one umbrella, defined by their common identity as Muslim as well as Dalit.

**The All-India Backward Muslim Morcha:** The AIBMM was set up in 1994 by Ejaz Ali, a young Muslim medical doctor from Patna, capital of the eastern state of Bihar, belonging to the Kunjra caste of Muslim vegetable-sellers. Bihar, India's poorest state, is notorious for its acute caste problem and for its frequent anti-Dalit pogroms. Consequently, the Dalits in Bihar have been among the first to take to militant forms of struggle. The Muslims of Bihar, who form over fifteen per cent of the state's population, are also characterised by sharp caste divisions. The plight of Bihar's Dalit Muslims, whom the AIBMM estimates at forming almost ninety per cent of the state's Muslim population and consisting of twenty-nine different caste groups, is particularly pathetic. Most Bihari Dalit Muslims work as daily wage labourers, manual workers, artisans and petty peasants, barely managing to eke out an existence.

According to Ali, the plight of the overwhelming majority of the Muslims of Bihar, as well as an acute awareness of the limitations of the traditional Muslim leadership, suggested to him the need for the establishment of the AIBMM to struggle for the rights of the Dalit Muslims. He regards the destruction of the Babri mosque at Ayodhya in 1992 as a landmark event in this regard, seeing the traditional, and largely 'upper' caste, Muslim leadership as having only further complicated matters by playing into the hands of Hindu militants and as 'misleading' the Muslim masses for their own petty gains. In less than a decade of its founding, by early 2001 the AIBMM had emerged as an umbrella group of over forty organisations claiming to represent various different Dalit Muslim castes. It now has branches in the states of Uttar Pradesh, Madhya Pradesh, West Bengal, Delhi, Rajasthan and Maharashtra, in addition to Bihar, where it has its headquarters.

**Aims and Objectives of the AIBMM:** The foremost priority for the AIBMM is to get recognition from the Indian state for the over 100 million 'Dalit Muslims' as Scheduled Castes so that they can avail of the same benefits that the Hindu, Sikh and Buddhist Scheduled Castes enjoy, including reserved government jobs, reserved seats in state legislatures and in the Indian Parliament, special courts to try cases of atrocities against them as well as social and economic development programmes meant specially for them. According to Indian law, as it stands at present, only those Dalits who claim to be Hindus, Sikhs and Buddhists can be considered to be members of the Scheduled Castes and thereby eligible for the special benefits that the state has made available to these castes. The AIBMM sees this as violating the basic secular character of the Indian Constitution. It insists that its demand for Scheduled Caste status for 'Dalit Muslims' is fully in consonance with the spirit of the Indian Constitution. Recognising the fact that demands for special legal status for Muslims have been viewed in the past as 'separatist' and 'anti-national' and even 'pro-Pakistan', the AIBMM is careful to project its demands as aimed at integrating the 'Dalit Muslim' into the 'national mainstream' by enabling them to progress economically and socially, along with other deprived sections of the Indian population. Besides being considered 'anti-secular', the law as it stands today is also condemned by the AIBMM as a gross violation of human rights. Furthermore, it is seen as a ploy to keep the more than one hundred million Dalit Muslims in perpetual serfdom, a conspiracy in which both the Hindu as well as Muslim 'upper' caste elite are seen as being involved. Because they have been denied Scheduled Caste status and the benefits that accrue from such status, the Dalit Muslims are said to lag far behind the Hindu Dalits, who have been able to make considerable progress in all fields because of the special facilities that the state has provided for them.

**A New Indian Muslim Leadership and Changing Discourse of Community Identity:** The AIBMM prides itself in having coined the term 'Dalit Muslims', and in this it seeks to radically refashion notions of Muslim community identity. Deconstructing the notion of Muslims as a homogenous bloc, it brings to the fore the existence of caste distinctions among the Indian Muslims,



which it sees as one of the primary and defining features of Indian Muslim society. In articulating a separate Dalit Muslim identity it finds itself at odds with the traditional, largely 'high' caste Muslim leadership, which, in seeking to speak for all Muslims, sees the question of caste that the AIBMM so stridently stresses as divisive. Leading Muslim spokesmen have, not surprisingly, accused the AIBMM of seeking to create divisions within the Muslim community and of spreading 'casteism', and thus playing into the hands of militant Hindus. Ali sees Islam as having historically played a key role in the emancipation of the Dalits, a role which, he says, was gradually watered down over time. Islam spread in India principally through the agency of the Sufis, he says, whose teachings of love and social equality attracted many Dalits to the new faith, shackled as they were by the chains of the caste system and the Brahminical religion. It was not by the sword but through the love and compassion that the Sufis exhibited in their behaviour towards the poor, principally the Dalits, that large numbers of Hindus converted to Islam. With the establishment of Muslim political power in various parts of India, however, he says, this radical egalitarianism of the early Sufis gave way to more institutionalised forms of religious expression. 'High' caste Hindus, in order to save their properties or to secure high positions in Muslim-ruled territories, converted to Islam, bringing with them notions of caste superiority that are foreign to pristine Islam. Doctrines were developed that sought to legitimise caste inequalities by suitably misinterpreting the Qur'an.

Gradually, he says, the 'spirit of Islam' was replaced by the 'rituals of Islam'. One of the crucial tasks before the Dalit Muslims, as Ali sees it, is to rescue Islam from the clutches of those who claim to speak in its name, the 'high' caste Muslim leadership. Thus, he calls for a revival of 'the true spirit of Islam', which fiercely condemns all caste and racial divisions. The practice of untouchability, which Islam roundly condemns, is still observed, Ali notes, to varying degrees, by 'upper' caste Muslims, who look down upon 'lower' caste Muslims as inherently inferior. While Islam calls for Muslims to share in the plight of their fellow believers and to work for their social emancipation, the Muslim 'upper caste feudal lords' are said to be 'deaf, dumb and blind to the suffering of backward Muslims'. Ali is bitterly critical of the traditional, largely 'high' caste, Muslim leadership, both ulama as well as lay. Over the centuries of Muslim rule, he says, the ruling class among the Muslims displayed little concern for the plight of the Dalit Muslims, who remained tied down to their traditional occupations, mired in poverty and ignorance. The only concern of the ruling class Muslims, he writes, was to perpetuate their own rule, and for this they entered into alliances with 'upper' caste Hindus, keeping the Dalits, both Hindus as well as Muslims, cruelly suppressed under their firm control. This disdain for the Dalits, he writes, carried down right through the period of Muslim rule, and continues till this very day. He accuses the present-day Muslim 'high' caste leadership of playing the 'minority card' and practising the politics of 'minorityism' to garner power for themselves while claiming to speak on behalf of all Muslims, the vast majority of whom are Dalits. They, he says, refuse to recognise the acute problem of caste within the community because 'they do not want to lose their jagirdari (power and privileges)'. Yet, they cling to their exalted caste titles simply to 'produce an impression of supremacy and to demoralise the backward caste Muslims'. In their attitudes towards the latter they are said to be hardly different from the way Hindu 'upper' castes treat their own Dalits. He sees the Indian Muslim community as a whole as having 'all the ingredients of the Brahminical order'. The 'upper caste' Muslim leadership, he argues, thrives on championing such 'communal' 'non-issues' as the protection of the Muslim Personal Law or the Babri mosque, which have only helped militant Hindu 'upper' caste forces, resulting in terrible violence unleashed against Muslims and communal riots in which the major victims are the Dalits, both Hindu as well as Muslim. 'The time has now come', he declares, for the 'upper' caste Muslims to 'stop thinking of the entire Muslim community as they have been clearly reduced to their [own] caste leadership, which they were doing from the very beginning (sic.) under the pseudo-umbrella of Muslim unity'.



Given the stress that Islam places on radical social equality, on the one hand, and what he sees as the failure of the traditional Muslim leadership in championing the rights and interests of the backward caste Muslims, on the other, Ali calls for a 'power shift' from the 'Arab-origin ashraf' to the 'oppressed Muslims'. Denying that his struggle is aimed against the 'upper' caste Muslims, he says that it is directed principally at the government, to force it to grant Scheduled Caste status to the Dalit Muslims. A new, Dalit Muslim leadership is called for, for it alone is seen as able to champion the rights of the oppressed among the Muslims. By taking up the interests of the Dalit Muslims, he argues, the AIBMM is not seeking to divide the Muslim community on caste lines, as some have accused him of doing. Rather, he says, championing the cause of the oppressed is what Islam itself calls for, a radical concern for the poor and the weak, which 'is repeatedly stressed in the Holy Qur'an and in the Hadith'. The Prophet Muhammad's early followers, he notes, were largely poor and dispossessed people, and because he spoke out on their behalf, he was fiercely opposed by the rich Quraish of Mecca. Islam, he says, insists on a passionate commitment to the poor. Hence the accusations against the AIBMM of allegedly dividing the Muslims by taking up the cause of the poor Muslims alone are dismissed as baseless. If special facilities were to be provided by the state to the Dalit Muslims, they would, he argues, be able to advance economically and socially. As a result, inter-marriages between them and the 'upper' caste Muslims would increase, and gradually the caste system within the Muslim community would begin to disintegrate, this being seen as working towards the fulfilment of Islam's vision of a casteless society. By denying the existence of caste within the Muslim community, he says, the traditional Muslim leadership is only helping to perpetuate it. Ali calls for a struggle to be waged to fight for extending Scheduled Caste status to Dalit Muslims, and in this the Dalit Muslims would join hands with non-Muslim secular and progressive forces, in the face of the stiff opposition that is expected from many 'upper' caste Muslims as well as 'upper' caste Hindus. The struggle would need the help of non-Muslim Dalits as well, for if the Dalit Muslims gain Scheduled Caste status, they could join hands with Dalits from other religions and become one strong force, almost half the Indian population. They could, together, even capture political power, bring their interests and demands to the centre of the Indian political agenda and put an end to atrocities against them.

Ali sees the new Muslim leadership that he envisages as being drawn primarily from among the 'backward' Muslims, who form the vast majority of the Muslim population in India, for they alone can truly speak for their people. Since the primary concerns of the backward caste Muslims are sheer physical survival, jobs, wages and the like, this new leadership would seek to bring about a 'revolution of priorities'. Instead of taking up 'communal' issues that would further exacerbate Hindu-Muslim differences by playing into the hands of fiercely anti-Muslim Hindu zealots, which only works to further their interests of the Hindu and Muslim elites, this new leadership would focus on issues such as 'employment, food, housing and elementary education', issues which affect the daily lives of all poor people irrespective of religion. In this way, Hindu-Muslim antagonisms would fade away, the Dalits of all religions, the primary victims of the politics of communal hatred, would unite, and the conditions of the poor would improve.

Since the Dalit Muslims share similar concerns of sheer survival with Dalits of other religions, this new Muslim leadership would seek to build bridges between the Muslim Dalits and those of other faiths. All Dalits, irrespective of religion, belong to the same 'nation' (*qaum*), Ali says. Mere change of religion cannot wipe away the common blood that runs in their veins. The Dalit 'nation', representing the indigenous inhabitants of India who today follow various different religions, has been fractured into various antagonistic groups, but they must be united. The 'divided Dalit nation', he writes, will be united once again when all Dalits, irrespective of religion, are granted the same status as Scheduled Castes. Hence, in order to re-unify the Dalit 'nation' so that the Dalits emerge



as a powerful collective force, all Dalits must unite to support the AIBMM's demand for Scheduled Caste status to the Dalit Muslims (as well, interestingly, to the Dalit Christians, who, too, are denied such status). By joining hands with Dalits of other faiths and jointly struggling to improve their living conditions, Ali writes, the Dalit Muslims would be able to join the 'national mainstream' of Indian society. With a new Muslim leadership coming to the fore drawn from the Dalit Muslims, the community would turn its back to the communal antagonisms of the past rooted in a long tradition of exclusivism and separatism. The Dalit Muslims would begin to collaborate with other Dalits, with whom they have 'a great commonality of interests', pursuing the same occupations and facing the same economic and social problems. In this way, a joint struggle for social justice and inter-communal harmony can be launched for all Dalits, irrespective of religion.

Demanding Scheduled Caste status for the Dalit Muslims may, in itself, not be a very radical step, given the present climate of privatisation in the country, where government jobs are being sharply curtailed and public expenditure and subsidies drastically reduced. However, its wider implications are certainly more momentous in their probable consequences. The demands of the AIBMM, limited as they may well be, might actually help facilitate a radical shift in the very terms of Muslim political discourse. Its stress on secularism and human rights, which it sees as being grossly violated by the present law related to Scheduled Caste status, its call for 'integration' of the Muslims into the 'national mainstream', its radical disavowal of communal politics, and its appeal for building bridges and working in collaboration with other Dalits in order to reunify the 'Dalit nation' and working for inter-communal harmony, will provide a key to what has so far seemed the intractable communal problem in India.

### III

#### REFORMING MUSLIM PERSONAL LAW IN INDIA: THE FYZEE FORMULA

The recent meeting of the All-India Muslim Personal Law Board (AIMPLB) in Kanpur has once again highlighted the vexed issue of reforms in Muslim Personal Law (MPL). Hopes had been raised that the AIMPLB would finally and explicitly outlaw the practice of triple talaq, which is one of the major concerns of the advocates of reform. The AIMPLB, dominated as it is by conservative ulama, did not, in its wisdom, choose to do so, however. All that it decided was to promote awareness about the negative consequences of triple talaq, and encourage, through moral persuasion, Muslims to abstain from it. While this hardly meets the demand that triple talaq be banned outright, it must be acknowledged as an important step in the right direction, although one must also ask why it has taken so many years for the AIMPLB to finally realise the urgent need to speak out against the practice.

It is increasingly being recognised by those concerned with the problems of Muslim women that the focus of reformist efforts must be directed at suitable changes within the broad framework of the MPL, as opposed to the scrapping of the MPL altogether and its replacement by a Uniform Civil Code (UCC). This is because the MPL has, for various reasons, come to be seen by large sections of the Muslim community as a legal guarantee of their separate community identity. Rightly or wrongly, they fear that a UCC would result in the ultimate absorption of the Muslims into the amorphous Hindu fold. The vigorous support for a UCC by the Hindutva brigade has added to the suspicions of the Muslims of the real intent of the demand for a common civil code. That the Hindutva insistence on a UCC is entirely hypocritical, and is simply a ruse to engage in their favourite pastime of Muslim bashing, is clearly evident from the opposition of leading Hindutva spokesmen to the reform of Hindu law in the early 1950s and from their vigorous support for the Manusmriti, the Bible of Brahminism, as the legal code for all Hindus.



Muslim advocates for reform within the MPL do not, unfortunately, generally get the attention that they deserve. For large sections of the press, they defy the stereotypical image of Muslims as unrepentant obscurantists, and thus are not seen as making 'good' news. For the diehard conservatives among the ulama, they are nothing less than devious traitors and enemies of the faith, plotting to subvert it from within. Yet, today, Muslim men and women who insist on the need to reform the MPL are increasingly asserting their right to articulate their own perspectives on and of Islam. In doing so, they challenge the monopoly claimed by the traditional ulama to define what is Islamically normative. They insist that Islam has no priesthood, which is what the class of ulama has been effectively reduced to, arguing, instead, that every Muslim, man and woman, who possesses adequate knowledge of Islam has the authority and the right to interpret it for himself or herself.

In raising the question of reforms in the MPL, reformists question the reduction of Islam simply to issues of law and jurisprudence, or, in short, the shari'ah. They point out that the Qur'an is primarily a book of the spirit, a guide to ethical action, and not simply a bundle of dos and don'ts. In this way they critique the tendency of many conservative ulama to equate Islam with shari'ah. In doing so seek to resurrect the original meaning and significance of shari'ah as 'path' or 'road', stressing, therefore, that it denotes a means to an end—justice, equality, morality and submission to God's will—rather than an end in itself. Reformists go even beyond, by making a crucial distinction between shari'ah, as a divinely-ordained path, on the one hand, and the corpus of fiqh or Islamic jurisprudence, on the other, which they rightly point out to be, to a great extent, a result of human effort and a result, in large measure, of developments after the death of the Prophet. They claim that while the shari'ah is divine and immutable, the rules of fiqh, being historical constructions, may change over time in order to reflect the underlying ethical impulse of the Qur'an.

The demand for the reform of MPL had been voiced in pre-independence India by several modernist Muslim scholars, and the issue gained further momentum after 1947. Perhaps the most noted of recent Muslim advocates of legal reform was the late Asaf Ali Fyzee (1899-1981). A Gujarati Isma'ili Shi'a, Fyzee was educated at Cambridge and was an internationally known expert on Islamic law. He served as India's ambassador to Egypt and was also the Vice-Chancellor of Kashmir University. He authored numerous books on Islam, and for his multifarious achievements was given India's most prestigious civilian award, the Padma Bhushan, in 1962. Fyzee wrote extensively on the issue of reforms in the MPL. His case for changes in the MPL is neatly summarised in a small booklet that he wrote in 1971, titled 'The Reform of Muslim Personal Law in India'. More than three decades later, his views continue to resonate in discussions about the MPL and its future.

Fyzee believed that there was an urgent need for reform in the MPL in order to address the question of gender justice. He argued that justice was the underlying principle of the shari'ah. Consequently, if any laws that claimed to be Islamic failed to provide justice they could be considered to be in contravention of the shari'ah, and, therefore, of God's will as well. He stressed that certain laws that form part of the MPL do indeed violate this principle, particularly on some matters related to women. Hence, in order to uphold the principle of justice, they needed to be changed. Aware that this proposal would be stiffly opposed by large sections of the conservative ulama, he claimed that legal reform in this sphere would not be tantamount to changing the shari'ah, and nor would it violate the principle of freedom of religion guaranteed by the Indian Constitution. This was because, he argued, the shari'ah and fiqh were two distinct, but related, entities, although most ulama tended to take them as synonymous.

To buttress this claim Fyzee pointed out that the MPL, as it exists today, cannot be regarded as shari'ah pure and simple. In his words, the MPL in India is a 'discrete body of law and custom, varying considerably from the rules of the shari'ah as expounded in the classical texts'. Hence, reforms in the MPL, he argued, need not necessarily be seen as interfering in or modifying the



shari'ah. He pointed out that the MPL, earlier known as Anglo-Mohammedan Law, was itself a product of the interaction between traditional Islamic jurisprudence and the British colonial legal system, and was, therefore, not equivalent to the shari'ah itself. In preparing the principles and details of Anglo-Mohammedan law, colonial jurists drew heavily on British notions of equity and justice, in the process modifying traditional fiqh in several important respects. Thus, the British did away with Islamic criminal law and even with certain traditional laws relating to personal affairs. The traditional fiqh rule that required that the judge adjudicating a case between two Muslims himself be a Muslim was scrapped; slavery, upheld by the traditional jurists, was abolished; the law laying down death for adultery and apostasy was replaced; and drinking alcohol and eating pork were no longer recognised as cognisable offences.

After 1947, legal reform continued apace, although haltingly. Thus, under the Special Marriage Act of 1954, a Muslim could legally marry a non-Muslim without one partner changing his or her religion. Such a marriage had to be monogamous and could be repudiated by talaq. Children born from such a marriage would be considered legitimate and would have inheritance rights. Under the same act, an existing nikah between two Muslims could be turned into a civil marriage by registration, and a Muslim man married under this law could now bequeath a larger share of inheritance to his wife and children than was permissible under traditional fiqh laws. By registering a marriage under this act, a Muslim did not cease to be a Muslim in other respects, and would be governed by his or her own personal law in all other matters.

All this clearly suggested, Fyzee pointed out, that it was incorrect to argue that further reforms of the MPL would be tantamount to tampering with the shari'ah, because the MPL was not to be regarded as synonymous with the shari'ah in all respects. Further, he argued, it must be recognised that 'in every age and in every country, the shari'ah has been the subject of constant study, examination, and exposition, and these expositions being human and imperfect, and relate to time and circumstance, vary from country to country and age to age'. Hence, he added, 'It is submitted that it is futile to argue that where a certain rule of law, as applied by the Courts in India, needs a change, we are interfering with an immutable rule of divine law'.

Given the inequities inherent in some rules of traditional fiqh, and in certain provisions in the MPL that impinge on Muslim women's rights, Fyzee proposed radical legal reform, which he saw would guarantee gender and, at the same time, retain the MPL. In his book he suggested that the Indian Parliament pass a new law, which he termed 'The Muslim Personal Law [Miscellaneous Provisions] Act', which would modify the existing MPL. In order that the proposed legislation be accepted by the Muslims, he suggested that measures for legal reform base themselves on rules accepted by one school of Islamic law (mazhab) or the other in order to uphold the principles of justice and equity. This measure would also help open up each school to possibility of borrowing from other Muslim schools, and would, in this way, help promote a measure of intra-Muslim ecumenism. Thus, he suggested that the proposed act lay down that, 'Where a Muslim is governed by a particular school of law and a decision according to that school would be against justice, equity and good conscience, the Court shall have the discretion to apply a rule drawn from any of the other schools of Islamic law, Sunnite as well as Shi'ite'.

Fyzee saw legal reform through inter-mazhab eclecticism as crucial for addressing the genuine concerns of Muslim women, while at the same time fulfilling the need for such reform to be seen as Islamically acceptable. This was particularly crucial in meeting the need for reform in the procedure for divorce. Three talaqs uttered by a husband in one sitting, even under compulsion or under the influence of alcohol, are considered to be a binding divorce according to most Hanafi Sunnis, who form the vast majority of the Muslims in India. However, this rule is not accepted by several other mazhabs, such as the Shafi'is and the Ahl-i Hadith among the Sunnis, and the Ithna Asharis and



Musta'lian Isma'ilis or Bohras, among the Shi'as. Given this, Fyzee suggested that the courts apply the more liberal rule drawn from the Shafi'i, Ahl-i Hadith or Shi'a schools in a case involving triple talaq in one sitting, even if the parties to the dispute were both Hanafi Sunnis.

Further on the matter of triple talaq in one sitting, Fyzee pointed out that it was widely recognised, even by the Hanafi ulama themselves, that this method of divorce was not looked upon favourably by the Prophet Muhammad himself. He noted that because it was a later innovation, it had been termed as talaq-i bida'at (bida'at refers to any sort of innovation from the path of the Prophet). Hence, he insisted, outlawing the practice of triple talaq in one sitting would actually be fully in accordance with God's will, rather than being a gross violation of it. When such a talaq is pronounced, he wrote, the matter should immediately be referred to a Court of Conciliation, which may try to bring the parties together, failing which the Court would allow the husband to give a single talaq, according to the practice recommended by the jurists called talaq al-sunna, or talaq in accordance with the practice of the Prophet. If it was proved that a triple talaq had been pronounced by the husband on the wife, the court, he suggested, should declare the said talaq to be void, and should refer the matter to itself for further hearing. After hearing both parties and their witnesses, the court should declare either that a reconciliation had taken place (in which case no further proceedings would take place), or that, for valid reasons submitted by the husband, he was empowered to pronounce a single talaq according to the sunna method. After such a declaration pronounced by the husband in the Court of Conciliation, the conciliators should lay down the conditions for such divorce, including payment of dower and compensation to the divorced wife in the form of alimony. In making such an order the court should take into consideration the financial position and social status of the husband and wife and other such circumstances as may seem to it just and proper.

Another issue that Fyzee insisted needed to be urgently addressed was polygamy, which the MPL, as it exists today, allows for. In line with many modernist Muslims, Fyzee believed that polygamy was actually discouraged by Islam, which limited the number of wives a man could have at a time to four, this being a major reform of pre-Islamic practice that laid down no such limit. Further, he stressed, the Qur'an allows for a man to marry more than one wife only if he can treat them equally, but elsewhere adds that this is not possible. In other words, Fyzee wrote, the Qur'an actually seeks to do away with polygamy rather than sanction or encourage it, contrary to what many conservative ulama claim. Given this, he insisted, there was no reason why polygamy should not be outlawed or at least severely restricted, being allowed only under certain special circumstances as laid down in law.

In order to protect the interests of the first wife in the event of her husband taking a second wife, Fyzee suggested that an agreement be entered into at the time of the first marriage stating precisely the rights of the first wife. In the absence of such an agreement, the matter must be referred to a Court of Conciliation before a second marriage could take place. If such a marriage took place without such conciliation proceedings, the erring husband should be punishable by the criminal law and the wife entitled to seek divorce. Further, Fyzee wrote, in taking a second wife it was imperative that the husband seek his first wife's prior consent. At the same time, if the court, after review of the evidence, felt that in taking a second wife the husband had been guilty of such conduct as to make it inequitable for the court to compel the first wife to live with him, it would refuse relief. The onus would be on the husband who took a second wife to explain his action and prove that his taking a second wife involved no cruelty or insult to the first. Failing this, Fyzee suggested, the court would presume that the action of the husband in taking a second wife involved cruelty to the first, and it would be inequitable for the court to compel her against her wishes to live with such a husband. Hence, Fyzee went on to insist, the taking of a second wife could not be said to be a 'fundamental right' of a Muslim husband.



After spelling out in detail his various proposals for the reform of the MPL, Fyzee concluded that the most viable way to promote the reform process was through what he called 'permissive laws' and 'specific amendments' of the MPL, rather than by seeking to impose a UCC on the Muslims. The latter course, he noted, would be stiffly opposed by many, if not most, Muslims, who might construe it as interference in their religious affairs. Fyzee's point is well-taken, and it is obvious that the best course to adopt at present is to encourage reform within the MPL itself, instead of replacing it, by taking advantage of the flexibility and diverse understandings of Islamic jurisprudence as well as by evoking the Qur'anic precept of justice. Sections of the traditional ulama may undoubtedly be expected to vociferously rant and rave against even such reforms. The future of reforms within the MPL does not depend solely on the ulama, however. The receptivity of ordinary Muslims to reform proposals also crucially depends on the overall political climate of the country, particularly on Hindu-Muslim relations. Quite obviously, heightened communal antagonisms, which the Hindutva brigade has so heavily invested in, works to discourage any openness to the possibility of reforms as Muslims come to see themselves, their traditions and their faith under attack. It is only in a climate of reasonably harmonious inter-communal relations that voices such as Fyzee's can receive a willing ear among common Muslims, who then, in turn, would be able to pressurise the ulama to heed their advice.

#### IV

#### MUSLIMS AS MINORITIES: AN ISLAMIC PERSPECTIVE

The classical schools of Islamic jurisprudence or *fiqh* evolved in a context of Muslim political power. Premised on the notion of Muslim political supremacy and having developed in regions where Muslims were the dominant community, they paid scant attention to the possibility of Muslims living as permanent minorities. Some jurists argued that there were only two possibilities before Muslim minorities: migration (*hijrat*) to a land where Muslims were the majority or else launching a struggle (*jihād*) to establish Muslim political rule in their territories. On the whole, the assumption underlying classical *fiqh* was that the ideal Muslim life was one that was led in a state ruled by Muslims and in accordance with the Islamic law.

The early scholars of *fiqh* did not face the problem of the legal status of Muslims living as minorities but as theoretical equals of people belonging to other faiths. Hence, for Muslim minorities living in secular democratic states today the existing corpus of *fiqh* literature provides little guidance, and is, in some respects, clearly inadequate. The problem that this has posed in enabling Muslim minorities to reconcile their faith commitments with their status as citizens has led to the emergence of what is now called *fiqh al-aqalliyah* or 'fiqh for [Muslim] minorities'. This project is still in its initial stages, however, with only a few scholarly texts having as yet appeared on the subject. Alongside these efforts to develop new jurisprudential perspectives for Muslims living as minorities, a number of writings have been produced in recent years that seek to provide a general perspective, argued from within an Islamic paradigm, for Muslims living as minorities today.

An interesting view on the question of Muslim minorities is provided in a recently published booklet titled 'Ghayr Islami Riyasat Aur Musalman' (A Non-Islamic State and Muslims') and written by a leading Indian Muslim scholar, Maulana Sayyid Jalaluddin Umri. Author of more than two dozen books on a wide range of issues, Umri is the deputy head (*naib amir*) of the Jama'at-i Islami Hind. He has had a remarkable academic career, having earlier served as the director of the Jama'at's research centre, the Idara Tahqiq-o Tasneef-i Islami in Aligarh and as the editor of two important Islamic journals, the quarterly 'Tahqiqat-i Islami' and the Delhi-based 'Zindagi-i Nau'.

Umri begins his tract by questioning the oft-made thesis that Muslims living as minorities cannot be loyal citizens and that they cannot live together in peace and harmony with non-Muslims. He



insists that this is baseless, adding that 'Islam means worship and service of the one God', which, in turn, means that a Muslim is commanded to work for peace and justice for all, irrespective of religion. He then goes on to an elaborate discussion of what he sees as the demands that Islam makes Muslims who live as minorities, and this takes up the remainder of the text.

The foremost concern for Muslims, whether living as minorities or as majorities, Umri writes, is for them to remain steadfast in their faith despite all odds and to lead their lives in accordance with Islam 'to the extent possible'. In this way, Umri appears to suggest, Muslim minorities can remain committed to a vision of Islam as a complete way of life while living in a state where the Islamic law is not recognized at all, as in the West, or else is legally enforced only in the domain of family law, as in India. As long as they enjoy freedom of religion, Umri argues, Muslim minorities 'must be well-wishers of their state and country'. To resort to treachery and disloyalty, he adds, are 'against their basic beliefs and faith'. Muslim minorities, he writes, must seek to play a positive role in the development of their countries 'in accordance with Islamic teachings'. A major task in this regard says Umri is that they should strive to 'enlighten' their non-Muslim fellow countrymen about 'true ideology', 'high morals' and 'pure politics', which, in other words, means to convey to them the message of 'the way of life revealed by God' or Islam. Further, they must also work towards establishing the Islamic 'system of life' in their own country through preaching, but by using only 'morally acceptable' and legal means.

In other words, Umri sees the state of Muslim 'minority-ness' as, ideally, only temporary, hoping that through preaching work (da'wa), the non-Muslim majority would finally be won over to Islam, after which an Islamic state and society could be established. This is why he sees da'wa as the principal task before Muslims, particularly those who live as minorities. He insists that da'wa is the primary duty of Muslims as bearers of what he regards as God's final revelation. He writes that not only is da'wa work an absolute Islamic imperative, but that it is also a basic human right. 'In today's world', he says, it is now universally accepted that every citizen has the basic human right of accepting any belief of his choice, of acting on that belief and propagating it among others'. Interestingly, while thus defending Islamic da'wa using modern human rights' discourse, he remains curiously silent on the vexed issue of conversions from Islam to other faiths. Sayyed Abul Ala Maududi, the founder of the Jama'at, had insisted that an apostate from Islam should be put to death, but Umri is careful not to mention this.

Every Muslim, then, Umri insists, must see himself or herself as a da'i or missionary of Islam, for da'wa is a community-wide effort. In the process of reaching out to people of other faiths as part of this da'wa project, Muslims must relate to them with 'civility, politeness and justice', Umri insists. As he sees it, da'wa is, in the words of the Qur'an, a concerted effort 'to promote the good and condemn the evil'. It is this maxim that must guide Muslims in their affairs, including in their relations with non-Muslims. The 'foremost task' in this regard, Umri says, is to 'enlighten' their non-Muslim compatriots of the 'immense harm of polytheism and disbelief'. In other words, as Umri views it, the greatest service that Muslim minorities can render to non-Muslims is to introduce them to Islam, which Umri regards as the only perfect religion, the answer to all the woes of the world as well as the only way to salvation in the hereafter. This missionary task is also seen as having crucial social implications. Working to 'promote the good and resist the evil' also means, Umri says, that Muslim minorities must be actively concerned with working for social justice and speaking out against oppression and the violation of human rights, even though the victims of oppression may belong to other communities. It also entails struggling against crass materialism and immorality.

At the same time as Muslims must actively engage with non-Muslims in order to 'promote the good and resist the evil', they must also be careful not to renege from their Islam or seek to modify it to 'please others'. This is a possibility that Umri sees as particularly possible in a non-Muslim



majority state, where the state itself might seek to promote 'distorted' versions of Islam in order to destroy the 'separate identity' of its Muslim citizens so that they could then be assimilated into the majority community. Umri adds that just as the Prophet refused to change even a single letter of the revelation he had received although this might have won over his Qur'aish opponents, Muslim minorities, too, must resist all attempts of the state or majority communities that seek to promote 'wrong' interpretations of Islam in order to suit their own interests.

While advocating cordial relations between Muslim minorities and citizens of other faiths, Umri also recognizes the fact that Muslim minorities continue to remain vulnerable and targets of violent attack in several countries. Umri advises Muslims to react to provocations with caution, because, he says, 'to be overcome with emotion and to take any action is sheer folly'. It can only prove counter-productive, playing into the hands of their opponents. However, he insists that Muslim minorities must not remain silent when physically attacked, and argues that self-defence is a basic human right as well as an essential Islamic obligation. He suggests that in the face of violent assaults on their lives, Muslim minorities must first seek legal redress from the state, rather than take the law into their own hands. However, if this fails, or if the state takes the side of the oppressors, then, he says, Muslims must work for their own self-defence. However, even here they should react cautiously. In defending their lives, Umri says, Muslims must see that 'the minimum possible force is used'. 'If the attackers can be forced to flee simply by threats or creating a loud noise', he writes, 'then they must not be physically attacked, injured or killed'. Their lives must only be taken, he says, 'when all other methods appear to fail'. Further, in taking revenge, Muslims must ensure that no innocent people are attacked, and that the revenge exacted 'does not exceed the damage inflicted'. Yet, Umri reminds his readers, although Muslims thus have the basic constitutional right to defend themselves, if they feel that by forgiving their attackers, instead of exacting revenge from them, they would be able to achieve a lasting solution to the problem of inter-community relations it is advisable to do so. Umri quotes the Qur'an to legitimize this argument, suggesting that by upright behaviour and by seeking the welfare of all people, irrespective of religion, forgiving others instead of reacting in the same way to oppression, Muslims might be able to win over even their most inveterate and hard-hearted foes. Thus, he says:

The Qur'an has recognized the legal right of an individual to reply to oppression, but at the same time it advises forgiveness. It says that the oppressed have the right to take revenge on oppressors, but it does not say that this is an essential duty (*farz*, *wajib*). If one were not to use this right, but, instead, were to adopt the path of patient steadfastness (*sabr*), tolerance (*tahhamul*) and forgiveness it would produce better results. This would be one's moral victory, which in itself is what is sought after.

Umri's vision for Muslim minorities thus provides an alternative to classical *fiqh* formulations that did not envisage the possibility of Muslims living together as equal citizens in a non-confessional state. This explains why he frames his argument by evoking the Qur'an and occasional Hadith alone, with almost no reference to the works of the medieval jurists. In effect, then, by going directly to the Qur'an and the Hadith for inspiration and guidance and by-passing the classical *fiqh* formulations, he engages in a modernist *ijtihad* to come to terms with the vastly different situation that Muslim minorities find themselves faced with today. In doing so, he works out a general framework for Muslim minorities to attempt to reconcile what are often seen as their conflicting loyalties as Muslims and as citizens.

Critics will, of course, not overlook what they would regard as inconsistencies in Umri's argument: his romanticisation of the past; his complete silence on the continued mistreatment of religious minorities in many Muslim countries; his advocacy of freedom of religious conversion while the



founder of his own party insisted in no uncertain terms on death for apostates from Islam; and his refusal to enter into the debate on nationalism and national identity vis-à-vis the global Muslim ummah. Umri's own vision of Islam as a complete system of life premised on the notion of an Islamic state, one that he shares with his colleagues in the Jama'at-i Islami, has already been hotly disputed even within Muslim circles. His insistence on the absolute truth of his understanding of Islam, and his refusal to appreciate the truth claims of both alternate visions of Islam as well as of other faiths as their adherents understand them, would undoubtedly be seen as a grave form of cognitive imperialism by some. On the whole, however, Umri does put forward new ways of understanding and dealing with the minority predicament that can, if only put into practice, help promote dialogue between Muslim minorities and the majority communities among whom they live and with whose fate their own is inextricably linked.

## V

### INTER-RELIGIOUS DIALOGUE IS AN ABSOLUTE IMPERATIVE

Maulana Wahiduddin Khan, editor of the Urdu magazine Al-Risala and author of numerous books in Urdu and English, is a leading Indian Muslim scholar. He is an outspoken advocate of inter-religious dialogue and communal harmony. Here he speaks to Yoginder Sikand on a wide range of issues, from communalism and religious intolerance to an Islamic theology of inter-religious understanding.

#### What do you see as the Root Cause of the Unrest in Many Muslim Countries?

In order to understand what is happening in much of the Muslim world today, you must remember that at one time the Muslims had a vast empire, stretching from Spain in the west to India and beyond in the east. All these territories then came under European colonial rule. The Muslim intellectuals of that time, however, failed to properly respond to the European challenge. They did not give their society the sort of leadership that was required. They saw European colonialism in terms of an anti-Muslim conspiracy, a replay of the Crusades. They bitterly criticised the Europeans as enemies of Islam. But that, I feel, was a completely wrong explanation of the European success. Actually, it is one of the laws of history that at one time one power is dominant and then it fades away and then another power emerges. So, in India you first had the Rajas, then the Mughals came and finally the British. Then India became independent, and even now you sometimes have the Congress and sometimes the BJP.

So, as I see it, the Europeans were able to conquer the Muslim world not because of any anti-Islamic conspiracy but simply because of their technological superiority. I mean we knew of water only as water, or at the most we used it to propel water mills to grind flour, but the Europeans went ahead and used water to generate steam power. We fought with swords but they used guns, so naturally they were victorious over us. Now, as I was saying, the Muslim intellectuals of the last hundred years, and even today, generally saw, and continue to see, European and now American superiority in terms of a so-called grand anti-Islamic conspiracy. So, you have these seemingly never-ending cycles of violence in much of the Muslim world even today. This hatred of all others that is filled into the minds of ordinary Muslims is really very scary.

When I was a child I was taught to believe that the British were wholly evil and that nothing good could be attributed to them. It was only later that I discovered the many good things that they had done in India, such as building modern schools and the railways. I think if our intellectuals had told us that the decline of Muslim power has nothing to do with any so-called anti-Islamic conspiracy



but because of the West's technological superiority, we would not have had the sort of militancy that we are witnessing today.

**So that trend of thinking is still very strong in much of the Muslim world, is it?**

Indeed. If you look at the sort of so-called Islamic literature that has flooded the market you will see that most Muslim writers continue to propagate the so-called conspiracy theory, branding non-Muslims as evil enemies of Islam whose only mission in life is to destroy Islam and the Muslims. Just yesterday I got a letter from somebody in Kashmir, who wrote saying that till recently he had been only exposed to the writings of militant, so-called Islamists, because of which he had been led to believe that all Hindus, and all non-Muslims in general, are the sworn enemies of the Muslims. And then he said he had come across some of my books, which really radically changed the way he saw the world. He said that he had had a complete change of heart and that now he realises that Hindus, too, are God's children who deserve to be loved.

**Q: But, as Islam sees it, all non-Muslims are kafirs. Isn't that discriminatory?**

Not at all. The word *kafir* literally means 'one who denies something'. If I tell you something and you don't believe in it then as far as that thing is concerned you are a kafir. It's not a term of abuse, but a statement of fact. So, if you believe in the Hindu theory of reincarnation and I deny it, then I am a kafir or 'denier' as far as that theory is concerned.

**Is there any scope for inter-religious dialogue between Muslims and others?**

Inter-religious dialogue is an absolute imperative, and Islam insists upon it. After all, wherever progress has occurred in history it has been because of interaction between different peoples. This must start right from the school level. Some maulvis say that if children are taught about other religions they will turn away from Islam. But is their faith in Islam so weak that if they hear the truth about other religions they will renounce their own? Islam is not a glass vessel which can easily break into pieces. It's as strong as an iron vessel. We really must get to know the truth about each other's religions and clear up our mutual misunderstandings, because most prejudice is based upon simple ignorance or misrepresentation. As far as Islam is concerned, inter-religious dialogue is a binding duty according to the Quran. In his last pilgrimage to Mecca, the Prophet addressed 1,25,000 of his followers and told them to travel all over the world to spread Islam. So, they went to various countries to preach Islam, but that was only one aspect of their work. They also travelled in search of knowledge, interacting and openly discussing with people of other religions. So, for example, some of the early Muslims came to India. Here they studied Sanskrit and translated many Sanskrit texts into Arabic. Or, for that matter, when Spain was under Muslim control many Christians would come there to study even the Bible from Muslim scholars.

**Do you feel that as part of the inter-religious dialogue project madrasa students, too, should be exposed to other religions?**

Yes, of course. And there needs to be a major overhauling of the madrasa system. Modern disciplines need to be introduced in the madrasas, but the problem is that we do not have the teachers to teach the new subjects or even to teach the old subjects in a new way. Some maulvis attached to madrasas have attempted to start dialogue efforts. So you have Ali Miyan from the Nadwat ul-Ulama madrasa in Lucknow who regularly invites secular Hindu intellectuals to seminars and conferences. But that's not really cutting much ice, because he interacts with what I call the 'no-problem' Hindus,



people who are already convinced of the need for Hindu-Muslim dialogue and understanding. We should also try to reach out to 'problem' Hindus, like people in the RSS. That's what I've been doing, for which many Muslims have bitterly opposed me. Actually, I have found that many RSS workers are anti-Muslim simply because of their ignorance or misunderstanding of Islam, and that once you begin to dialogue with them and explain to them what Islam is really all about, they begin to shed their prejudices.

And then there is this large section of Muslims who prefer to send their children to Muslim-run secular schools, most of which are really sub-standard. Here again the notion that all non-Muslims are anti-Muslim seems to be at work, leading to this terrible ghetto mentality. As a result, many Muslim children have no interaction with non-Muslim children of their own age, and that, in turn, leads to further ignorance and misunderstanding about others. I strongly feel that this should be changed and that Muslim children should study alongside with others, because if you isolate yourself from the wider world around you, you will only stagnate further.

**Sufis, Muslim mystics, too, had a major role to play in promoting inter-religious harmony, didn't they?**

Yes, indeed. Sufism or Islamic mysticism played a central role in promoting dialogue and harmony between Muslims and other peoples. In Sufi lodges or *khanqahs* in India only vegetarian food was served so that Hindus and Muslims and others could eat together, and this was a very radical thing at a time when untouchability was so severely practised. But Sufism is today in a very sorry state of decline.

**(Issues II to IV and this interview have been written by Yoginder Sikand for the web magazine *Qalandar*-[www.Islaminterfaith.org](http://www.Islaminterfaith.org))**



## BOOK REVIEWS

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**WOMEN IN SLUMS: A STUDY OF WOMEN IN MUSLIM SLUMS OF VISAKHAPATNAM**  
by *P.V.L. Ramana*, 2003, Serials Publications, New Delhi. Price Rs. 525/- PP. 203.

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The book under review, as evident from the title, focuses on the status of women in a slum of Visakhapatnam city in Andhra Pradesh. The jacket of the book points out that, 'unlike many slum studies which emphasize the economy of slum life and physical amenities available, this study focuses on gender issues, analyzing the nature of gender gap, gender discrimination and gender oppression in a slum situation. It also deals with the growing up process of the females in slum'.

The book is based on the research work done by the author as a U.G.C. research associate during 1990-1998. The objectives of the study were:

- Assessment of the socio economic status of slum women
- Examining the relationship between gender, literacy and work
- Analyzing the health aspects of slum women including fertility behaviour and family planning practices
- Examining the growing up process of females in slums
- Examining the extent of gender discrimination and gender oppression
- Assessing the nature of violation of human rights of slum women and
- Identifying the level of development among slum women

The book has been structured into 10 chapters beginning with Introduction and ending with Summary and Conclusions. The middle chapters of the book focus on data analysis regarding various aspects of the study. The author has presented a basic literature review on the topic from across the globe but somehow this has failed to give the author a direction for the present study. The study was done over a period of eight years, the field work was completed in a year and a half, in one particular slum, predominately Muslim, in the neighborhood of the author's house. 100 out of a total of 307 households from the slum were chosen in the study samples and all the data were collected from this sample through open ended questionnaires. Quantitative and qualitative data obtained were tabulated and analyzed.

The first chapter of the book explains the background of the study, research methodology and tools used. The second chapter outlines the profile of the slum studied and the focus in the profile is on physical setting, demographic data related with education and employment and (un)availability of civic amenities. The author has also documented the material culture of the slum community especially Muslims. A short note details the religious and cultural life of the Muslim community. An interesting point to note is that the studied slum has a separate hall for women where they congregate for participating in religious discourse on Fridays.

The author has made some interesting observations, one is that the settlement pattern is mixed resulting from cross renting of houses between Muslims and non Muslims and hence a visitor finds them living closely and without a demarcated pattern. There is a moderate to high level of interaction between communities and the communities exist in harmony. The author points out that there is no case of divorce in the slum though there are a lot of cases where the spouses live separately. No case of polygamy was recorded by the researcher.



The chapter on socio-economic structure of the slum has detailed data on sex ratio, age distribution, marital status, occupation, incomes, household types, assets etc. The next section focuses on similar data on Muslim women.

Some caselets also demonstrate that there is wide acceptance given to couples living together and raising families without being married. The author has observed that Muslims tend to work in more skilled and respected occupations even if they are less remunerative than the variety of occupations taken up by non-Muslims. This is linked to a sense of self esteem which the author attributes to the thought system of the Muslims.

The next chapter of the book compares data between working women and non working women. Comparisons are done on parameters like literacy, education level, marital status, family assets etc. and the reader will find interesting inferences if one takes the time to do the analysis and data interpretation. Unfortunately, the author has failed to use the data tables fully, to bring out relevant hypotheses about mobility of women, freedom to work etc.

The author has observed that even in women headed households, resulting from death, separation or non-earning males, the woman is not legally accepted as the head of the household and hence all government schemes are targeted only for male heads. This becomes a cause of non delivery of welfare schemes because of technical reasons. The next section has data on health and fertility related behavior of women in the slum but as in the other chapters, interpretations and inferences need to be made by the reader herself as the author has left it partially complete. Inferences drawn are general and do not focus on Muslim women as indicated by the title of the book. The section on 'Growing up of females in the slum' has some useful data and inferences regarding the mobility, freedom and aspirations of adolescent girls which is helpful in understanding their life closely. The next several sections focus on gender gap and oppression and shows the differences regarding education, right to work, age at marriage, income, violation of human rights of women etc. These sections have qualitative information based on individual case studies rather than statistical data.

The book ends with summary and conclusions from the overall data and its analysis. The reader may find the book heavy with data tables and low on inferences and data interpretation. Several data tables have hidden findings which the author has not expressed explicitly and at several places the focus of the work seems to get diluted from Muslim women and ends up in general comments. The reader may feel that the objectives of the study and the questions raised in the beginning are not addressed fully.

Centre for Social Action & Development  
Lucknow

Abhilasha Srivastava

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**THE TRUE FACE OF ISLAM—ESSAYS ON ISLAM AND MODERNITY IN INDONESIA**  
by *Nurcholish Madjid*, 2003, Voice Centre, Ciputat, Indonesia, Pages 356

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Despite being the largest Muslim country in the world, relatively little has been written about Islam in Indonesia. Although Indonesian Muslim intellectual life is rich and vibrant, it is little known elsewhere, primarily because most Indonesian scholars write in the Indonesian language and not in English.

Among the most well-known Indonesian writers on Islam is Nurcholish Madjid, rector of the Paramadina University, Jakarta. This collection of essays is the first major English translation of Madjid's writings. The essays cover a diverse range of issues but are shaped by a common concern



for an understanding of Islam that takes into account the myriad challenges that Indonesia is today faced with. They reflect Madjid's quest for developing a contextually relevant interpretation of Islam that, departing from traditional notions in some significant respects, can help in the process of building a pluralist and more democratic society based on social justice.

Madjid's search for a contextual Indonesian Islamic theology draws upon his understanding of what he calls the underlying 'spirit' of Islam. Like other Muslim liberals, he makes a distinction between the 'spirit' and the 'letter' of religious tradition, insisting that the former must be given primacy over the latter. This opens up the possibility of novel ways of dealing with a host of issues of contemporary concern—from popular culture, women's rights and religious pluralism to the nature of the polity—that might depart from earlier models that are rooted in the corpus of traditional juridical opinions or *fiqh*. Madjid sees these new perspectives as emanating from a process of *ijtihad*, which he defines as 'a method of rational and realistic interpretation of Islam' based on the principle of 'public interest' (p. 60). If equality and social justice are cardinal pillars of Islam, then, he says, developing new ways of imagining Islamic law through *ijtihad* are required in order to realise core Islamic values in today's context, although this does not mean that tradition must be wholly jettisoned. Based on this interpretation of *ijtihad*, Madjid argues that gender equality and equal treatment by the state of all citizens irrespective of religion are actually in accordance with the spirit of Islam, although he recognizes that this argument departs in significant respects from traditional *fiqh* understandings. Likewise, Madjid makes the interesting conceptual distinction between Islam as a religion and Arab culture, critiquing the deeply-rooted notion that the two are somehow inseparable. By distinguishing between the two he is able to argue for diverse culturally-rooted local expressions of Islam that, he argues, are equally 'Islamic' in content and in spirit.

The question of the 'Islamic state' is discussed in considerable detail in the book, and Madjid strongly opposes this notion, which he sees as a recent ideological construct of modern-educated apologists. To reduce Islam to an ideology, he seems to argue, is to bring it down to the level of the profane. It can then be open to manipulation by vested interests, who might seek to impose their own limited notions of Islam in the name of God's religion, a crime which Madjid equates with the sin of shirk or polytheism. God, Madjid writes, is beyond full human comprehension. Since every understanding of religion, including of Islam, is limited simply by the fact that humans are not infallible, for the state to impose a certain understanding of Islam is to seek to play God, a heinous sin in Islam. Furthermore, he says, a state based on a particular religion can easily degenerate into dictatorship and oppression, and this Madjid sees as clearly un-Islamic. Asserting that politics are 'not an absolute part of the core of Islam' (p.64), he insists that the distinction between the sacred and secular realms must be maintained, although he also argues that religious values, such as social justice and democratic governance, must influence political affairs. In this regard, he sees all religions having a role to play, for they are all seen as sharing a commitment to certain ethical values.

Opposing the notion of an Islamic state, Madjid regards the notion of Pancasila, the 'five cardinal principles' enshrined in the Indonesian Constitution, as providing a more suitable basis for the Indonesian polity. The first *silah* or 'principle' lays down belief in the one God as binding on all citizens. Hence, Indonesia is neither a theocratic nor a secular state, but somewhat in between the two. Pancasila also mandates the unity of Indonesia, democratic rule and social justice, all of which, Madjid writes, are in harmony with the principles of the different religions practised in Indonesia. Seeking 'Islamic' sanction for Pancasila, he likens it to the treaty of Medina between the Prophet and the Jews, which guaranteed freedom of religion and allowed for people of different faiths to work together for the defence of Medina. Linked to this appeal for a pluralist Indonesia is Madjid's critique of the post-Qur'anic notion of the world being divided into two antagonistic spheres—*dar ul-islam* ('the abode of Islam') and *dar ul-harb* ('the abode of war'). In their place, he invokes the



Qur'anic notion of *dar al-salaam* ('the abode of peace'), which he sees as a society based on peace and social justice for all. Madjid regards Pancasila as working in the direction of establishing such a society, and that is why he argues that a Pancasila state, rather than an Islamic state, is the best available system for Indonesia.

Madjid is also a fervent champion of harmonious relations between Muslims and followers of other religions. He sees this as mandated by the Qur'an itself, referring to the Qur'anic theory of God having sent messengers to every community preaching the same religion of *al-islam* or 'the Submission'. Hence, he says, there can be more than just one way to salvation. In support of this claim he quotes the Qur'an as saying that all those who believe in the one God and in the Day of Judgment and do good deeds will have no cause to fear. He sees religious pluralism as part of God's plan, as a means for different communities to dialogue with and learn from each other and to struggle to implement the 'good' or God's Will. The Qur'an, Madjid reminds his readers, lays down that there should be no compulsion in religion. Hence, he says, an ideal state is one where everyone has the freedom to follow the religion of his or her choice. In addition, he pleads for a form of inter-religious dialogue through which Muslims and others should work together for peace and social justice for all. Interestingly, in this regard, Madjid broadens the scope of the term *ahl-i kitab* or 'people of the book', followers of legally recognized religions, to include Buddhists and Hindus as well, going beyond the standard definition of *ahl-i kitab* as being limited largely to Jews and Christians.

Madjid's effort to develop a contextually sensitive understanding of Islam constitutes a brave reconsideration of certain traditionally-held notions deriving from the corpus of *fiqh* that are clearly untenable today, particularly as regards women and non-Muslims. Yet, his arguments seem, at times, somewhat simplistic and uncritical. Thus, for instance, his understanding of the notion of *ijtihad* based on 'public utility', on which his entire reformist agenda rests, is bound to be seen by his critics as somewhat subjective, in that it departs from the traditionalist understanding that *ijtihad* may be allowed only when there is no clear guidance in the Qur'an and the Prophetic traditions, and that it may be resorted to only by those qualified to do so. His use of 'public utility' to justify *ijtihad* may also be critiqued by some traditionalists as well as Islamists as simply a convenient means for offering legal solutions based on subjective desires and whims that might appear to violate what are seen as 'Islamic' rules. Another instance of Madjid's insufficiently rigorous methodology of reform is evident in his somewhat uncritical advocacy of the Indonesian state's position on Pancasila which overlooks the crucial fact of its misuse in order to legitimise the Suharto dictatorship and to justify the brutal killing of over a million communist sympathizers in the 1960s. Furthermore, although he invokes the Qur'an to insist that there can be no compulsion in religion, Madjid does not critique the way in which Pancasila has been used to limit 'legitimate' religions in Indonesia to only five 'recognized' faiths (Islamic, Hinduism, Buddhism, Catholicism and Protestantism), denying atheists, agnostics, Chinese Confucianists and followers of traditional Javanese religion the right to free expression by forcing every citizen to declare himself or herself a member of one of the only five religions recognized by the state. Nor does Madjid consider how Pancasila has forced non-monotheistic religions such as Hinduism, and non-theistic religions such as Buddhism, to fit into the monotheistic mould by forcing all citizens to declare that they believe in one God.

Madjid's use of the notion of 'modernity', which he wholeheartedly supports, is also deeply problematic. He leaves the notion undefined and vague, and appears to see Western formulations of 'modernity' as somewhat normative. There is simply no critique of the form of 'modernity' and 'development' that Indonesia has embraced, and that has resulted in crass consumerism and hedonism, an enormous and ever increasing divide between the rich and the poor, the brutal rape of the environment, the enormous clout of multinational corporations, and a perverse Western cultural invasion wholeheartedly embraced by Indonesia's elites that has almost completely destroyed the



country's rich traditional cultures. Interestingly, Madjid never once uses the word 'class', and nor does he even mention the terms American 'imperialism' or Western 'neocolonialism'. Accordingly, his notion of democracy, civil society and human rights, which he appears to unreservedly support, seem to be firmly within the liberal bourgeoisie framework, with scarcely any mention of the poor. Madjid does not conceal his opposition to communism, and in his advocacy of 'democracy' and 'freedom of expression' there is simply no room for freedom for communist activists, which explains his silence on, and perhaps tacit support for, the continued ban on the Indonesian Communist Party. Madjid's elitist project of Islamic liberalism is also reflected in his firm belief in 'economic development', 'political stability' and the 'rule of law', all of which he leaves undefined, not subjecting them to any consistent critique from the point of view of the poor, the victims of these 'virtues' as they have actually been played out in practice in Indonesia and elsewhere. Similarly reflecting his commitment to an intellectual elitism in which the poor seem to play only a marginal role, Madjid devotes considerable attention to critiquing radical Islamists while remaining curiously silent on the brutal exploitation of the poor by Indonesia's rulers and their Western patrons (This probably explains, at least in part, why the publication of this book was funded by the Ford Foundation).

Islamic liberalism, as this book suggests, has rich possibilities but it also has its limits. While its critique of Islamist extremism and its advocacy of religious pluralism is surely welcome, the implicit acceptance by many advocates of Islamic liberalism of free-market capitalism as the ideal economic system and of Western-style liberal democracy as the normative political system appear deeply flawed when viewed from the point of view of the poor and the marginalized. In this sense, liberal Islam, of the sort that Madjid seems to offer, is essentially an elitist agenda. Another disconcerting aspect of some shades of Islamic liberalism, including in Indonesia, where a host of 'liberal' Islamic organizations are now being heavily funded by Western agencies to counter Islamist radicals, is that the liberal Islam project might also unwittingly work to serve Western hegemonic designs if not sufficiently critical, not just of the radicals, but also of oppressive local and global elites.

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**CROSSING THE THRESHOLD: UNDERSTANDING RELIGIOUS IDENTITIES IN SOUTH ASIA** by *Dominique Sila Khan*, 2004, IB Tauris, London, Pages 185.

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The question of religious identity is a hotly debated one in India today. What precisely does it mean to be a 'Hindu' or a 'Muslim' when there are so many different, and often mutually conflicting, versions of 'Hinduism' and 'Islam'? Much has been written about this vexed subject. Increasingly, the earlier notion of fixed religious identities as given and as frozen in time, and as following from a direct reading of religious scriptures unmediated by historical or social context is being challenged by scholars who argue that religious identities are in a constant state of flux and are a product of a complex and never complete process of social construction.

This book deals with the issue of the construction of 'Hindu' and 'Muslim' identities in South Asia. Khan, who has written extensively on popular religion in India, questions the notion of a reified, singular 'Hindu' or 'Muslim' identity. Challenging the claims of Hindu 'nationalists' who speak of a homogenous, well-defined Hindu community, she points out that the very word 'Hindu' is absent in the classical 'Hindu' texts. The term is, in its origins, a geographical, rather than a religious, one, and one which was used by others, including the ancient Persians and later by Muslim Arabs and Persians, to denote all non-Muslims living to the east of the Indus river. It was, thus, a negative term in that it came to denote inhabitants of the region who were not Muslims, or later, not Jews and Christians as well.



Khan dwells on the development of the notion of 'Hinduism' as a world religion on par with Islam and Christianity, showing the complex role of colonial administrators, Christian missionaries, census administrators and 'high' caste Hindu, particularly Brahmin, elites in this project. She argues, repeating what several other scholars have pointed out, that 'Hinduism' is a modern construct and a reflection of a textual, as opposed to an empirical, understanding of religion that relied on the Brahminical texts as setting down the parameters of what came to be defined as 'orthodox' 'Hinduism'. It thus bore little relation to the bewildering range of creeds, sects and traditions of pre-colonial India. She also shows how the notion of a singular Hinduism and a homogenous Hindu community have been and still are routinely employed to bolster the hegemony of entrenched 'high' caste elites, who form a relatively small minority among the Hindus themselves, but who use the logic of majoritarianism to preserve their own vested interests.

Likewise, Khan shows that the notion of a singular Muslim identity, so dear to Islamists as well as their detractors, is completely misleading. Islam in India, as elsewhere, is characterised by considerable diversity, in terms of a multiplicity of sects, each of which claims to represent normative Islam. Islamic diversity is further bolstered by the absence of a church that is authorised to lay down doctrines that would be binding on all believers. As in the Hindu case, Khan argues that the idea of a homogenous Muslim community is a recent construct, a product of collusion between Orientalists, colonial rulers and Muslim elites. It is also an elitist construct which seeks to provide Muslim elites, particularly the ulama, with the moral authority to speak on behalf of all Muslims.

Of particular interest is Khan's extensive discussion of shared religious traditions in India. Khan cites numerous such cases, such as that of the Isma'ili Khojas, the Satpanthis of Gujarat, the Pranamis of Madhya Pradesh and the Meos of Mewat, to highlight the often overlooked existence of communities that cannot be neatly classified as unambiguously 'Hindu' or 'Muslim'. She discusses various terms that have been offered to deal with such communities, such as 'liminal' and 'syncretistic', but argues that they are inadequate on the grounds that they presume the existence of other pre-existing well-defined 'Hindu' and 'Muslim' communities. She prefers to see them, as the title of her book indicates, as 'in the threshold', refusing to be boxed into either category, being something of a separate category in themselves. She sees them as profound reminders of the falsity of the notion of singular, homogenous 'Hindu' and 'Muslim' communities that have nothing at all in common and that are defined in opposition to each other. Yet, as she notes, such traditions are increasingly coming to be contested as pressures on them mounted to identify themselves as 'Hindu' or 'Muslim', rather than as a bit of both.

This book is a timely contribution to the ongoing debate on religion and religious identity in contemporary South Asia, one that has been accompanied by much bloodletting. In this regard, Khan's argument of the social constructedness of religious identity and the multiplicity of competing voices that claim to represent normative Islam or Hinduism is well-taken, forcefully challenging, as it does, the assertions of the merchants of theological terror.

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**THE ULAMA IN CONTEMPORARY ISLAM: CUSTODIANS OF CHANGE** by *Muhammad Qasim Zaman*, 2002, Princeton University Press, Princeton & Oxford, Pages 191.

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Despite the enormous influence that the traditional ulama, Islamic jurists and scholars, wield in many Muslim societies relatively little has been written about them, at least in the major Western languages, including English. For long, the ulama were imagined as a class with a rapidly declining influence and authority, as doomed to disappearance in the face of the onward, inexorable march of modernity. Scholars therefore preferred to focus on new voices of Islam instead, such as Muslim



modernists and Islamists, who were seen as the heralds of new ways of understanding and interpreting Islam in the contemporary world. The relative neglect of the ulama in academic scholarship was not confined to any part of the world. The South Asian ulama, despite the key influence that many of them have exercised on Muslim thinking elsewhere, also received scant scholarly attention. Consequently, today, when the ulama and the madrasas that they manage are under fierce opposition and attack by their detractors, we have little to fall back upon to understand the complex world of what Zaman in this fascinating and brilliantly-researched book calls the 'custodians of change' in Muslim societies.

This book provides a broad overview of the roles and functions of the ulama, looking at how these have been transformed over time. The arguments it proposes are discussed in the specific context of the ulama of British India and, following the partition of India in 1947, in Pakistan. Zaman's concern is not so much to assess the question of the supposed decline of the ulama as to examine the changing ways in which the ulama have sought to maintain their claims to being the authoritative spokesmen of scripturalist Islam. This he relates to their struggles to assert their authority against new challengers, in the form of the state, on the one hand, and Muslim modernists and Islamists, on the other.

Zaman's basic thesis is that the notion of a radical division between the 'religious' (*dini*) and 'secular' (*duniyavi*) spheres, on which most contemporary traditionalist ulama seek to construct their own claims to authority as experts in a narrowly-defined religious sphere, is actually alien to the early Islamic tradition and represents a relatively recent innovation. In pre-colonial times, Zaman tells us, no such division was recognized or even known. Rather, religion infused all spheres of social life and was inseparable from them. This reflected the Qur'anic insistence of all forms of legitimate knowledge as being divine and of all actions, personal as well as social, as being forms of service to God if conducted according to the ethical commandments of the holy text. Yet, how and why is it, Zaman asks, that the ulama acquiesced so willingly in the colonial logic of 'religion' and the 'secular' representing two separate spheres, sometimes taking this to such lengths as to imagine the two as mutually contradictory? How is it, he questions, that despite their continued verbal assent to the notion that there is no division between the two spheres in Islam, in practise they operate on the basis of this assumption and even use it to bolster their own claims?

The answer that Zaman supplies to this seeming paradox is persuasive and compelling. Quoting from colonial documents, he tells us that for the British, India was seen as somehow 'excessively' religious, with religion dominating every sphere of life, for both Hindus as well as Muslims. Working on a post-enlightenment western Christian assumption of religion being a separate sphere of life, neatly set apart from the secular, colonial administrators sought to mould India that they ruled in their own image. Thus, the scope of religion was sought to be confined to the private sphere, while all other aspects of life were to be governed by a secular logic. Whole areas of law, which had previously be governed by the historical shari'ah for Muslims, were now taken under secular jurisdiction, and over time the scope of the historical shari'ah was reduced simply to the private sphere, or the domain of what is today called Muslim Personal Law. Likewise, education was also secularized, and madrasas, that had once taught a range of both 'traditional' as well as 'rational' sciences, soon came to focus only on the former. Today, he argues, this poses a major challenge to those who wish to reform the madrasas. Reform proposals are quickly dismissed as 'interference in religion' by traditionalists who wish to establish their own control on the norms governing the private sphere. Such proposals are seen as a major challenge to their own authority, although it is more generally expressed as an 'attack on Islam' or a subtle way of secularising the madrasas from the backdoor and diluting their religious content.



On the face of it, the acquiescence of the ulama in was clearly an attack on their influence seems puzzling. It is true that numerous ulama did try to resist the British militarily, as in the case of the 1857 revolt. However, realizing the futility of armed conflict, they soon came to terms with the reality of the colonial state and sought to make the best of an unenviable situation. Since, effectively, religion had been reduced to the private sphere, the ulama struggled to establish their credentials as authoritative guides in this realm. The colonial state, and later, the post-colonial states in both Pakistan and India, so Zaman tells us, accepted the claims of the ulama as official interpreters of a privatized Islam, and this enabled them to adjust to new political conditions without a massive or sudden disruption of their authority. Inevitably, therefore, religion came to be reduced, in practice, if not in theory, to a bundle of rules related to worship, personal deportment and personal behaviour, with both the ulama and the state operating on the same binary colonial logic.

The remainder of the book deals with the ulama in post-1947 Pakistan, a vexed and hugely controversial subject. Zaman notes how difficult it is to speak about the Pakistani (or any other, for that matter) ulama as a single homogenous whole. Sectarian divisions between Sunnis and Shias and within the Sunni camp between rival groups of ulama such as Deobandis, Barewli, Ahl-I Hadith and Islamist groups all threaten the carefully constructed image, dear to Islamist radicals and their detractors alike, of a solid Muslim monolith. Zaman carefully describes the complex political linkages of these different groups, showing how they represent a range of options that shift over time and across sectarian affiliation: from passive apolitical or politically quiescent to radical and even militant.

Zaman carries his discussion forward with an insightful discussion of the question of radical activism in certain contemporary Pakistani madrasas. He argues that although numerous Pakistani madrasas and ulama are indeed supporters of a militant form of Islam, they are a minority. While not seeking to downplay the threat that they pose, he writes that most Pakistani madrasas actually have little to do with militant politics. Many Pakistani ulama might support an 'Islamic state', variously defined, but not all or even most of them would approve of terror tactics. Thus, not all ulama supported Osama bin Laden or the Taliban, for instance. In fact, Zaman tells us, the Pakistani Deobandis, one of the most politically assertive of the ulama of the country, had a complex and in some sense ambiguous relationship with the Taliban. While almost all of them seem to have expressed their support for the Taliban, several of them were rather critical, although in a mild sort of way, of some of its more controversial methods and policies. Zaman argues that the radicalization of many Pakistani madrasas cannot be seen in isolation, as representing a supposed inherent logic that inevitably drives the madrasa as an institution to this sort of politics. Rather, he stresses, it is the instrumental use of the madrasas and of radical Islamism by Pakistani political elites and the willingness of the ulama to go along with this agenda that explains the phenomenon.

The book closes with an impassioned appeal for a radicalism of a different sort: the crying need that Zaman sees for the reform of the madrasas if they are to play a constructive role in the development of the community. This also calls, Zaman suggests, for new ways of imagining the role of religion in contemporary society. In conclusion, he writes, in the continued absence of a comprehensive *ijtihad*—application of critical, independent reasoning in the light of the Qur'an in order to meet new challenges and to revise worn-out ways—madrasas would probably continue to be victims of a stultified conservatism that can do the world and the Muslims themselves little good. Madrasas may have been the 'custodians of change', as the sub-title of this book tells us, constantly elaborating and redefining the Islamic tradition over the centuries. But at a time when the world is being so rapidly transformed, one could well be tempted to ask if today that change is fast enough.



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**DIVORCE AND REMARRIAGE AMONG MUSLIMS IN INDIA** by (ed.) *Imtiaz Ahmad*, 2003, Manohar, New Delhi. Pages: 436, Price: Rs. 850.

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The debate on the Muslim Personal Law has occasioned a flurry of writings by both its critics as well as its supporters. For both, the Muslim Personal Law is seen as intimately related to notions of Muslim community identity. Right-wing Hindutva groups see separate personal laws for Muslims as a legal stumbling block to their own agenda of imposing a monolithic Hindu identity on all the citizens of India. Conversely, many Muslims see Muslim Personal Law as a legal guarantee of their separate community status. Despite the large number of books as well as media space devoted to the issue, the debate continues to rage, with rival groups seeming no closer to mutual comprehension and dialogue.

One of the central issues in discussions of Muslim Personal Law is the status of women. Typically, Muslim writers argue that Islam has provided women with a fair deal, granting them rights, such as inheritance or the freedom of marital choice, that no other religion had ever accorded them. On the other hand, critics argue to the contrary, claiming that the Muslim Personal Law grossly violates the principle of gender equality. In particular, it is argued that the considerable freedom that the Muslim Personal Law, as it exists in India today, grants to husbands to divorce their wives is an affront to modern sensibilities and hence must be changed. This professed concern for the rights of Muslim women is often used by fiercely anti-Muslim Hindutva ideologues in order to justify their opposition to Muslim Personal Law.

This book makes a significant advance on current discussions related to Muslim Personal Law. It brings together a series of seventeen case studies from different parts of India, based on empirical research, focusing on issues related to divorce and remarriage. As Imtiaz Ahmad argues in his introductory chapter, discussions related to Muslim Personal Law have, so far, remained largely confined to arguments over the law. By shifting the debate to concrete social reality the book challenges several received notions about Muslim law and the actual status of Muslim women, in particular on the issue of divorce.

In discussing the legal versus social status of Muslim women, in particular on matters related to divorce, Ahmad argues for a reconsideration of precisely what constitutes Muslim law. Here he pleads against the sort of essentialism common to both detractors and supporters of Muslim Personal Law as it exists in India today. Instead, he stresses the need to explore the possibilities within the Islamic tradition to generate new insights on women's rights, including on divorce. This entails a new *ijtihad* that, while guaranteeing women's rights, would remain true to the values of equality and justice so central to the Qur'an.

The remainder of the book consists of a series of empirical studies of divorce among Muslim communities in various parts of India, including Assam, Uttar Pradesh, Tamil Nadu, West Bengal, Andhra Pradesh, Bihar and Kashmir. They point to the immense diversities that exist among Muslims across India, warning against the tendency to essentialise Muslims in terms of stereotypes. Contrary to received understandings, the contributors point out that arbitrary divorce is not rampant among Muslims, and is certainly not more common than among other communities. In fact, divorce is often frowned upon as contrary to respectable behaviour. Further, divorce does not always or even most often take the form of *talaq-i biddat* or triple divorce in one sitting initiated by the husband, as is often assumed.

This does not, however, mean that divorce is not often used by husbands in an arbitrary way or to deny the often serious implications it has for women. Several contributors point out that the threat of divorce is often used to tyrannise women; that more often than not marriages are conducted



without the signing of a nikahnama that could guarantee the wife's marital rights; that the *mehr* or dower that the wife is meant to receive is rarely paid; that although in theory divorced Muslim women are allowed to remarry local Muslim communities often look upon this with considerable disdain; that often divorced women do not receive any financial support from their husbands, relatives or the wider community although Islam does insist on this, and so on.

In grounding the debate on divorce in actual empirical reality, this book helps to shift the focus of discussion on the subject, underlining the fact that whatever the theoretical position of women's status in Muslim Personal Law might be, their actual conditions are markedly different. Some of the papers make important comparative analyses, showing that although Hindu and Muslim women are subjected to different personal law regimes, their actual status is remarkably the same in large parts of India. This suggests that what is more important for Muslim women's status is not simply legal change but, rather, efforts to improve their social, educational and economic conditions. In the absence of this, the continuing debate on Muslim Personal Law versus a Uniform Civil Code would have little bearing on the actual position of Muslim women.

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**MADRASAS IN INDIA: TRYING TO BE RELEVANT** by (ed.) *Akhtarul Wasey*, 2005, Global Media Publications, New Delhi, Price Rs. 300 (India), \$ 15 (elsewhere).

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Although madrasas have been much in the news in recent years, little serious academic writing on the Indian madrasas, numbering several thousands, is available. This book, despite its serious limitations, is a valuable contribution to the ongoing debate on madrasa education. A collection of articles of disparate quality, some academic and serious, others journalistic and somewhat shoddy, the book provides a broad overview of the history and present condition of Islamic education in India, focussing particularly on the question of madrasa reforms.

In his introduction to the book, Akhtarul Wasey, professor of Islamic Studies at the Jamia Millia Islamia, locates the salience of madrasas in the context of the importance that Islam places on knowledge. He points out that the Qur'an makes no division between 'worldly' and 'religious' knowledge, seeing knowledge as a comprehensive whole. Hence, he says, the distinction that contemporary madrasas make between these two forms of knowledge is 'un-Islamic' and must be done away with. This is the rationale that he employs to argue the case for the teaching of modern natural and social sciences in the madrasas. Wasey makes several other suggestions for madrasa reform, including promoting discussion and debate in place of blind conformity, providing technical skills to students and helping promote better relations between madrasas and the ulama or clerics of the different Muslim sects. To promote these reforms he calls for the setting up of a central body to which all madrasas should be affiliated. Instead of individual madrasas collecting their own donations, this body would receive funds from the public and would disburse it to the madrasas depending on their performance. This, however, is easier said than done, and Wasey does not tell us how the opposition that this move is bound to generate among many 'ulama could be dealt with. Nor does he refer to the unimaginable bureaucratic wrangles that such a body might give rise to.

Reforms in the madrasa system is the focus of Muhammad Arshad's paper. He refers to the halting efforts by some madrasas to include modern social and natural sciences in their curriculum, noting that these have not been very effective. This does not mean, he says, that the majority of the ulama are opposed to curricular reform. Yet, Arshad argues, the managers of the madrasas must be convinced that reforms are necessary in order for them to retain their relevance and to train ulama who are familiar with the wider society. He suggests that one way that madrasas can bridge the



dualism between 'secular' and 'religious' knowledge with minimum disruption is by affiliating themselves to the state-sponsored open school system, which would allow their students to pursue 'modern' education along with their religious training.

A graduate of the Deoband madrasa, Waris Mazhari provides a fascinating insider's perspective on contemporary madrasas and the dilemmas facing advocates of reform. He calls for the excision of certain 'irrelevant' texts and the inclusion of 'modern' social sciences and English in the madrasa syllabus. Instead of the books based on ancient 'Greek' philosophy that madrasas are said to teach, he calls for madrasa students to be familiarised with modern philosophies in order to express Islam in a mode relevant to today's times. He critiques the overwhelming focus of the madrasa syllabus on juridical or *fiqhi* issues and the reliance on medieval *fiqh* texts. In place of *taqlid*, blind conformity to medieval juridical consensus, he calls for madrasas to stress the revival of *ijtihad* or creative reason in matters of jurisprudence. Likewise, he suggests the teaching of commentaries on the Qur'an by modern authors instead of those only by medieval scholars, pointing out that all scholars, no matter how great, bear the imprint of their times and so their works cannot be considered sacrosanct. He concludes that while these reforms will help make madrasa education more relevant, they might have to encounter stiff resistance from some sections of the 'ulama who might construe these as threatening to undermine their own authority.

Yoginder Sikand's essay examines significant voices for reform in the Indian madrasas, showing how they reflect different agendas and visions of appropriate Islamic education. Some ulama, he points out, are averse to change, seeing the madrasa curriculum prepared by their 'elders' as ideal, arguing that the inclusion of 'secular' subjects might 'dilute' the 'religious' identity of the madrasas. On the other hand, a number of younger generation ulama, Islamist ideologues as well as liberal Muslims are today calling for structural changes in the madrasas. Some of them see this as a means to overcome what they regard as the 'un-Islamic' dualism between 'religious' and 'secular' knowledge. Others see it as a means for the ulama to be aware of modern conditions, to present Islam in a more intelligible mode, to assist in the task of Islamic missionary work and to help promote the confidence and employment possibilities of madrasa graduates. Such reforms are also seen as essential to Muslim empowerment. The 'holistic' understanding of Islamic knowledge that the advocates of reform appeal for a return to service, Sikand argues, as a means to appropriate and to come to terms with 'modernity', to fashion a form of 'modernity' that is suitably 'Islamised'. It also helps fortify Muslims' faith in their religion in a world where many Muslims see themselves as increasingly marginalised. Besides these arguments for the inclusion of 'modern' subjects in the madrasa curriculum, Sikand also examines various arguments put forward by Muslim reformists for changes in teaching methods and for reviewing texts used for classical subjects such as jurisprudence and Qur'anic commentary, as well as their views on the thorny issue of inter-sectarian differences and disputations that many madrasas stress.

S. Ubaidur Rahman, an independent publisher based in Delhi, has two pieces in the book. The first article purports to provide a general outline of the history of madrasa education in India. This subject has already been written about extensively, and the article does not make any significant contribution. The author claims that 'the history of madrasas is as old as Islam itself' (p.105), a patently incorrect statement, since madrasas, as we know them today, emerged only around the 10th century as institutions separate from learning-circles in mosques. He argues that in India 'the first madrasa that gets a mention in the history (sic.) is one that was established by Shah Waliullah Dehlawi'—another erroneous statement, since several madrasas in India prior to Shah Waliullah's in the eighteenth century are mentioned in the historical chronicles.

Ubaidur Rahman's major concern is with the reform of the madrasas. Turning to the contemporary period he argues against the rigid dualism between 'religious' and 'secular' knowledge that most



madrasas seem to uphold, and calls for reforms in the madrasa curriculum in order to make madrasa education relevant to today's demands. He cites the instance of numerous reformed madrasas and Arabic colleges in Kerala as a possible model for madrasas elsewhere in India to emulate. Reforming the madrasas, he says, is an urgent necessity in order to present Islam in a modern idiom, to 'answer Orientalists' and to provide juridical (fiqhi) responses to issues of contemporary concern. He claims, ignoring completely the numerous madrasas that are gradually modernising their curriculum, that the managers of the madrasas 'don't seem to be even slightly inclined to think that there is any need to make any changes and improvement in the madrasa syllabi' (p.111).

In his second piece, Ubaidur Rahman discusses the propaganda about madrasas being allegedly involved in promoting 'terrorism'. Based on his travels to several madrasas in eastern Uttar Pradesh, along the India-Nepal border, he argues that, contrary to the claims of Hindutva ideologues and certain Intelligence sources, none of these border madrasas are engaged in any subversive activities. Far from fanning communal hatred, these madrasas provide free education to numerous poor children in areas where there are no other schools. Some of these madrasas even have Hindu students and teachers. Others have Hindu donors and patrons.

The alleged links between Indian madrasas and 'terrorism' are discussed in more detail by Adil Mehdi, who sees these allegations as a recent phenomenon. Like Ubaidur Rahman, he believes that these allegations are unfounded. Referring to the Deoband madrasa, which some newspapers have branded as the 'nerve-centre of terrorism', he tells us that the bulk of the Deobandi 'ulama opposed the Partition of India and the 'two nation' theory of the Muslim League. Instead, they supported the Congress and the notion of a united India. For this they were actively patronised by Indian leaders for their 'patriotism'. Mehdi critiques the tendency of sections of the press to equate Indian madrasas with their counterparts in Pakistan, arguing that while some madrasas in Pakistan have indeed been involved in training militants, this is not the case in India, because the context in India is so different. He refers to his interviews with senior police officials in different parts of the country, including Kashmir, who stress that no madrasa that they are aware of provides its students with armed training.

Mehdi also looks at the rhetoric of 'reform' articulated by a range of actors. For Hindutva ideologues who see Islam as a 'foreign' and 'barbaric' religion, the demand that madrasas reform themselves serves, Mehdi argues, as 'a ruse' for 'purging' madrasas of their 'Islamic content'. Likewise, for governments that are making similar demands, the pressure for 'reform' emanates from 'a belief that madrasas pose a threat or at least a potentially fundamentalist threat, even in the absence of any evidence'. In other words, Mehdi contends, the proposed reforms are geared to countering this perceived threat rather than constituting a 'meaningful attempt at substantial long-term overhaul of the system'. For their part, many 'ulama are reluctant to accept offers of assistance from the state for reform, fearing this would dilute the 'Islamic' character and autonomy of the madrasas as well as undermine their own authority and control. Mehdi acknowledges that some madrasas, under growing pressure from outside as well as popular demand, have started teaching subjects like English, Hindi and computers, but argues that 'these attempts remain at best token gestures and are not integrated with the overall education' (p.96).

Meena Kandaswamy, former editor of the Chennai-based 'Dalit' journal, echoes Mehdi in making similar claims about what she calls 'The Hindutva Jihad Against Madrasas'. She bitterly critiques Hindutva ideologues for what she regards as their fallacious propaganda about Indian madrasas being 'dens of terror', which she sees as part of their larger anti-Muslim and Brahminical agenda. At the same time as Hindutva leaders demand that madrasas should be 'modernised' and made more 'scientific', she says, they turn a blind eye to the hatred and violence and patent unscientific obscurantism that is actively promoted in scores of Hindutva schools all over the country.



This book, one of the few full-length texts in English on contemporary Indian madrasas, makes some useful contributions to the ongoing debates on madrasa education. Three vital issues central to the debate on madrasa reform, however, have been missed out by all the contributors. Firstly, the diverse political stances of the madrasas, including the ways they imagine the ideal 'Islamic' state and how they relate to the notion of a secular India. Secondly, the multiple ways, positive as well as negative, in which madrasas represent other religions, their adherents and relations between Muslims and them. Thirdly, the issue of gender relations and gender stereotypes. Overlooking these crucial issues, the book thus presents what is by all counts a partial picture. To add to this are the numerous grammatical and typographical errors with which the text abounds.

(The last five reviews have been done by Yoginder Sikand for the web magazine *Qalandar*)



## LATEST BOOKS ON ISLAM AND MUSLIMS

### FROM THE BLURB/ABOUT THE BOOKS

*The purpose of this column is to inform the readers about some of the recent publications on Islam/Muslims from South Asia. These are not book reviews and the matter has been taken straight from the blurb of these books.*

—Editor

1. **Good Muslims, Bad Muslim: Islam, the USA, and the Global War Against Terror** by Mahmood Mamdani. Delhi: Permanent Black. 2004.

In this brilliant look at the rise of political Islam, the distinguished political scientist and anthropologist Mahmood Mamdani dispels the notion of 'good' (secular and Westernized) Muslims as against 'bad' (pre-modern, fanatic) Muslims. He argues that such judgements emerge out of politics rather than from cultural or religious identity.

Mamdani shows how political Islam emerged from a modern encounter with Western power, and how the terrorist movement within it arose out of the USA's post-Vietnam proxy wars. His analysis ranges from the 1960s to the Reaganite-Thatcherite 1970s, when a simplistic ideological politics of 'good versus evil' began to be espoused. It culminates by looking in detail at the 'global' war against terror being waged in Afghanistan, Pakistan, and Iraq.

*Good Muslim, Bad Muslim* possesses a huge civilizational sweep which profoundly alters official understandings of Islamist politics that the US state propagates. It is more broadly a radical and necessary corrective to the way in which Islam is being projected by conservative forces in contemporary times.

2. **Indian Muslims: Where have they gone Wrong?** By Rafiq Zakaria. Mumbai: Popular Prakashan. 2004.

Dr. Rafiq Zakaria has been blessed by the Chinese curse: 'May you live in interesting times.' He was born a little after Jinnah left the Congress, and was a young man when he saw his country being riven apart by slogans of hatred. As an Indian and a Muslim he remained loyal to both his nation and his faith. But his life has been lived in the shadow of anguish; everything that could go wrong with Indian Muslims did go wrong. He feels for the community with the ardors of an Iqbal, but his diagnosis and his prescription are different. This might be called the next stage of the evolutionary process of history, but it takes a leader to see a way through a maze as complicated as the one in which Muslims are trapped. There are few corridors of this maze that Dr. Zakaria has not traversed. He is passionate, compassionate and dispassionate. The most remarkable quality that he brings is the power of a clear mind. He is not weighed down



by hidden guilt; and he seeks nothing but the good of his people. There is no Indian Muslim today, writing in English, who commands the kind of respect that he does from both the community as well as the nation of which the community is an integral part. I have used the image of a prism for Ghalib and a mirror for Akbar Allahabadi. This book is a chandelier, each aspect of the Indian Muslim experience sparkling both individually and collectively. To read it is to walk through endless illumination.

The central question of this book is: Where have Indian Muslims gone wrong? Dr. Zakaria does not shy away from the answer: Whenever they have forgotten their Indian roots.

3. **Struggling to be Heard: South Asian Muslim Voices** by Yoginder Sikand. New Delhi: Global Media Publications. 2004.

Given the salience of ideologised forms of religion in fanning or justifying conflicts in different parts of the world today, formulating new understandings of religion that can play a positive role in promoting inter community relations and social justice is an urgent necessity. This is as true of the Islamic case as it is of all other religions. This book, a collection of interviews with Indian and Pakistani Muslims activists and *ulema*, seeks to provide a broad perspective on socially engaged understanding of Islam that try to creatively deal with several issues of contemporary concern, particularly those relating to inter faith relations, social justice and peace.

4. **Fatawa Literature of the Sultanate Period** by Zafarul Islam. New Delhi: Kaniska Publishers. 2005.

The Sultanate period (1206-1526) is well known for the production of a large number of works on Islamic jurisprudence (*fiqh-i-Islami*) in Arabic and Persian. These works included Fatawa-collections compiled by learned jurists of the period on their own or at the instance of Sultans and nobles. The present work is a comprehensive study of these Fatawa. The work contains a general study of the origin and development of Fatawa compilation during Muslim rule in India and thoroughly examines the important Fatwas of the Sultanate period especially *Al-Fatawa-al-Ghiyasiah*, *Fatawa-i-Firuzshahi* and *Al-Fatawa-al-Tatarkhaniah*.

Apart from critically analyzing main contents of the Fatwa, the author evaluates them from the point of view of their response to the contemporary problems of society and state. The work also gives an insight into the mechanism adopted by jurists of medieval India to solve the new problems of legal interest particularly Muslim-non-Muslim relationship which had been agitating the minds of Muslim masses of those days. Thus, in addition to the juridical and legal value, the Fatawa literature of the period is also of great significance from historical point of view as it reflects the peculiar problems of socio-economic and political life that emerged in those-day's India. The book is well-documented and the author's findings are fully supported by authentic sources. It would be of special interest not only for the students and scholars of Islamic Studies but also for the researchers in religious and intellectual history of medieval India.



5. **Wakf: Islamic Law of Charitable Trust** by Abdul Qadir. New Delhi: Global Vision Publishing House. 2005.

This book is an analytical study of the historical development and socio-economic importance of the Islamic Law of Charitable Trust. The *wakf* is not mentioned in the Holy Qur'an, but derives its legitimacy primarily from a number of *hadiths*. The immediate spread and popularity of the wakf derives from the fact that it served socio-economic needs of the people.

6. **Encyclopaedia of Islamic Science and Scientists** by Zaki Kirmani & N.K. Singh(eds). New Delhi: Global Vision Publishing House. 2005.

Encyclopaedia of Islamic Science and Scientists has been brought out for the first time to provide information on Islamic Science in a comprehensive manner and a brief biography of each leading Muslim scientist of the world, their scientific activities and its significance to the contemporary society, their feelings, ideas, philosophies and concerns. In illuminating portraits of a wide range of personalities of about 200 Muslim scientists, this book also explores the complex and dynamic aspects of about 250 scientific terminology of all branches of science. This book should become required reading not only for academics but for every one who wants to know the truth or Science of God.

7. **In a Minority: Essays on Muslim Women in India** by Zoya Hasan & Ritu Menon(eds). New Delhi: Oxford University Press. 2005.

Muslim women have been the subject of considerable debate in India, chiefly around the conflicting claims of personal law, identity, and gender. Existing literature on Indian women in general ignores Muslim women, considers their status a product of personal laws, and assumes sameness both in status and in forms of oppression.

Based on recent empirical work, the essays in this volume present the diversity of Muslim women's lives in all its complexity. They analyse patterns of employment and the low participation of Muslim women in the labour market, explore gender differentials in educational attainment and its links to other aspects of social inequality; and examine the influence of religious and other factors on the access of Muslim women to property and work. The volume further explores constraints on educational advancement and draws out the linkage between rights and empowerment.

While recognizing the validity of community identity and discourse, the contributors emphasize the force of material and social circumstances in shaping the lives of Muslim women. They reiterate that there exists no 'fixed identity' for Muslim women – rather that it is contingent and contextually determined.

Drawing on a wealth of primary data, complemented by empirical analysis, this volume will interest scholars in gender studies, politics, sociology, law, education, and social work, as well as activists in NGOs.



8. **Living Together Separately: Cultural India in History and Politics** by Mushirul Hasan & Asim Roy(eds.). New Delhi: Oxford University Press. 2005

The syncretistic ethos of traditions in South Asia has now become part of public discourse. Political scientists, historians, and social activists have laid stress on syncretism as an important political value in present times. Mindful of these projections, the essays in this volume approach the issues of syncretism, synthesis, and pluralism in South Asia today to objectively reassess their importance in coping with a political and cultural future.

9. **Quran and Modern Jurisprudence** by Mustafa Kamal Sherwani. Lucknow: New Royal Book Company. 2004.

The present book 'Qur'an and Modern Jurisprudence' basically aims at highlighting those Qur'anic precepts, notions and commandments, which by all means, can be considered as having laid down the foundations of what in the contemporary era are projected as the conclusive hallmarks of modern civilization in the fields of philosophy, jurisprudence and other social sciences. The book has been divided into eleven chapters, each dealing to the extent possible, with various ideological perceptions of jurisprudence, and their comparative analysis with Qur'anic injunctions.

Chapter two of the book, titled 'An Integrated Analysis of Modern Jurisprudence' is meant to make those readers acquainted with some fundamental aspects of jurisprudence who are completely alien to this branch of legal study. Chapter eleven 'Conclusions and Suggestions' deals with the causes of why the entire Muslim society the world over is showing the signs of intellectual stagnation, despite having played the role of a torch – bearer in all disciplines of human life.

It is hoped that the present book will be extremely useful for those who want to study Qur'an in the context of modernity, and look at it as a living document – comprehensive in content, adaptable to the changing needs of time, and the fountainhead of all innovative ideas.

10. **Muslim Networks: From Medieval Scholars to Modern Feminists** by Miriam Cooke & Bruce B. Lawrence(eds.). New Delhi: Permanent Black. 2005.

Crucial to understanding Islam is a recognition of the role of Muslim networks. The earliest networks were Mediterranean trade routes that quickly expanded into trans-regional paths for pilgrimage, scholarship, and conversion, each network complementing and reinforcing the others.

This volume selects major moments and key players from the seventh century to the twentyfirst that have defined Muslim networks as the building blocks of Islamic identity and social cohesion.

Although neglected in scholarship, Muslim networks have been invoked in the media to portray post-9/11 terrorist groups. Here, thirteen essays provide a long view of Muslim networks, correcting both scholarly omission and political sloganeering. New faces and forces appear, raising questions never asked before in relation to Islam.



This book ranges from Ibn Battuta in the fourteenth century to the new transnational communication pathways shaping Muslim women's identities today.

Invoking the past to understand the present and envision the future through the prism of Muslim networks, this major new book addresses-as never before-issues of faith, politics, and gender in Islamic civilization.

11. **Islam in Pakistan's Foreign Policy** by S.A.M. Pasha. New Delhi: Global Media Publications. 2005.

The work seeks to assess the foreign policy of Pakistan for the period spanning the formative years, and the Bhutto and Zia regimes. The Bhutto regime takes into account both that of the father, Zulfikar Ali and Benazir. The treatment of the post-Zia years, for obvious reasons, does not cover the latest developments, especially those relating to Afghanistan and the emergence of the Taliban.

The foreign policy goals of states, to put it simplistically, are standard: making friends and influencing people beyond borders; forging new alliances; and, generally, consolidating power, aided by the first process. In the last few years, religion has been used by some states to promote their foreign policy objectives. Islam has acquired a prominence in this regard, which is both fascinating and frightening. The most interesting use of Islam has been made in Pakistan over the years. This work makes an attempt to tell the story with objectivity.

12. **Muslims in India: Perceptions and Misperceptions** by Ishtiaque Danish(ed.). New Delhi: Global Media Publications. 2005.

The book discusses several important issues confronting Muslims in India today, like the attacks on some verses of the Holy Qur'an by Hindu Mahasabha, the supposed high population growth among Indian Muslims, the issue of terrorism and Muslims and the media in India. The book also discusses the misgivings surrounding the Indian madrasas. It is sure to help give a better understanding of Muslims in the country.

13. **International Encyclopaedia of Islamic Dynasties** by N.K.Singh(ed.). New Delhi: Anmol Publications.

A comprehensive and outstanding multi-volume Encyclopaedic work on Islamic dynasties of all over the world from emergence of Islam to modern age has been edited and compiled in country-wise alphabetical order.

The birth of Islam is a unique phenomenon in the annals of mankind, yet its importance has not been recognized in the world history. The histories of the world have been written by scholars who made less emphasis to highlight historical significance of Islamic dynasties and its contribution to the medieval world. Although several encyclopaedic works have been done, but very few of them has taken pen to project complete picture of the history of Islamic dynasties.

14. **Marginal Muslim Communities in India** by M.K.A. Siddiqui (ed.). New Delhi: Institute of Objective Studies. 2004.



This volume consisting of ethnographic profiles of some forty little or lesser known Muslim communities, inhabiting various parts of India is the result of a long cherished desire on the part of the Institute of Objective Studies to bring into focus the 'marginal' segments of our society. This was not for reasons of peeping into exotic cultures to satisfy the urge of curiosity, but mainly for the purpose of acquainting ourselves with the estranged segments of our own society, and to get informed about the kind of life they are impelled to live, in the hope that this may pave the way for much needed ameliorative measures.

- 15. Lived Islam in South Asia: Adaptation, Accommodation & Conflict** by Imtiaz Ahmed & Helmut Reifeld(eds.). New Delhi: Social Science Press. 2004.

*Lived Islam in South Asia: Adaptation, Accommodation and Conflict* is an extremely timely and important publication. Fourteen interesting papers, based on intensive fieldwork in Nepal, Sri Lanka, Pakistan and India, explore a highly controversial subject. They touch on the everyday religious lives of the Muslims in these countries.

The book argues that Islam cannot be understood through the works of theologians alone, for whom it is a formal, uniform and rigid system of beliefs and practices. Popular Islam, or Islam as it is practiced by millions of Muslims in South Asia, has an empirical validity and is a dynamic process of adjustment and accommodation as well as conflict with other religions, with which it coexists. As one of the editors to the volume, Imtiaz Ahmad says in the Introduction, 'There are many Islams'.

The book is divided into four parts. Part: Concepts and Interpretations, consists of three papers which bring coherence and meaning to the confusion of everyday life, with the help of concepts and ideas. Three papers in part II: Lived Islam and its Historical Context, explore the distinctive developments of Islam in Kashmir and Nepal. Part III: Conflicts and Accommodation has four papers which analyse various aspects of both religious conflicts and accommodation. While violent conflicts take place between the Islamic sects of the Sunnis and Shias, harmonious relations between Muslims and Hindus, united by common worship at Muslim shrines in Karnataka is an empirical fact. Common worship also unites the extremely marginalized Shia women in Hyderabad to women of other religions. The Presence of Sufism consists of four papers three of which describe how marginalized people, both Hindus and Muslims, find acceptance in Sufism. The last paper describes the tension between the Sinhalese Buddhists and the Muslims in Sri Lanka.

- 16. Religious Movements in South Asia 600-1800** by David N. Lorenzen(ed.). New Delhi: Oxford University Press. 2004.

Every religious movement is, to some degree, a social movement. Some such movements might exhibit the social, economic, and political components in a dominant manner. In other movements such worldly aims may be less evident. In this important volume, David Lorenzen addresses a range of debates regarding religious movements in the medieval and early modern periods and presents the views of several scholars on each



debate. Eleven key essays debate how the religious and worldly aims of different movements are linked, and how their ideologies, social bases, and organizational structures have both continued and changed over the course of time.

The essays in this volume, the fifth in the debates in Indian History and Society series, are divided into five parts: Alvars and Nayanars, conversion to Islam, Rama and the Muslims, Kabir and the Sants, and historical overviews. Each part includes essays which present opposing views on important issues such as the relationship between caste and sect, the idea of renunciation, the role of the Sufis in the conversion to Islam in medieval India, and the ways in which many of the South Asian popular movements emerged and gathered force. In an insightful introductory essay, David Lorenzen discusses the historical and theoretical background of each of these debates as well as the influence of Dumont, Engels, and Weber on our understanding of the nature of religious movements in and beyond the South Asian context.

A valuable supplementary text for undergraduate and postgraduate students, this book will also be a useful companion for historians of medieval and early modern India, students and scholars of religious studies, comparative religion, sociology, and anthropology, as well as the informed general reader interested in the religious traditions of South Asia.

- 17. Islamic Contestations: Essays on Muslims in India and Pakistan** by Barbara D. Metcalf. New Delhi: Oxford University Press. 2004.

This collection of essays written over the last quarter of a century represents a distinguished body of writing on the Muslims of the Indian subcontinent. They draw on a lifetime of research and writing on a rich, important and often neglected subject, and focus on the Muslims of the Indian subcontinent and the role of Islamic symbols and identities in public life in northern India.

The essays are united in the challenge they offer to the negative stereotypes that are current, for example, that Islam is inevitably politically militant, that Muslim women are particularly oppressed, or that Islam is a static tradition. The essays show the Islamic scholars of India and Pakistan as people engaged with issues of the modern world, pragmatically driven in their socio-political activities and not as blind reactionaries, as they are often described.

In the colonial period and after 1947 in India as well, there has been an absence, for the most part, of anything that could be labeled 'Islamic politics' or movements for an Islamic state. Instead, there is wide evidence of a firm commitment to democratic secularism and a political spiritual renewal. The emergence of jihad-oriented movements in Afghanistan and Pakistan at the turn of the twenty-first century should not eclipse what have been more enduring and more pervasive patterns of Islamic activity in South Asia.

Nor should they distract from the other activities of the Muslims of the subcontinent like those discussed here, including the education of girls and boys, moral and spiritual



guidance on the part of the holy men, the cultivation of Greco-Arabic medicine, poetry, and the production of pilgrimage accounts about Mecca. What remains constant in all of these diverse essays is the focus on individual Muslim lives, which gives this volume the feel of a vibrant oral history.

This collection will be of interest to scholars and students of modern South Asian history, and specifically of modern Islam. General readers interested in learning more about the cultural and political life of the world's largest Muslim population – that of the Indian subcontinent – will also find this collection absorbing.

**18. Islam: Faith, State and Law** by Rais Siddiqi. New Delhi: Anmol Publications.

Islam is a complete and final faith. It's not merely an ideology or philosophy, but it is a perfect code of conduct, which commands all aspects of human life in this world and leads to the next world too. Islam, not only teaches its followers, how to lead a successful life, but, it also controls them. Islamic political system is distinct from other systems and its social philosophy is also different from all worldly ideologies.

This book – comprehensive and exhaustive in itself – covers three major aspects – faith, law and polity and polity, in turn, includes governance and diplomacy. The foundation, protection, governance and development of a state and building of nation, all have been discussed in detail. And it has all been discussed in the light of Islamic philosophy, ideology, logic, law and jurisprudence. Hence, the first part is devoted to faith only. In Islam, faith is the foundation of all the institutions.

Hopefully, this work will satisfy the scholarly urge of all those, who may prefer to read this book and would also prove to be a ready reference for all researchers, working on the related subjects.

**19. Politics of Identity: Ethnic Nationalism and the State in Pakistan** by Adeel Khan. New Delhi: Sage Publications.

A major challenge Pakistan has been confronted with since it came into existence is the self-assertion of various ethnic groups, which have actively contested the legitimacy of the state structure. However, despite the seriousness of this ethnic challenge, there exists no detailed study of these movements – Politics of identity fills this vacuum.

Ethnic nationalism, the author argues, is a political issue and is essentially a struggle for power between dominant and non-dominant groups. Highlighting the role the state plays in the lives of individuals, the book

- Studies both the pre-colonial and colonial state system in India and the changes it effected till India's independence and the creation of Pakistan.
- Assesses the state in Pakistan and explains its role in giving rise to ethnic discontent.
- Studies four ethnic movements – Pukhtun, Baloch, Sindhi and Mohajir – demonstrating how their proximity to or distance from state power have influenced their politics.



- Critically reviews some influential theories of nationalism – including those of Ernest Gellner, Benedict Anderson and Partha Chatterjee – and shows how they have not adequately explained ethnic nationalism in some parts of the world.

The first comprehensive account of the emergence, growth and changing politics of four major ethnic movements in Pakistan in the context of theories of nationalism, this absorbing book will be welcomed by students and scholars in the fields of sociology, political science, history and South Asian studies, as well as by strategists, diplomats and journalists.

**20. Identity & Religion: Foundations of Anti-Islamism in India** by Amalendu Misra.  
New Delhi: Sage Publications.

In spite of several hundred years of Muslim presence in India and the close interaction between Hindus and Muslims, the majority of Hindus remain uncomfortable with their Islamic past. As a consequence, most of them seem to have considerable difficulty in integrating the huge contribution of Islam in their historical construction of India's national identity. This book looks at the reasons behind this discomfort and argues that the continuing resentment towards Muslims can be linked to a bias in the Indian nationalist tradition.

Amalendu Misra shows that while some eminent nationalist leaders were implacably hostile to Muslims, even wholly secular ones were uneasy with India's Muslim past and had a generally unfavourable disposition towards both Muslims and Islam. The book explicates this by focusing on the writings of Vivekananda, Gandhi, Nehru and Savarkar supported by a wealth of examples from a wide range of contexts. It argues that the views of these four prominent individuals were heavily shaped by British historiography as well as their respective visions of independent India.

This skewed nationalist interpretation of the role of Muslims in India, maintains the author, is what lies beneath the current state of estrangement between Hindus and Muslims. Further, the essentially anti-Islamic attitude of India's elite is largely the result of the legacy of these four thinkers. He goes on to suggest how modern India needs to redefine itself to flourish as a genuinely secular democracy.

Topical, lucid and thought-provoking, this well-researched account of an important but hitherto little understood basis of Hindu-Muslim tension will attract a wide readership among historians, sociologists and political scientists. It will also interest those concerned with the wider issues of ethnicity, religion, communal politics, and the state of India's polity today.

**21. Contemporary Pakistan: Political Processes, Conflicts and Crises** by Veena Kukreja.  
New Delhi: Sage Publications.

Ever since it came into being in 1947, Pakistan has undergone a tumultuous process of nation-building. It has struggled to create a sufficient consensus in its polity, while endeavouring to establish the political institutions necessary for stability. The unfinished



agenda of nation-building in Pakistan is today standing at an unenviable and critical cross-roads.

Veena Kukreja provides a rare reasoned analysis of the political processes at work in contemporary Pakistan and an objective understanding of the problems and crises confronting the country. She provides insights into the evolution of state structures taking into account the complex interplay of domestic, regional and international forces which have influenced and even moulded political developments in Pakistan since 1947.

The author points out that for 25 out of the 53 years of its existence, the military has been the arbiter of Pakistan's destiny. Further, that a grassroots-based party system of parliamentary democracy is yet to take root. The military, she maintains, regards its dominance of Pakistani politics not only as a right but as a duty. As a result, state security has taken precedence over the need to create participatory political processes and institutions or even over making nominal investments in economic development and in the social sectors.

The book concludes by pointing out that the terrorist attacks of 11 September 2001 and the resulting US offensive in Afghanistan, has put the military regime in Islamabad in a tight spot. Caught between unyielding ulemas, a faltering economy, and American pressure to demolish militant networks in Pakistan, these recent developments-combined with the dangerous cleavage within Pakistani society-could well push that country into another bout of instability and even anarchy. The situation is made more complex by the nexus between terrorism and drugs.

This is topical, cogently argued and insightful commentary on contemporary Pakistan's polity and political process. It will draw the attention of students, scholars, journalists, diplomats and the general reader interested in Pakistan and in South Asian politics.



# JOURNAL OF ISLAMIC LAW REVIEW

**Editor: Prof. ABDUL HASEEB ANSARI**

Ahmad Ibrahim faculty of Laws,  
International Islamic University, Jalan Gombak  
53100 Kuala Lumpur, Malaysia.  
e-mail: [ahaseeb@iiu.edu.my](mailto:ahaseeb@iiu.edu.my), [ahaseeb5@yahoo.com](mailto:ahaseeb5@yahoo.com).

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- Place all the tables at the end of main text, assigning numbers to each one of them in the same numbers whenever referred to, in the text.
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**Professor Nadeem Hasnain**

Editor, **Islam and Muslim Societies**

505, Sector 5, Vikas Nagar,  
Lucknow-226022 (India)

Email: csad.lucknow@rediffmail.com



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- II. The Dalit Muslims and the All-India Backward Muslim Morcha
- III. Reforming Muslim Personal Law in India: The Fyzee Formula
- IV. Muslims as Minorities: An Islamic Perspective
- V. Inter-religious dialogue is an absolute imperative

## BOOK REVIEWS

- Women In Slums: A Study of Women in Muslim Slums of Visakhapatnam by *P.V.L. Ramana*
- The True Face of Islam—Essays on Islam and Modernity in Indonesia by *Nurcholish Madjid*
- Crossing the Threshold: Understanding Religious Identities in South Asia by *Dominique Sila Khan*
- The Ulama in Contemporary Islam: Custodians of Change by *Muhammad Qasim Zaman*
- Divorce and Remarriage Among Muslims in India by *Imtiaz Ahmad*
- Madrasas In India: Trying To Be Relevant by *Akhtarul Wasey*
- Latest Books on Islam / Muslims