

**My Essays on
Socio Political and
Islamic Issues**

Shah Abdul Hannan

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Preface

“My Essays on Socio political and Islamic Issues” is a collection of essays I wrote on these subjects in the recent past. The major articles in the book are Khitafat in Islam : Dimensions, Classification of States from an Islamic Perspective, Democracy and Islam : Clarification of some Misgivings, Recent Developments In Bangladesh Democracy, The Conflict which has no Frontier, Palestine State : an Unsolved Issue, Should Bangladesh Recognize Israel, The Message of the Quran : A Great Tafsir of the current time. Islamic Education Movement : Recent History and Objectives, Some Thoughts on Human Rights, The Main Problem of Humanity is forgetting Allah – The Creator, Building up Strong Muslim Ummah, Problems of the Ummah : Role of Ulama & Intellectuals, Women’s Dignity, Rights and Empowerment in Islam, Characteristics of Islamic Economy and its various inter-relationships, Zakat : Some Relative Issues .

The major essays in this book analyses the problems of humanity such as rise of materialism, hedonism, selfishness, barbarism in the international relations. The essays also analyse the problem of the Muslim Ummah such as poverty, poor education; ideological, cultural and political challenge emanating from the west and other forces, internal dis-unity, terrorism, sectarianism, the blind following by some sections of society of the past rulings and decisions of past scholars on the basis of their circumstances and their Ijtihad..

I think these issues are relevant and I believe that Islam and Islamists are facing unnecessary criticism because of lack of our knowledge or appropriate knowledge of Islam, fundamental law, culture and his history. I find criticism of Islam from several quarters. One quarter is the western Orientalist type and some motivated non_Muslim writers .Another quarter is ultra-socialist and ultra secularist elements who think religion, Islam in

particular,should have no role in public life or in economic or in politics though Islam throughout history was the basis of law of all Muslim states, Khilafa al Rashidah, Umayyad and Abbadid Khilafah , Osmani Khilafah , Fatimid state based in Cairo or Mughals based in Delhi .This was the position until colonial colonial take over in the nineteenth century..

I have tried to answer all these quarter. I have also tired to answer the issues that are prevailing in their minds of sincere people. I hope this book will clarify many of the issues. .

I am thankful to my student Poet Omar Bissas for overall planning of the book.

I hope the book “My Essays on Socio political and Islamic Issues” will be helpful to the readers. If there is any mistake, I am ready to correct these for future edition, if pointed out to me. I pray to Allah (SWT) to accept my humble contribution for the good of Islam, Ummah and the humanity. I ask forgiveness of Allah for any mistake I may have done.

Shah Abdul Hannan

The Main Problem of Humanity is forgetting Allah -The creator

Philosophically thinking, the biggest problem of the world is forgetting Allah, the creator; to become indifferent of His existence. Allah subhana wa ta-a-la said, “O Man! what has seduced thee from thy Lord Most Benificent?” (82:6). At present day it is indeed a reality that mankind are negligent of their creator. Atheistic beliefs are predominant in Europe and America. Russia had been a self declared atheist nation for long. Even among the believers, many are skeptic. Skeptics don’t openly claim that there is no creator. But they are insensitive about the existence of a creator, and do not consider remembrance of Him as an important matter.

The Christians, even those who believe in God, are oblivious of Him in their practical life. In comparison, the Muslims are yet less affected by atheism and skepticism. They are more or less practicing believers. Even the Muslims, who consider themselves secular, observe the Islamic rituals to some extent. They too say their prayers, do fasting in the Ramadan, celebrate the Eids and care about the Halal and Haraam.

Forgetfulness of God has basically created two problems, materialism and atheism. The above mentioned two are the fundamental reason of the crisis of the world today. It can be mentioned that hard-core or extreme secularism produce same kind of behaviour as the atheists and skeptics..

The forgetfulness of God has also affected the education system, which is entirely built upon secularism. Present day science is based on secular perception.. European scholars and even the Muslim scholars today do not begin their books with “the name of creator or God. On the contrary when the Muslims were making

development in science, learning from China and India, they contributed into many branches of sciences. At that time Muslim scientists used to start every books of science in the name of their Lord. They were sincere believers. But the European scientists, not being believers of God or considering expression of belief to be a humiliating fact, never mentioned the name of the creator. Muslim scientists of today can write it. Unfortunately they are also not doing it these days. Earlier writing the name of God was the custom. Today avoiding it has become the custom.

In books of sciences there is no reference to the word Allah or God. The word ‘creator’ is not used at all. It is an amazing thing. In some cases the term ‘nature’ is used instead of creator, which is very confusing. What is ‘nature’ is not clear at all. They never think how these natural laws came into existence. How come laws could exist without a lawgiver (creator of the law)? They claim to be the most rational, but I am finding no rationality at all in this point.

The modern science has numerous benefits and uses, we agree to that. But it is driven by a mind that is skeptic on the question of God. A mind that does not recognize God, does not mention God, even considers mentioning God an uncivilized matter.. These concepts behind modern scientific thinking are affecting our culture and promoting skepticism and atheism.

Some social sciences maintains similar view in this issue. Sociology assumes that religion is a man-made concept. But they could have promoted the concept that God has created us, and gives us a tendency to be social by giving a social mind. inclination to communal life of human beings is the design and part of plan of God. That is why we become united and form society. The anthropologists are not admitting that God has created human beings. They completely reject this idea. Anthropology is trying to discover the origin of man by digging into the earth searching for fossils. From those they are saying that human being came into existence spontaneously; there is no Creator.

I would like to mention here that poverty is a big crisis of present day world. A large number of people cannot remain good and honest because of poverty. This crisis is also in the ultimate analysis a product of atheism, secularism and hedonism. Most of the people have become secularist today. It appears that they do not feel the importance of working for the poor and eliminating poverty. Particularly the capitalists of the world don't seem to want this at all. There is no mention any real concern in the literature of economics of capitalism. It mentions profit, open market; it talks about not imposing government interventions on financial issues. But it never mentions to take measures to eliminate market distortion. It never mentions elimination of poverty. Some capitalist nations do take action against poverty but they are doing that by going out of the framework of capitalism , not because this is the demand of capitalist philosophy.

Colonialism and Imperialism are also offshoots of materialism. The inspiration to seek more and more pleasure for oneself and his nation is the root of these concepts. Exploiting the people for one's own benefit is their purpose. The selfishness and capitalism are not unrelated. All these concepts together have made man irresponsible and have made him hedonist and self-seekers. The responsible people are actually those who fear Allah and do not exploit the world.

Thus, I must say the root of all problems is forgetfulness of the Creator. This is the reason for which our prophets came and told us to obey our creator.

Thus, the solution of the crisis of the world today is bringing the faith of God back among the people , both the Muslims and non-Muslim. I shall say that believing in any religion is better than atheism. Because every religion has some ethics. Atheism has no ethics. The atheist thinks himself to be independent and not responsible to any higher being.

He thinks his actions will never be judged, no one will even question about his actions. So, he can do anything in this world. People like this are dangerous for the society. For this reason faith in God should be reestablished among the people. We have to let people recognize God, as firmly as possible. We have to have moral basis in education. This is how we can eliminate selfishness from the humanity and can solve the root-cause of all problems of the world. Of course we have to do many other things for peace and progress of humanity.

Building up Strong Muslim Ummah

[This talk was delivered by Shah Abdul Hannan, former Finance Secretary of Bangladesh. The title of the talk was “Building up Strong Muslim Ummah” which was addressed on Tuesday, the 22nd September-1998 at Sheffield Islamic Centre and addressed to the Sheffield local community and International students.]

My topic today is “Building up Strong Muslim Ummah.” I would mention that I am a plain servant of Allah (SWT). I am a simple worker of Islam. I have studied Islam for 40 years now and worked for Islam from 1957 onward that is 41 years. But I have no pride. I know that there is no end to learning and I also know that Islam is a very vast subject, a way of life and you cannot cover all sides. Today, first of all, I would mention before I move to the subject itself, I would take this opportunity of meeting some Muslim brothers and Sisters from Sheffield area (and as I came to the UK three times including this time), I feel that I will bring a few things to the notice of the Muslim community in the UK in general and the community in Sheffield in particular on the basis of what I have learnt from my friends, brothers and sisters. I think, I will not focus on this topic, I will only mention casually a few points.

I think, the Muslim community in the various areas in the United Kingdom should attend to building a very strong community. First to build a strong community, the Muslims community should be built not on the basis of ethnicity but on the basis of Islamic identity. The community of the Muslims should be built not on the basis of ethnicity, not on the basis of geographical line only but on the basis of Islamic identity. There could be geographical community that will work for this country, that country, there will be organisation for that, fine, no problem. But in addition, everywhere in the UK there should be another organisation based

on Islam. For example, I would say like this that Sheffield Islamic Organisation or Sheffield Islamic Community, something like that, everywhere, not only in Sheffield. And if it is not really possible then what should be done, in every area a federation of Muslim organisation, a federation of Muslim community, a federation of the community should be formed where Islamic cause should be dominant. This federation will look after, the general purpose of Islam, general, social, economic even political and particularly ideological purposes of Islam. It is also needed and I have no doubt you are doing it, I have no doubt that whatever I am saying you are doing that, more or less. But I am trying to emphasise what I find to be more important. One thing would be to spread authentic knowledge of Islam on the basis of the writings of the prominent Islamic Scholars of the past and the present. It should be the Quran, it should be the Sunnah or the Hadith, books of Hadith, their commentry, of the Qur’an. In addition, it should be the best writings of the best scholars of Islam of the past and the present. Because, it may not be always possible for a person who does not read enough to derive all possible guidance from the Qur’anul Karim. It may help if he goes through authentic writings of the major scholars of Islam. Lastly, on the subject of UK Muslim community, I see a very important task which I have suggested in the United States when I was there in connection with the official business of the Government. I advised there also to build Islamic Schools. By that I mean, in the United States what they have done apart from Friday school, apart from Saturday or Sunday School, they have started about 400 high schools where they are teaching, first of all, the curricula of that country plus Arabic plus Islamic studies and wherever possible they are separating education of boys and girls and taking separate classes wherever possible and asking the girls to observe Islamic norms of dress and also the boys. I believe that the survival and progress of the Muslim community here on the basis of Islam depends on your building schools on this line. And I understand and I believe that the future of the strong Islamic community in Europe and in Canada and in United states and in Australia depends on first of all building

strong community on the basis of Islam and then building schools, establish schools. These are only for your consideration and if you think this is right you should start a movement not only in Sheffield, but in the UK.

Now I come to my topic. After these preliminary observations coming to the topic, first of all, I submit that the state of Ummah, the state of Muslim Ummah, the state of Islamic Ummah is not very healthy. And I would not discuss a lot because you know very much in this respect. But still I would say ideologically, there is much ignorance in the Muslim community about Islam. Ideologically speaking, Islamically speaking, from the Ummah stand point, there is much ignorance about Islam, there is considerable Bida (innovation unacceptable in Shariah) in the Muslim community, innovations which are not acceptable, which has been judged innovations (in the technical terms of Fiqh) and also much Shirk in the entire Muslim world or many parts of Muslim world. I cannot say what is the real state in the UK, but I would say that the Muslim Ummah as a whole is in much ignorance, much Bida and much Shirk. Materially speaking, materially there is much illiteracy, much poverty, serious poverty and backwardness in most of the places. Our economy is in bad shape by in large except a few, we have bad defence. What should we do to build a strong Ummah in such circumstances when our ideology is this and when our material position is this, what should we do to build a strong Ummah? By the way I would mention after the conclusion of my speech, I will be ready to answer in all humility any question that you may give me. I do not say I have all the answers but I will give whatever I know and the rest Allah is our helper. So coming to the question what should we do to build a strong Ummah. Again, I need not mention that, of course, we have to build our education, we have to build our economy and we have to build our defence. These are the priority areas before I look into the ideological issues, I am mentioning the material aspect and I have to do this. Our education, as you all know, in most of the countries, not in all countries, are not fulfilling the needs of Islamic

education. Let me say my case, from my school to my university post-graduation in Dhaka University, I was not taught 20 ayats of the Quran, In fact, I would say I was not taught 10 ayats of the Qur'an. I was not taught the life of the Prophet (sm) who is a model for us. So does this education system or education fulfil our needs? It does not. The objective should be to build ultimately in the independent Muslim countries strong Islamic education system. I know it will take time and there is "Sunnat Allah"-Allah's ways and many things are there where time is needed but the objective should be clear that we have to achieve an education system which will meet all our material needs, all our needs to live as good human being. At the same time it must meet our Islamic needs, The education must meet, and presently in most of the countries the education system is not patterned in this line. But the objective should be clear to the Ummah that the education is very important, most important for our material progress and for our Dini (religious) progress, for our religious progress, for ideological progress, the most important thing is education. And as long as the education system is not fulfilling our needs, there is our duty to privately study and know Islam thoroughly and fully, there is no other way but private study. I would not take much time about economy. I mean, you can realise you have to do a lot. I will not discuss today this issue only indicating that all Muslim governments, all Muslim politicians, all Muslim intellectuals must work. All Muslim economist must work for strong Muslim economy. I will come back to this issue later. We have to build our defence also. Allah has said to guard our borders. If you look into the last ayats of Suratul Imran you will find Allah has asked us to guard our borders and Allah has taught us to keep horses ready. By that Allah (SWT) means we should keep our defence ready, we cannot be careless about the defence of the Muslim Ummah, about the defence of the Muslim states and defence of the Islamic states. De-nuclearisation, very good, but it must be for all, not for only the Muslims. Disarmament of all. I mean we cannot be asked to disarm ourselves, others keeping arms. It will not be fair, it is not just. Now, I was talking about the building of Ummah and about

the material aspect I was indicating a little. But, today my thrust is not on the material aspect, we must take into account the fact that the Ummah itself is under attack, under threat. You know that there are major scholars talking about the conflict of civilisation, An American major scholar Huntington has spoken on the conflict of civilisation and it says that Islam is the next threat to the western civilisation, as if the western civilisation must be maintained, as if any threat against that must be eliminated, as if it is the pinnacle of civilisation, as if it is the last word. We do not accept western civilisation is the last word, I will come back to that. Not only Huntington, Fukuama in his book "The end of history" says that history has reached its final stage, he means really that secular democracy and capitalism are the two things which are the final version of things that human being achieved, so nothing new will come, nothing better will come. This is the end of history, but we cannot accept that the secularism is the last word.

The greatest problem of human civilisation is that they have forgotten the guidance of Allah (SWT). And this is the reason of all the immoralities you see in the world. And most of the fighting are on the basis of nation, I agree there are fighting on the basis of religion also but a time has come that we can contain that if we like. We cannot forsake morality and surrender to immorality in the name of secularism that is forgetting the guidance of Allah (SWT). Many of the evils of the world are due to really the forgetting the guidance of Allah (SWT). I will come to that in course of my lecture.

The Challenge of the West

The challenge of the West to the Muslim Ummah is political, is cultural, is economic and mostly, and most fundamentally intellectual. I need not to discuss much about political challenge to the Ummah. What do the West want? The West wants the Muslim countries should obey the dictates of the West. It is not acceptable to us. When a Muslim country was about to blast a bomb it gets a few telephone calls several times from the head of the state of most

important power of the world that "You do not do that" So much interference in the affairs of the Muslim states. They want us to obey their dictates and if you obey their dictate they will never dictate us for the good of the Muslims and for the good of the Islam. I do not say that we will not listen to others on right matters, we should listen to on right matters to others, but we cannot accept the political dictates of the West. They want us to surrender to their culture which is mostly indecent, lot of indecencies, lot of exposure of human body, exploiting the women for money and lust of men. I do not know in Human history any worse social system like this. Their marriage has been eliminated more or less, their parents are neglected, their children are neglected. Neither children have security, nor in the real sense, the parents have security. In old days they have lots of problems. Their children are not getting care of both father and mother, probably they are getting care of only one in most cases but Allah has made it like that the children should get care of both father and mother. Allah has not made it like this that the children would get care of only the mother. They destroyed family for no purpose at all, for worthless purpose. The marriage is a historically sound institution. It has not harmed anybody, the family has not harmed anybody. That, they have come to a situation where they, in fact, are ruining their families. They are leading us to a chaos and condition. Coming to economic aspect, the goal is really economic imperialism. They want us to be second graders, 3rd graders, 4th graders. They want us to be their market ultimately. Their institutions are all geared to the interest of the major powers of the West. I know thoroughly, I have dealt with them. They serve mostly the purpose of the West and not the purpose of the humanity as a whole. But I must say, the basic challenge is really intellectual. All the other challenge are there but the basic and most fundamental challenge that is coming from the West is really intellectual. They are charging, they are telling us that the concept of Islamic state is not possible. It is not good to have Islamic states. They are telling that Islam does not give human rights, they are telling that Islam does not give women rights and I must say with great sorrow that some Muslims act in a

manner it appears that as if Islam does not give human rights or women rights. There are some manifestations in some countries, some parts which also give this impression. Unfortunately, we must not do that. We must not give the backward, unnecessary backward image of Islam.

Coming to the points of human rights and women rights, I would explain that these are very much accepted in Islam. I will quote three basic documents in support of human rights and women rights in Islam. The constitution of Islamic Republic of Iran was drafted by Ulema, the constitution of Islamic republic of Pakistan was, though not drafted but accepted by Ulema of all groups. These two documents plus the writings of the political scientists of the Islam. I would not name them all, I can name only a few, like Muhammad Asad, like Abul ala Maududi, like Hasan Turabi and so on, a political thinker in Bangladesh, late Moulana Abdur Rahim in their writings. So I would say these documents which are drafted by the Ulema or accepted by the Ulema indicated clearly that Islam has given basic human rights. The Islamic constitution of Pakistan, has chapter on Fundamental Rights. As I am a teacher in a University of comparative political thought, I give my students Iranian constitution, I give my students the Pakistan constitution. I give my students Bangladesh constitution. I give my students American constitution. I explain them the difference between the western democratic model and Islamic democratic model. So I would say that the writings of political scientists, not politicians, not ordinary Alims, but major Alims and major Islamic politicians and political scholars and the other two basic documents, which are drafted by Ulema or accepted by Ulema, clearly indicate that Human rights are respected and women rights are guaranteed in Islam. So, we should not hear some voices from here and there. We cannot lose the consensus, We cannot ignore the consensus on the basis of some voices from here and there. (You can also look into OIC declaration of Human Rights which was approved by OIC Fiqh Academy).

Let us look back at the causes of Muslim decline. As you all know we have been at the fore-front of expansion of knowledge. It is the

Muslims who have been the principal actor in the field of knowledge in the 7th, 8th, 9th and 10th century. In the 11th, 12th, 13th century Muslim gave up the pursuit of knowledge. What happened? Why?. I have not the full answer but it appears to me that we neglected knowledge. It is clear from history that we neglected knowledge which led to our decline and among other things is Taqlid, the blind following. The Muslims started blindly following the old scholars and forgot their duties of pursuit of knowledge and Ijtihad by the senior scholars of Islam. If you want to know the level of Taqlid, I can refer to a book which I went through, there is book called Fatwah-e-Alamgiri which was prepared by 300 Alims at the time of the Mughal Emperor, Aurangjeb. They have discussed about 5000 issues and you will be surprised that after each issue nowhere they quoted any ayat of the Quran, no where they quoted the Hadith of the Prophet (sm). They quote some old books. They refer Tatarckhanian, refer Shami, refer Baharurraik and refer Muhit, never to the book of Allah and never to the Hadith of Prophet (sm). After going through 12 volumes of Fatwai Alamgiri, I was dismayed, I was surprised, I got a shock. I want to mention that this taqlid was responsible for our decline. In such situation, the challenge of the West, political, cultural, economic and intellectual, how do we meet them, and also that we know the basic reasons of our decline, what should we do? As I have said earlier we have to build economy and education etc. no doubt but above all we have to face the intellectual challenge of the West. If we want to build up an Islamic state, Islamic Ummah, Islamic societies, if we want to build up Islam based economy and economy based on Islamic values and politics based on Islamic values, there is no other way but face the western challenge. Explain the reasons behind Islamic injunction. As once upon a time Ilmul Kalam was developed that explained the roots of our faith, our Akaid (beliefs). Similarly, we have to build up new subjects, new responses to the challenge of the West, the intellectual challenge of the West. I think the most important thing is to build up individuals. If we have to build up strong Islamic Ummah we have to build up individuals. Why I say so, ultimately

who runs the state, individuals, who runs the societies, individuals, who runs the economy, individuals, who runs banks, individuals, who runs the government, individuals. So my submission is that if we want to build strong Islamic Ummah, and face the challenge of the West we must build Islamically oriented individuals and great number of scholars and intellectuals in each field. For this I would suggest, if I can say that the prescription before us I would say is to build Islamic intellectuals. To build Islamic individuals, apart from Iman, apart from Akhlak(character), apart from practice, what is needed is I would say read, read, read. The prescription is read, read, read. I would say read, read, read. Any person cannot be a Islamic scholar unless he has read about 1000 Islamic books in addition to another 500/600 books of general interest. A first class Islamic worker cannot be prepared unless he has studied 500 Islamic books in addition to another 200-300-400-500 books on general matters. I suggest that the building up Ummah ultimately would depend on the one hand on to building strong economy, strong defence, good education, good infrastructure and so on for all of us. Facing the challenge of the West, threat of the West we have to build individuals. Because, ultimately, the individuals run the society.

What should we read? I think we should read as many Tafsir of Quran as possible, we should read as many commentry of Hadith as possible, we should have a firm grounding on Usul al Fiqh. Who do not know Usul al Fiqh, they do not understand how to classify Hadith. They do not know how to infer, derive laws from the Quran and Sunnah. They have not heard about Ibartunnas, they have not heard about Isaratunnas, they have not heard about Dalatunnas. They have not heard about Iktedaannas. These are the methods of derivation of the rules from the Qur'an and Sunnah. They have not heard it. A firm foundation of Usul al Fiqh is needed for anybody who wants to be a scholar of Islam and fight for Islam and work for Islam seriously. If you want to be a general worker, no problem but if you want to be serious worker. I can recommend a book to all of you in this regard a good book which is basically based on Arabic work of Usul al Fiqh, is a book by Dr

Hashim Kamali, Islamic Jurisprudence published by Islamic Texts Society, Cambrige. The book is based on all earlier works in Arabic by the Ulema of Usul. I am coming to the close of my speech, so that you can ask some questions. I will make two three points. One is, apart from studies, we should take prophetic character, we should adopt the prophetic character. People say it is not possible to follow the Prophet fully. I do not agree. If it was not possible to follow the Prophet (sm), then Allah would not have said the life of the Prophet is a model for you” or Prophet (sm) would not have said his conduct is a Sunnah for all of us, he is a model for all of us, is a guidance for all of us. I believe personally that the need of the Muslim is to emulate Prophet (sm) fully. We should behave with our wives as Prophet (sm) behaved with Ayesha (ra). It is possible. It is possible to behave with our assistants as Prophet (sm) behaved with Zaid(RA). It is not true that Prophet (sm) cannot be followed fully. So, I mean this is not properly understood and lastly, I would submit if we want to build strong Ummah, we must not ignore our women, we must not forget our women. They have the same potential for Islam, they have the same potential for Dawah, as man, because an ayat in the Qur'an which was revealed in the 9th of Hijra in the last part of the Prophet's career says so. It is in Surattut Tawba. The Ayat is like this “ Wa al muminuna.....” (9:71). This indicates that man and women are friend to each other, protector to each other, helper to each other. What do they do? The mumin man and women what do they do? The common duties are to enjoin good and forbid evil, establish Salah, establish Zakat, follow Allah and His Prophet. These six duties are the common duties of the Muslim man and Muslim women. This ayat clearly proves that the potentials of Muslim man and women are alike. We must not forget that the soul of Muslim men and women are alike, same. I mean in the basic level man and women are alike. There are differences of course. The structure of men and women are not same. The responsibilities and duties sometimes are little different. The basic levels are all the same, one. The souls are of same type. Allah (SWT) has not said anywhere that the souls of man and women are

different. So, at the soul level, which is the most basic level, ultimately what is a human being, nothing but the soul, and about it Allah (SWT) says we are of the same type. Number two, despite all physical differences, Allah says, the physical level of men and women are really most excellent. Allah says in the Quran in Suratu Tin "Lakad Khalanal Insana" that is, men women have the most excellent structure. Any solitary Hadith cannot be quoted against this teaching of the Qur'an. No majaji (allegorical) interpretation is possible here and thirdly we belong to the same family-the family of Adam and Hawa as has been stated in Sutatun Nisa. As we are all Muslims we must give the opportunity to Muslim women to use and utilise their full potential. So in conclusion I would say that we face major challenges in political field, in economic field, in social field, in cultural field and mostly in intellectual field. We have to prepare individuals, these individuals will create Muslim society and Muslim state and Muslim economy and politics and society and schools and education and Madrasha and Masjid.

Problems of the Ummah: Role of Ulama & Intellectuals

The world of Islam today is passing through a critical period of its history. We are confronted with many problems and find ourselves in a limbo, between aspirations and despair. We, therefore, need to locate the key problems the Muslim nation (Muslim Ummah) faces today and identify our duties.

If we are really sincere and determined to overcome the problems facing Muslims worldwide, we need cooperation between the different sectors of Muslim societies. What is particularly needed is teamwork and dialogue between the thinkers (Mufakkirs) and traditional religious scholars (Alims - in Arabic pl. Ulama) of Islam. While the Ulama are better versed in the permissibility or forbidden nature of a certain act, the Mufakkirs are advanced in the field of ideas even if they are not fully conversant with Islamic Laws (Shariah) and the minutiae of regulations concerning the various forms of worship. The Mufakkirs deeply contemplate the problems the Muslim Ummah faces today. Hence the Alims need the opinion of the thinkers. The thinkers, on the other hand, require the opinion of the Alims. Dr. Muhammad Iqbal, for instance, is not considered to be an Alim but a Mufakkir of Islam. He was a pioneering thinker of Islam. In a similar vein, Dr. Ali Shariati of Iran was a far greater thinker than many contemporary Alims. Syed Qutb, too, was a remarkable thinker of Islam.

He is considered a Mufakkir rather than an Alim. Likewise, Dr. Khurshid Ahmed of Pakistan, Dr. Hasan Zaman, and Dr. Syed Sajjad Husain of Bangladesh are Mufakkirs or thinkers. What we need is an interaction between such thinkers (Mufakkirs) with the traditional religious experts (Alims). The Alims will identify the limits of Islam that cannot be crossed in matters of permissibility and prohibition (halal and haram). The Mufakkirs, on the other hand, will try to find solutions within these prescribed limits. At

the same time, the Alims must realize that the Mufakkirs have thoroughly studied the outstanding problems plaguing the world today, in their various depths and dimensions. If a synthesis between the expertise of the scholars (Alims) and the ideas of the thinkers (Mufakkirs) can be attained, only then is it possible to arrive at a pragmatic and realistic solution to these problems. We, therefore, need close cooperation and collaboration between these two different and yet interdependent groups of people.

If we really want to serve the cause of Islam in a meaningful way in today's world, and respond effectively to the ills of our times, we must be aware of contemporary problems. The philosophical problems the earlier Muslim generations faced, notably the conflict between the Mutazilites and the Asharites, which continued for more than two centuries, are no longer relevant today. During the last century, we confronted the ideologies of socialism, capitalism, secularism, and the ideas of Darwin and Freud and these continue to be significant issues until today. Our seminaries (Madradas), however, continue to teach the philosophy of the Mutazilites and Asharites and other ancient philosophical issues. They do not teach philosophical issues of current significance. The old issues no longer pertain to the world we inhabit today. The literature on such topics can remain in the Madrasa libraries as reference books. Such topics should not be part of the contents of present-day Madrasa text books, which should engage contemporary issues, those burning philosophical questions and difficulties of the day mentioned above.

Today, a great deal of change has become apparent in the realm of politics. Parliamentary system has been introduced. The ballots are now being cast in secret. Issues such as those concerning the decentralization of power, federal structure of the government which shares powers with the autonomous units, the delegation of power to regional government, etc. have come to the forefront. These issues and concepts are completely new and therefore not discussed in the old books of Fiqh (books on law). The earlier Fiqh books do not contain any discussion, for instance, on the

separation of state power from the judiciary, as this is also a new concept. Previously the elite used to dominate politics and the public did not play an important role. The situation is quite different today. Today, with the strengthening of civil society, the people play a central role embodied in the elections even though the elite continue to play a significant role as well.

Likewise, a good deal of change has taken place in the economic arena. Earlier, concepts like Central Bank, Monetary Policy, Inflation, etc. were absent. If we are not adequately familiar with developments in this field, we shall not be able to arrive at the most judicious decisions. Against this backdrop, it is essential to attain knowledge of modern Economics and modern Political Science.

Here, we may cite the contributions of the eminent thinker (Mufakkir) Dr. AbdulHamid A. Abu Sulayman, who is associated with the International Islamic University, Malaysia and the International Institute of Islamic Thought, USA. He has discussed in great detail the crisis prevalent in the Muslim World. The crisis today has become more critical than it was 10-15 years ago. In his book *Crisis in the Muslim Mind*, Dr. AbdulHamid opined that a blind imitation of the West is not desirable from an Islamic perspective. This will also not be acceptable to the common Muslim. No nation can become great by emulating others in a wholesale fashion. Such a people cannot become a leading nation in the world.

One view is that we must follow the earlier generations of Muslims, imitate the way the Abbasids and the Umayyads solved their problems, the way jurists (Fuqaha) solved their problems some 200 years ago. Dr. AbdulHamid argues that this is neither possible nor practical. Many changes have occurred in many spheres of life - in politics, economics, administration and communication- and the solution to today's shifting problems cannot be found in the practices of the earlier generations or opinions of the Fuqaha of bygone times. He suggests that we must devise fresh solutions to contemporary problems in the light of the Quran and Sunnah. We must identify the problems of the Muslim

Ummah, evaluate the nature, depth and dimension of each crisis adequately, and then craft solutions while maintaining the centrality of Islamic precepts to our considerations. In designing these solutions, we must utilize our intellect and resort to the methodology of Ijtihad. In his seminal book, Dr. AbdulHamid terms this approach, which he deems to be the most adequate for tackling contemporary problems, the "Asala approach" or "the original approach."

I suggest that the ideas of Dr. Abdul Hamid merit serious consideration and implementation. He has underscored the importance of considering the specificities of time and place. With the passage of time, circumstances change, and circumstance or context, is a crucial factor in deciding matters of gravity. We should, therefore, try to find the ruling of the Quran and Sunnah on a particular problem or issue giving due importance to issues of time and space.

Dr. Abdul Hamid further stressed the importance of rewriting the social sciences in the light of Islam. The subject of reconceptualizing the social sciences did not make much headway and progress in the hands of the Muslims. We must develop the social sciences further, taking inspiration from Islamic principles. This requires a serious investment of time and labor on our part. The International Islamic University Malaysia has begun questioning the conventional premises of the social sciences. Other Islamic universities are also committed to revamping or restructuring social scientific thought and approaches.

Bangladesh, today, is facing numerous problems. One of the major problems we face is poverty. The alleviation of poverty is no easy task. Some think that we can ameliorate poverty by simply establishing Zakah. However, I feel that this problem is a complex one and requires a complex, multifaceted strategy. In my article 'Poverty Alleviation: Islamic Perspective,' I have emphasized that we must simultaneously establish Zakah, restore endowment (Wakf), and regulate our monetary policy and banking system in a harmonious, well-coordinated manner with the objective of attaining overall economic development. Only such a

polyphonic approach can help us combat poverty effectively in today's world.

Education comes next. This is one of the primary problems plaguing Bangladesh. We must craft an education policy in the light of the basic tenets of Islam. Since the existing educational curriculum fails to meet the requirements of Islam, it must be recast. The Alims should play a constructive and meaningful role in the reform of education in the interest of the nation of Bangladesh. The first step they must take towards undertaking this project is carefully considering the work already done in this field by the International Islamic University in Malaysia, the International Islamic University in Islamabad, Pakistan, and the International Islamic University in Chittagong, Bangladesh. In these seats of learning, students are required to study specialized Islamic courses - notable among them are the Quran, Islamic Studies, Fiqh, Arabic Language, Islamic Economics etc. - along with other modern subjects. The students, thus, acquire a basic knowledge of Islam alongside knowledge of the subjects in their field of specialization. In this way, the existing curriculum is being gradually modified, refined, and restructured. The future curricula of the Muslim World may take shape following the above outline in due course. Therefore, we can consider the curriculum of the International Islamic University in Malaysia, the International Islamic University in Islamabad, Pakistan, and the International Islamic University in Chittagong, Bangladesh to constitute models for other institutions of higher education to follow.

The Madrasa (religious schools / colleges of the sub-continent) education will carry great weight only if it plays a meaningful role in preparing people who can effectively administer contemporary civic institutions and the economy. Should we wish to make the Madrasa part of the mainstream general education, we must consider this matter of reforming Madrasa education carefully. The students now graduating from the Madrasas are not capable of running either the conomic sector or the administrative sector of a country successfully. These students have neither studied Business

Administration nor Economics nor Political Science/Government nor Public Administration. We can resolve this problem and improve the situation in the Alia Madrasa (one of the two types of Madrasas in Bangladesh) by introducing three additional options / degrees along with the existing four degrees (Kamils) at the graduation level. Out of the total sixteen years' curriculum, we can keep the first twelve years curriculum more or less intact and introduce new subjects into the course curriculum for the last four years (Fazil and Kamil courses). The existing degrees of Tafsir, Hadith, Fiqh and Adab may remain. We have to introduce three-four more degrees at the Kamil level (15th and 16th year of study) notably Economics, Business Administration, and Public Administration. This means, in the first twelve years, students will acquire knowledge of Islam in the same way as before and in the later four years they will study contemporary subjects such as Economics or Business Administration or Public Administration to fulfil requirements for the Kamil degree. If we can conduct this project of revision successfully, the Madarasas should become capable of producing persons skilled in knowledges of both worlds and hence better able to serve their country and the Muslim community.

The Qaumi Madrasas (the Madrasas that follow the Deobond regimen), in the same way, confer degrees on Fiqh, Hadith, Tafsir and Arabic Language, and the degree is called Dawra. We should introduce at least two more Dawras, notably Dawra-e-Iqtasad and Dawra-e-Business Administration. The course curriculum of the first twelve years here too may remain unchanged. The new Dawras would be added to the course content for the last four years only. If we are able to introduce these two new subjects in the curriculum of the Qaumi Madrasas, these educational institutions will also produce eminent Alims who shall be simultaneously capable of fulfilling the general economic and administrative needs of the societ. If we can make these changes, we shall be well on our way towards unifying the madrasa and the modern educational systems.

Another problem the Muslim Ummah is facing is that of extremism or radicalism. Islam propounds only one way, and that is certainly not the way of extremism, but that of the middle-path or the balanced way. Some twenty years following the death of Prophet Muhammad (peace and blessings be upon him), the Khawarij emerged as a radical current among the earlier Muslims. Extremist in religious belief and political thinking, the Khawarij were rejected by the mainstream of the Ummah. Even today, there are religious groups that adopt extreme views on socio-political and religious issues. We must be very cautious about these extremist groups and make Muslims aware of their activities so that the Muslim Ummah may be protected from the negative effects of the extremist approach. Extremism thrives when people become preoccupied with very small matters, minor and side issues, ignoring or neglecting the fundamental issues. Such a problem arises when we fail to derive lessons from history and do not possess sufficient knowledge and understanding of the Shariah and other related subjects. There is no doubt that the welfare of the Ummah lies in avoiding the extreme path. Extremism has led to the suffering of Muslims in different countries around the world.

The social condition of women is another key issue. Many eminent Alims and Islamic scholars have spoken about the rights of women. We can mention here the names of a few who have spoken with particular eloquence and insight on this issue, such as Prof. Dr. Yusuf Al Qaradawi, Dean of the Faculty of Shariah, Qatar University; Dr. Jamal A. Badwi, Chairman, Islamic Information Foundation, Canada; Sheikh Abdul Halim Abu Shuqqah, eminent leader of the Ikhwanul Muslimeen (the Muslim Brotherhood of Egypt); Dr. Hasan Turabi, ideologue of the Sudanese Islamic Movement, to name only a few. They have argued that Muslims cannot advance unless women are given the honor and support due to them. It is not possible to make progress leaving behind half of the members of the society. They have therefore stressed the importance of involving women in an entire range of Islamic activities and ensuring that the various rights of women are practiced and protected. While women can clearly

acquire a great deal of knowledge about Islam through attending mosques, some people continue to debate the rights of women to attend mosques. We should, therefore, try to understand and seriously consider the various problems faced by women today and the Alims should take an initiative in aiding women so that the latter can move forward.

Misinterpretation is another problem looming before us. Large numbers of translations of the Quran and Hadith compilation are available in the market today. Naturally people read them and many questions arise on different issues in the minds of these readers, who then become inclined to respond to these questions themselves even though these readers are not well versed in the underlying principles and methods of interpretation (Usul). Those who want to judiciously interpret the Quran and Hadith must, therefore, acquire knowledge of the Usul al Fiqh. They have to read books on Usul al Fiqh that are accessible to the lay public. High-quality authentic books on the subject need to be translated in local languages from Arabic and circulated and publicized widely. The teachings of such books must be disseminated to all those who intend to study Islam from the original sources and cultivate the capacity of interpretation. Otherwise, individual efforts to interpret will create confusion within the polity, particularly by those who try to interpret by reading translations alone. The Alims need to pay attention to this matter and help disseminate the knowledge of Usul.

Likewise, we should also try to bring an end to the debate over democracy. We know that there is no place for dictatorship or autocracy or monarchy in Islam. The vast majority of Islamic parties and movements around the world are struggling for democratic rights today. They consider election as the most legitimate instrument to effect changes in government. They demand legal rights so that they can participate in the fruits of civic and political rights. If any restriction is imposed on the functioning of Islamic parties, they turn to the law and file petitions with the Court so that they are allowed to function as a legitimate and law-abiding organization. During the days of unified Pakistan, one

political party was banned. That party fought a long legal battle all the way up to the Supreme Court of Pakistan where it won its case. In other words, this Islamic party determinedly sought to secure its democratic right to function as a legal political party.

Islamic parties in different countries are trying to reform the government by participating in democratic elections. All eminent Islamic political scientists think that subject to the sovereignty of Allah, democracy constitutes an adequate method for establishing an Islamic state. The modern democratic process, in fact, can be understood to be an elaboration of the principles of Shura and Khilafah. What is the Khilafah? Khilafah means representation. It means a beneficial, consultative government of the people through representation of the Divine. We are all vicegerents (Khalifah) of Allah and must understand that when we talk of democracy, we mean government under the suzerainty of Allah and through consultation with the people. What I am hinting at here is Islamic Democracy. This concept does not cohere completely with the model of Western democracy but the two do have common ground. If this concept is not clarified, some people are likely to provide opportunities for dictatorial parties to seize power. This will benefit the enemies of Islam. All the Alims of Pakistan supported Fatima Jinnah against the candidacy of Field Marshal Ayub Khan in the 1965 presidential elections on account of her promise to restore democracy.

Regrettably, some of us tend to have very short memories indeed and are now adopting extreme positions against the consensus of the Islamic scholars and Alims of the past. Such a move will undoubtedly cause much harm in the long run.

KHILAFAT IN ISLAM : DIMENSIONS

Khilafat is a very important concept in Islam. It has important implications in the political system of Islam. Many important groups have made it a part of their programme to establish Khilafat.

It is therefore necessary to be clear about the concept of Khilafat has three important dimensions. In the moral and spiritual sense, Khilafat means that all human beings are 'Khalifa of Allah' or representatives of Allah on earth. This is the purport of the verse "Surely, we are going to place our representatives (Khalifa) on earth" [verse 30 : Sura Baqara]. All human beings are khalifa of Allah though many of them commit sins and do not act like khalifa. (Ref. : Quran - 6:165; 27:62 and 35:39). This is the spiritual khilafat in Islam.

Khilafat also means the political system of Islam. This is the most mentioned dimension of Khilafat. Khilafat, as a system of politics and management of state was established by the companions of Prophet (SM). The main points of khilafat or political system of Islam are as follows :

- a. Sovereignty of Allah which means supremacy of Shariah (Quran and Sunnah). The basic law of the state shall be based on the Quran and the Sunnah. The detailed subsidiary law is obtained by *Ijtihad* carried out by individual or groups of scholars or made by the Parliament in the present day world with the aid of the Ulama or scholars of Islam.
- b. Government established by the free choice of the people. This is the majority view. In the present world, this means government elected by the people. There is agreement on this among the Ulama of Islam. There is hardly any major difference. This is the system accepted in the Islamic constitutions in force in the Muslim world.
- c. Fundamental rights : All citizens should have human rights irrespective of gender or creed. The Islamic Constitutions of the

world have a chapter on the Fundamental rights or Rights of the people which are available to all the citizens in the state. These rights have been agreed to or confirmed by Ulama after long debates in the light of the Quran and Sunnah.

d. Rule of Law and Independence of Judiciary are important points of Islamic political system.

e. Shura or consultation with the people and among the persons in the Government through various forum including Parliament is an important element in Islamic political theory. This is the basis of democracy in Islam. Large number of scholars feel that the term democracy can be used in Islamic framework. (Ref. : Preamble of Islamic constitution of Pakistan which says that the state shall strive to observe "democracy as enunciated by Islam". Ulama accepted this phrase.)

These are the various elements of Islamic political system which go to make Khilafat (Ref. : Khilafat and Mulukiat by Sayyid Abul Ala Maududi, other books on Islamic Political thought and Islamic Constitutions of Iran and Pakistan).

The third dimension of Khilafat is that it means the form of Government in Islam. The Ulama have now agreed by and large that in the framework of overall Islamic political theory, both Presidential and Parliamentary Governments of to-day are consistent with Islam (Ref. : Islamic Constitution of Iran and Pakistan, Islamic Law and Constitution by Sayyid Abul Ala Maududi,).

In the present circumstances, it is our duty to try to run our respective states on the basis of Islamic principles or the principles of Khilafat as outlined above. In fact almost all major Islamic parties are working in this direction which is the right political course in the present circumstances.

In conclusion, we can say that Khilafat does not only mean that the President should be called Khalifa, it is much more than that. It is in essence the political system of Islam.

CLASSIFICATION OF STATES FROM AN ISLAMIC PERSPECTIVE

Classical jurists had divided the world into *dar al-Islam* (the abode of peace) and *dar al-harb* (the abode of war). *Dar al-Islam* refers to territories in which Muslims are free and secure and *dar al-harb* is the opposite of *dar al-Islam*, and refers primarily to non-Muslim territories hostile to Muslims and dangerous to their freedom and security. It can be said that their division was practical in the circumstances of their time because the geo-political reality they faced in the early age of Islam from the surrounding mighty empires, their overall concept of the world could not have been much different than this bi-polarity. Moreover as described by Dr. Tariq Ramadan the division was necessary for at least two reasons: “first, by marking out the Islamic territories, the scholars were able to point out what the essential conditions making a space or a nation Islamic were and what the rulings determining the political and strategic relations with other nations or empire were. Second, it allowed them to establish a clear distinction, as regard legal issues, between the situation of Muslims living inside the Islamic world and those living abroad or those who traveled often such as traders (and who thus required specific ruling)” [To be a European Muslim by Dr. Tariq Ramadan, pp-123, 124]

Apart from these two, another term, *dar al-ahd* alternatively called *dar al-sulh* (the abode of treaty), was coined by ash-Shafii to indicate non-Muslim territories involved in treaty agreement giving sovereignty to a Muslim state but maintaining local autonomy. [Toward an Islamic Theory of International Relations, by Dr. Abdul Hamid Abu Sulayman, pp-20]

Another term, *dar al-aman* (the abode of security), was also there in the classical fiqh which seems very near to *dar al-ahd*. *Dar al-*

aman refers to the states of security and peace with which Muslims had no belligerent relation.

About this classification of the world the following observations can be made:

1. The concept of *dar al-Islam*, *dar al-harb* and *dar al-ahd* cannot be found either in the Quran or in the Sunnah. Dr Tariq Ramadan writes: “In fact they were a human attempt, historically dated, to describe the world and to provide the Muslim community with a gauge to measure the world by adapted to their reality. So it is not at all obligatory for us to uphold these concepts.” [To be a European Muslim by Dr. Tariq Ramadan, pp-130]

2. There was disagreement among classical jurists about the specific parameters that define a *dar* (abode). Some scholars gave emphasis to government whereas others emphasized on population. Some other scholars (of Hanafi school, like Sarakhsi) considered the question of security and protection prior to considering nature of law and government. This causes a divergence of opinion among contemporary scholars too. In a Fiqh seminar in 1992 held in Paris, the scholars took various positions in defining the countries that can be called as *dar al-Islam* in the current world. Those who refer to population are of the opinion that Muslim countries are still to be considered as *dar al-Islam*, whereas others state that, countries with government, which clearly do not respect Islamic teachings, cannot be called *dar al-Islam* any longer. On the other hand, Dr. Tariq Ramadan shows that if one takes into account the parameters considered by some scholars of Hanafi school, i.e. those based on safety and security, one may conclude that the appellation *dar al-Islam* is applicable to almost all western nations where Muslims are sometimes safer regarding the free practice of their religion rather than many Muslim countries with strict dictators. But this type of conclusion cannot at all said to be correct. The reason behind these conceptual confusions and erroneous conclusion is that we are trying to apply old concepts, which seems far removed from our own time. It is not at all methodologically correct to apply old concepts, which do not fit to

contemporary reality. [To be a European Muslim by Dr. Tariq Ramadan, pp-125-127]

3. The concept of *dar al-ahd* may seem to be useful and suitable to the current reality of the world. But Dr. Tariq Ramadan writes: “Even the third concept (abode of treaty or *dar al-ahd*) introduced by ash-Shafii is not sufficient to draw us out of the binary vision of the world. This appellation brings to fore that some countries whilst not Islamic from a political point of view, have nonetheless signed peace or collaboration treaties with one or more Islamic countries.” So it can be said that the concept of *dar al-ahd* is related to two other concepts (i.e. *dar al-Islam* and *dar al-harb*), i.e. to involve in an agreement we have to know the nature of the two parties involving in the agreement, which again leads to the confusing concept of *dar al-Islam* and *dar al-harb*. [Ibid, pp-127, 128]

4. Dr. Ramadan writes: “It is an era of diversity and complexity and mix which can no longer be encapsulated into a twofold and simplistic vision. Today we are witnessing a strong current of globalization; it is difficult to refer to the notion of *dar* (abode) unless we consider the whole world as an abode. Our world has become a small village and, as such, it is, henceforth, an open world.” [Ibid, p-130, 147]

5. Dr. Ramadan writes: “Muslim population are now scattered all over the world. Migration has been important and, in spite of most restrictive regulations, it seems that population movement are to continue: by now millions of Muslims have settled in the West. Their fate is linked to that of the society they live in, and it is unthinkable to draw a line of demarcation between them and the “non-Muslims” on the sole considerations of space.” [Ibid, p-148]

6. Dr. Ramadan writes: “In our world it is no longer a matter of relations between two distinct “abodes”. It is rather a question of relations between human beings belonging and referring to different civilizations, religions, cultures and ethics. It is also a question of relations between citizens, in continuous interaction

with the social, legal, economic or political framework, which structures and directs the space they live in. This complex process, which is a feature of globalization, over-rides the factors which previously made it possible to define the different “abodes”.” [Ibid, pp-148]

7. Dr. Ramadan writes: “The old binary geographical representation, with two juxtaposed worlds which would be face to face, in relative balance, no longer has anything to do with the reality of hegemony and areas of influence regarding civilization, culture, economy and subsequently of course politics. Westernization, the legitimate daughter of pluridimensional globalization, can be far better expressed through the notion of centre (the West and its relay capitals in the South) and periphery (the rest of the planet), than by the representation of two “abodes” living the reality of a “con-frontation”.” [Ibid, pp-148]

8. The prophet said that entire world is a mosque and pure. So wherever a Muslim, says shahada and is able to perform religious duties in freedom and security, he/she is at home. Dr. Ramadan says that reformist scholars and thinkers like al-Afghani, Abduh, Iqbal and al-Banna were also in support of this opinion. This opinion can be taken as a ground for taking a new look at the world to meet the current reality. [Ibid, pp-144]

9. Dr. Taha Zabir Al Alwani opined that this division of world into immutable regions of war and peace diminishes the possibility of a genuine civilizational dialogue. [“Globalization: Centralization not Globalize”, The American Journal of Islamic Social Sciences, IIIT, US, Vol. 15, No. 3, Fall 1998, p vii]

Truly those terms always tend to refer to a state of conflict or at least to a temporary banishment of conflict (by treaty) which not all facilitate dialogue between civilizations.

From the observations above it is quite evident that old concept does not fit our reality. The world has taken into a new shape, which has led the contemporary scholars to reconsider the issue in

accordance with the new reality. But there is no consensus among the scholars in identifying and defining the present world.

Some minority scholars uphold the traditional division. On the other hand the great majority of scholars use the term *dar al-ahd* and *dar al-Islam*. Dr. Tariq Ramadan writes: “The majority scholars use the Shafii concept of *dar al-ahd* (the abode of treaty) or *dar al-amn* (the abode of security) in defining the Western countries, stating that these are the most appropriate terms to define our current situation when we are witnessing treaties between nations (directly or through the United Nations) and the fact that fundamental Muslim rights are protected in these Western countries. However, they continue to consider those countries where Muslims are majority as *dar al-Islam* even if their governments are illegitimate and dictatorial and even if Islamic teachings and rulings are neglected.” They hold that those countries should be considered as *dar al-Islam* with a hope of reform. This opinion is supported by numerous scholars like well-known Dr. Yusuf al-Qardawi, Mustafa az-Zarqa, Abdul Fattah Abu Ghuddah. [Ibid, pp-141, 142]

But some other scholars are interested to use completely new terms. For example Faysal Mawlawi writes: “We are not, in the West, in the abode of war but we are either in the abode of treaty or in the abode of *dawah* to God. If we want to keep the (traditional) fiqh classification of the world with the abode of Islam, the abode of War, and the abode of treaty, thus, we are in the West, in the abode of treaty. If, on the other hand, we state that old fiqh classification is no longer applicable to our current situation – and this is the opinion we prefer – then we say based on this, that we are in *dar ad-dawah* as the Prophet and the Muslims were in Makkah before the Hijra. Makkah was neither *dar al-Islam* nor *dar al-harb* but a *dar ad-dawah* and the entire Arabian Peninsula was, in the eyes of Muslims, *dar ad-dawah*.” [Quoted by Dr. Tariq Ramadan in “To be a European Muslim”, pp-143]

Dr. Taha Jabir al Alwani suggested to move us away from the traditional division of the world into three separate realms of peace (*dar al-Islam*), war (*dar al-harb*) and treaty (*dar al-sulh*). He said, “Instead, we must identify with Fakhr al Din al Razi, who divided the world into two realms: *dar al-ijabah* (the land of acceptance, where people accepted Islam and Islamic values are practiced) and *dar al-dawah* (the land of invitation, to which dawah is presented and its people are invited to Islamic values and practices). This view of the world removes the potential for conflict and emphasizes the role and possibilities of cooperation, understanding, and dialogue.” [“Globalization: Centralization not Globalism”, The American Journal of Islamic Social Sciences, IIIT, US, Vol. 15, No. 3, Fall 1998, p vii]

Dr. Tariq Ramadan used another term *dar ash-shahada* in defining the Western countries. He writes: “Called *dar ash-shahada*, space of testimony, Western countries represent an environment within which Muslims are sent back to the essential teachings of Islam and promoted to ponder over their role: considering themselves as *shuhada alan-nas* (witnesses before mankind), as the Quran puts it, should lead them to avoid the reactive and overcautious attitude and to develop a feeling of self-confidence, based on a deep sense of responsibility.” [To be a European Muslim, by Dr. Tariq Ramadan, pp-149, 150]

All these modern contributions are useful and represents progress of realistic thought by Muslim scholars in the field of International Relations (*As –Siyar*). The classification “Darul Ahad - Darul Islam “(for Muslim and Non- Muslim countries) or the classification “ Darul Ijaba- Darud Dawah “ or “ Darul Islam- Darush- Shahada “ are acceptable in the Islamic and present day perspectives. However, I find the terms Darud Dawah or Darush Shahade relate to one function only of Muslim citizens in Non-Muslim countries, they do not express the status of the state in a comprehensive sense, these terms do not explain fully how the state deals with all kinds of citizens including religious minorities . I, therefore, propose the following classification which takes into

consideration the spirit of all the recent conceptualisations in the field but also expresses the status of the states, Muslim and Non-Muslim, in a comprehensive way. I have not used the word DAR and it is not necessary that we have to use this word.

Proposed Classification

1. Muslim states which accept Islam as basis of their policy and also ensure civil, political and human rights (including religious rights) of all citizens
2. Muslim states which do not acknowledge Islam as basis of their policy and Muslim states which do not fully ensure human rights (including religious rights)of all citizens,
3. Non-Muslim states who grant human rights (including religious rights) to Muslims and other minorities,
4. Non- Muslim states who do not fully grant the human rights (including religious rights) to Muslims and other minorities.

In a just international order in the light of Islam ,States in the 2nd category (Muslim states which do not acknowledge Islam as basis of their policy and do not ensure human and religious rights of all citizens) and 4th category (Non-Muslim states who do not guarantee the human and religious rights to Muslims and other minorities.) have to be asked (through the UN system and requirements of international and multilateral protocols and conventions) to comply with human and religious rights of all citizens. Any action against defaulting state has to be taken only under the international system.I consider the above as Islamic and Just

DEMOCRACY AND ISLAM: CLARIFICATION OF SOME MISGIVINGS

Democracy is a commonly known word all over the world. Most of the political movements in the world have made it their goal to establish this system in their respective countries. Democracy is the most popular and accepted political system in the modern world. Yet, there exists some difference of opinion among the Islamic groups on democracy. Democracy and human rights have occupied very important position in the political agenda of many of the Islamic parties. However, some of the parties and people do not accept it, since democracy speaks of sovereignty of the people.

In this context, we need a careful and deep analysis of this issue. We need to understand the issue avoiding the minor technicalities. As we see, Islamic parties and Islamic scholars of the modern world think of a political system wherein government will run the country through Parliament. They also want freedom of expression, voting right of the people, rule of law, independent & free judiciary, free press, fundamental human rights etc. These are also the pre-requisites of the democratic system. It is therefore, apparent on a deeper analysis that the concept of state and govt. of Islamic Parties are in conformity with the principles of democracy.

Theoretically speaking, Islam speaks of sovereignty of Allah, while western democracy advocates that sovereignty belongs to people. However, all political thinkers do not share the same view of sovereignty. Some political scientists even argue that there is no need of the concept sovereignty at all. Even the concept of sovereignty is not highlighted in the books which discuss democracy though sovereignty is discussed in great detail as a political concept in the books of political science.

In this connection position taken in the constitution of Islamic Republic of Iran is very relevant. Heading of chapter 5 of the

constitution is “Sovereignty of the Nation and the Powers emanating there from”. Article 56 reads as follows:

“The absolute sovereignty over the universe and man belongs to God who has bestowed upon man sovereignty over his social destiny. None can deprive man of this sovereignty, nor can he place it in the interest of certain other person or group of persons. The nation shall exercise this divine sovereignty through the ways referred to in the following articles of Law”

It is apparent that sovereignty has been divided between “absolute Sovereignty” and “bestowed Sovereignty” (like concepts of legal sovereignty and political sovereignty in the western concepts). It is clear from above that all of us need not take same view on the concept and nature of sovereignty.

In this context, we feel it necessary to quote from the writings of Allama Yousuf Al Qardawi, an eminent Islamic scholar of the present time. He wrote on Political Freedom and Democracy as follows:

“The fear of some people here that democracy makes the people a source of power and even legislation (although legislation is Allah’s alone) should not be heeded here, because we are supposed to be speaking of a people that in its majority has accepted Allah as its Lord, Mohammad as its Prophet and Islam as its Religion. Such a people would not be expected to pass a legislation that contradicts Islam and its incontestable principles and conclusive rules.”

“Anyway, these fears can be overcome by one article stipulating that any legislation contradicting the incontestable provisions of Islam shall be null and void because Islam is the religion of the State and the source of legitimacy of all its institutions and therefore may not be contradicted, as a branch may not run against the main stream.”

“It should be known that the acceptance of the principle that legislation or rule belong to Allah does not rob the Nation of its

right to seek for itself the codes necessary to regulate its ever-changing life and earthly affairs.”

“What we seek is that legislations and codes be within the limits of the flawless texts and the over all objectives of Sharia and the Islamic Message. The binding texts are very few, while the area of “permissibility” or legislative free space is quite wide and the texts themselves are so flexible and capacious as to accommodate more than one understanding and accept more than one interpretation, which leads to the existence of several schools and philosophies within the expansive framework of Islam.” (Quoted from ‘*Priorities of the Islamic Movement in the Coming Phase*’, Chapter: *The Movement and political Freedom and Democracy*)

We find many Islamic scholars accepted the idea of democracy in Islam though under certain conditions. Dr. Abu Said Nuruddin has written in his book ‘*Mohakabi Iqbal*’, (Iqbal the Great Poet) that Allama Iqbal, was not happy with the democratic system because of its secularist stance but he suggested in his writings that there was no alternative to democracy. In his 6th speech on ‘*Reconstruction of religious thought in Islam*’, Allama Iqbal stated that Islamic state is established on the principles of freedom, equality, and the absolute principles of stability. Therefore the principles of democratic rule is not only similar with the fundamental aspects of Islam rather the executing powers are enhanced in the Muslim world (*Mohakabi Iqbal, Iqbal the Great Poet* by Dr. Abu Said Nuruddin)

Iqbal observed, should the foundation of democracy rest upon spiritual and moral values, it would be the best political system. He wrote in the “*The New Era*” on its 28th July, 1917 issue: that democracy was born in Europe from economic renaissance that took place in most of its societies.....But Islamic democracy is not developed from the idea of economic advancement rather it is a spiritual principle that comes from the principle that everybody is a source of power whose possibilities can be developed through virtue and character”. [*Mohakabi Iqbal (Iqbal the Great Poet)* by Dr. Abu Said Nuruddin, page -239)

That means according to Iqbal Islam prescribes democracy under the law of Allah.

We see Moulana Maududi, fifty years ago from now, in his book “Political theory of Islam” used the term “Theo-democracy” for Islamic state. He didn’t deny the term ‘democracy’. Rather he accepted democracy while this system will work under the sovereignty of Allah.

There is a misconception about Moulana Maududi’s true position about democracy. Moulana Maududi initially criticized western democracy because of its secularism and popular sovereignty (in the sense that Parliament can make any law even if it violates the Law of Allah). However, his later writings and political conduct proved that he believed in Democracy (Rule of the people) subject to the Law of Allah (Sovereignty of Allah).

In an interview with Akhbar-e-Jahan Karachi which was published on 2 April 1969, Sayyid Maududi said,

“Islam and Democracy are not opposed to each other. Democracy is a system where Govt. is formed run and changed on the basis of public opinion. Islamic political order also is of the same type. However, our democratic values are different from western values. Western democracy has no limits On the other hand Islamic democracy is controlled by the Quran and the Sunnah

(Interviews of Moulana Maududi, on Bangla translation) published by Adhunik Prokashani, Bangla Bazar, Dhaka, 1st edition. 1999, page 263).

In an interview with Mujallatun Guraba, an Arabic paper from London (published in February 1969 No.), he said, “to make people understand now it is essential to use modern terminology. But care should be taken in their use. Same terms should be avoided such as socialism. Some terms are permitted with the condition that their Islamic and western connotation should be clearly spelled out. Democracy, Constitutional system and parliamentary system are such terms”. (ibid, page 255).

In an interview published in the Daily Mashriq of Lahore, Pakistan (1st February, 1970), in reply to a question he said that, “those are good people in his view who want to establish democracy in the country”. (ibid, pages 339-345).

He has said in the same interview that “all our constitutional problems should be solved by the representative of the people”.

In another interview in the Daily Hurriat in 1969 (published on 10th November), he again said that all constitutional amendments should be made in a democratic way by the representatives of the people”. (ibid, P-313).

His party always supported democracy. Pakistan constitution in 1956 and in 1973 was modeled structurally on democracy and his party Jamaat-e-Islami supported these. His party fought against Martial Laws in Pakistan. He supported Fatima Jinnah against Ayub Khan in Presidential election in 1965 because she promised to restore democracy. His party was a component of DAC (Political combination of parties), where “D” stands for democracy.

So it is evident from his later writings and political conduct that he stood for democracy.

We also see that in the first Islamic constitution of the present world, the term democracy was accepted with the consent of Islamic scholars (ulema). In the preamble, the term democracy was accepted in the following manner :

“Wherein the principles of democracy freedom, equality, tolerance and social justice, as enunciated by Islam, should be fully observed”. (*from the preamble of the constitution Pakistan of 1956*)

In the 1973 constitution of Pakistan the same position was maintained.

“Wherein the principles of democracy freedom, equality, tolerance and social justice, as enunciated by Islam, shall be fully observed”.
(from the preamble of the constitution of 1973)

This means that democracy has been accepted within the limits of Islam so that in the name of democracy Islamic principles cannot be violated. Islamic Scholars and Islamic Politicians have come to accept the word democracy and what it means within these limits.

Allama Yousuf Al Qardawi in his book “*Priorities of the Islamic Movement In the Coming Phase*” has titled one of its chapters as “*The Movement and Political Freedom and Democracy*”. In this book he has shown that Islam does not allow any kind of autocracy or monarchy. He also showed that Islam spreads through political freedom. He stated that Islam unlike democracy is a complete code of life, which encompasses many more vital issues of human needs. Above all, he thinks democracy is consistent with Islam and the fundamental rights of mankind prescribed in Islam can be ensured through democracy. He has advocated in favor of democratic system and political freedom. But he suggested to introduce a clause in the constitution to the effect that no law will be passed contrary to the injunctions of the Quran and Sunnah. This clause will act as guarantee against the fear of some people that anti Islamic law may be passed under the cover of democracy. Dr. Qardawi writes:

“It is the duty of the (Islamic) Movement in the coming phase to stand firm against totalitarian and dictatorial rule, political despotism and usurpation of people’s rights. The movement should always stand by political freedom, as represented by true, not false, democracy. It should flatly declare its refusal of tyrants and steer clear of all dictators, even if some tyrant appears to have good intentions towards it for some gain and for a time that is usually short, as has been shown by experience.

The Prophet (SAWS) said, “When you see my Nation fall victim to fear and does not say to wrong-doer, “You are wrong”, then you may lose hope in them. “ So how about a regime that forces people

to say to a conceited wrongdoer, “How just, how great you are. O our hero, our savior and our liberator!”

The Quran denounces tyrants such as Nimrudh, Pharoah, Haman and others, but it also dispraises those who follow tyrants and obey their orders. This is why Allah dispraises the people of Noah by saying, “But they follow (men) whose wealth and children give them no increase but only loss.” [Surat Nuh: 21]

Allah also says of Ad, people of Hud, “And followed the command of every powerful, obstinate transgressor”. [Sura HUD : 59]

See also what the Quran says about the people of Pharoah, “But they followed the command of Pharaoh, and the command of Pharaoh was not rightly guided. [Surat Hud: 97] “Thus he made fools of his people, and they obeyed him: truly they were a people rebellious (against Allah).” [Sura Az- Zukhruf : 54]

A closer look at the history of the Muslim Nation and the Islamic Movement in modern times should show clearly that the Islamic idea, the Islamic Movement and the Islamic Awakening have never flourished or borne fruit unless in an atmosphere of democracy and freedom, and have withered and become barren only at the times of oppression and tyranny that trod over the will of the people by force which clung to Islam. Such oppressive regimes imposed their Secularism, Socialism, or Communism on their people by force and coercion, using covert torture and public executions, and employing those devilish tools that tore flesh, shed blood, crushed bone and destroyed the soul.

On the other hand, we saw the Islamic Movement and the Islamic Awakening bear fruit and flourish at the times of freedom and democracy, and in the wake of the collapse of imperial regimes that ruled peoples with fear and oppression.

Therefore, I would not imagine that the Islamic Movement could support anything other than political freedom and democracy.”

“However, the tools and guarantees created by democracy are as close as can ever be to the realization of the political principles

brought to this earth by Islam to put a leash on the ambitions and whims of rulers. These principles are: shura (consultation), good advice enjoining what is proper and forbidding what is evil, disobeying illegal orders, resisting unbelief and changing wrong by force whenever possible. It is only in democracy and political freedom that the power of Parliament is evident and that people's deputies can withdraw confidence from any government that breaches the Constitution, and it is only in such an environment that the strength of free press, free Parliament, opposition and the masses is most felt."

(Quoted from '*Priorities of the Islamic Movement in the Coming Phase*', Chapter: *The movement and political Freedom and Democracy*)

It is evident from the above discussion that Islamic thinkers and Muslim people want their right to vote, rule of law, and a government that is to be elected by the people. The term democracy mean all these things. Taking everything into consideration, we can say that there is no problem to accept democracy as a political structure and as a concept of freedom (except its concept of sovereignty). We find that different constitutions and Islamic scholars conditionally accepted the term 'democracy'. Muslim community can accept this term. This will help to remove misunderstanding about Islam that it is for violence and dictatorship.

Recent Developments In Bangladesh Democracy

Following a civil war of independence in 1971, Bangladesh began its journey as a democratic state with the introduction of the national constitution in 1972. However, following this constitutional introduction, the practice of democracy in Bangladesh was marred by several interruptions. Democracy has taken firmer root since 1991 when Justice Shahabuddin Ahmed became the Caretaker President of the country. Since then, three elections have taken place; the first in 1991, followed by a second in 1996, and then our latest elections in 2001. This period witnessed the rise and fall of three governments. The first government, that of Khaleda Zia, ruled from 1991 to 1996. Then the government of Sheikh Hasina was in power from 1996 to 2001, followed by the return of the government of Khaleda Zia to power in 2001, and this government remains in office at present. Of course, in between these governments, caretaker govts were formed and led by former Chief Justices of the country as per our constitution. The first khaleda Zia government was preceded by the caretaker government of Justice Shahabuddin Ahmed.

In this brief essay, I will delineate the basic features that have characterized our democracy since 1991. I will also discuss some key issues that urgently demand contemplation and resolution. The most important issue is that of holding fair elections. We find that the twin phenomena of money and muscle continue to wield a serious and embarrassing degree of influence over our elections. It is true that the elections of 1991, 1996 and 2001 were formally recognized to have been held properly. However, it is common knowledge that the use of money and muscle plagued these elections to varying extents and that sometimes the Election Commission was not even able to constrain, let alone eradicate

such practices. For instance, the Election Commission has been unable to implement the restriction on expenditure. Thus the issue of fair elections is a core issue for national contemplation and reform in view of the widespread public perception mentioned above. I believe several steps can be taken to help rectify this situation. One is the strengthening of the Election Commission by granting it full independence, as embodied in the neighboring state of India. The neutrality and the independence of the Election Commission in India remains undisputed.

However, we in Bangladesh find that the relationship between the Election Commission and the government is sometimes quite strained.

In several instances in the past, serious disagreements arose between the ruling party and the Chief Election Commissioner or Election Commissioners. Thus this issue needs to be handled with care in the future. Not only should the Election Commission be independent, but also, the selection of the members of the Election Commission, if possible, should be made through consensus among the major parties in the country. Electoral laws need to be changed in line with India as I stated above. As in India, asset declaration of the candidates must be made compulsory. Electoral irregularities, if there are any, should be investigated quickly and efficiently. Unfortunately, as things stand currently, any inquiry into complaints of election rigging entails so many steps that in most cases, no decision is taken during the entire five year term of an elected government. This naturally encourages continuation in attempts to influence elections through intimidation, coercion, and financial clout. What is needed is that the complaint be taken very seriously and decisions rendered within a very short period of time—no more than six months. Each stage in the process should be strictly defined by time limits and no more than one or two appeals should be allowed. If this can be done and if ten/twenty members of Parliament lose their seats, this will serve as a good lesson for all the other members and the frequency with which electoral irregularities occur is likely to decrease over time.

My next point concerns the caretaker government. Our democracy is in a way regulated by the caretaker govt. and the caretaker concept enshrined in the constitution. This resulted from a lack of faith in the incumbent govt. to hold a fair election. There is a general consensus that given our national context and past records, it is better to hold elections under a caretaker govt. than under a party govt. Thus this concept of caretaker government has been accepted by the people fully and should be sustained. Certain amendments can be made in due time, should there be a general consensus among the major political parties on the substance of the amendment. Otherwise the caretaker provisions should not be touched, since any such act is likely to create further problems and harm our relatively fragile, current state of democracy.

A feature of our democracy is utter press freedom. We can proudly say that we have more press freedom than virtually any other country. What we must be cautious about is that we do not abuse our press freedom and ensure that there is a genuine attempt at fair reporting, accuracy, and a professional impartiality in the news. While it is understood that an editor or a reporter cannot be absolutely neutral and naturally has values, beliefs, and certain prejudices of his/her own as a thinking and feeling human being, it is imperative that journalists, more than anybody else, must at least ideally and constantly strive to attain that elusive state of objectivity or “value-free” praxis in reporting, writing, and framing. Anything less harms democracy and constitutes a grave injustice. People have the right to know the truth, not cleverly crafted or tilted or sensationalized news.

Another regrettable feature of our democracy is the politicization of the civil services and various appointments at every level throughout the country including the academic arena. Whoever comes to power, by and large, tends to appoint individuals who are known to them or who support them. This is extremely inappropriate. While such an allegation cannot be proven as such, this is a widespread public perception and this is what I hear from ordinary people time and again. Not even appointments in the

Public Service Commission (PSC) are free from nepotism. This leads to politicization of the administration, bureaucracy and various other appointments of significance and in no way enables a truly democratic context.

Our democracy is also partly complicated and frustrated by repeated hartals called by the opposition. This phenomenon is quite peculiar to Bangladesh and cannot be found to occur on such a scale in any other country. A few hartals were acceptable in the past, but in my view, this is no longer acceptable, for the costs far outweigh the benefits. While freedom of expression is a basic human right and a marker of pluralism, tolerance, and civility, the particular local “hartal” form of such expression has proven to be destructive to our economy and to hinder the building of civil society. It does not help enhance the political process in any way and is clearly not an effective means of bringing about a change of government. Additionally, the culture of hartal is frustrating the public and ruining the image of our country abroad. Our political parties must find a way to stop repeated calls for hartals. We clearly need a law to regulate and redefine the practice of hartals. Such a law should take shape through debates in the parliament, and if possible, with the consensus of the parties in the Parliament.

Boycotting of the Parliament is yet another problem of the same genre. Some boycotts continue for months, some for the whole session, and some for a few days. This devastates the prospect of democracy in the country. In my understanding, the parliament in our country is boycotted for rather trivial or petty reasons, which are magically and emotionally translated into monumental concerns by those involved. Given the numerous outstanding problems our country faces, we no longer have the luxury to indulge in a politics of wounded pride. It appears to me that parties in opposition, whichever parties these may be at any particular time, practically wait for an opportunity to quit the Parliament. I beseech all parties not to boycott the Parliament, especially not its whole sessions or for several days. A group can

walk out for an hour or perhaps even a day to register protest concerning a particular issue, but the parliament should not be boycotted for longer than that. Our honorable members of the Parliament are there for a particular reason, to do a particular job, to represent particular segments of the public, and to get certain concrete things done, and not to privilege emotion over reason and wisdom at every conceivable opportunity. An act of boycotting the Parliament for long periods of time makes a mockery of democracy, constitutes an abuse of the parliamentary system, and denigrates the value of parliamentary politics. We must therefore make a concerted effort to avoid lengthy boycotts of the Parliament.

An unfortunate development in this regard is the promotion by the party chiefs of the major parties of their sons to important party duties. It was started by BNP as its party chief appointed her son to Joint Secretary General of the party over the heads of hundreds of party leaders. Now Awami league leader has brought in her son and it seems he is being prepared for senior party leadership. This is no democracy and this is an ominous sign.

A final issue I want to touch upon is that of law and order. During the fifteen years of democracy since 1991, law and order have deteriorated rapidly and the public perception is that the political parties are responsible for producing and sustaining a culture of “mastans.” It is widely understood that we are being held hostage in our own country by mastans nurtured not by foreign elements but our own beloved political leaders, who claim to speak for us and to serve us. It seems to me that the best solution is for the major parties to purge their parties of mastans and to depend not on “mastan power” or money to secure political power but on public judgment of their abilities and performances on the ground.

In conclusion, let me say that while I have identified five or six problematic features of our democracy above, the core issues concern the behavior of the political parties and electoral reforms. Our political parties must behave in a democratic manner,

in a manner befitting elements of civil society. They should hold dialogues with each other and this they clearly did not do over the past few years. They must make a genuine, concerted effort to shun money, muscle and politicization of the various national services. The opposition should not use frequent hartals and lengthy Parliament boycotts to make their points. All of these relate to the single core issue of truly civic, farsighted, rational, and mature behavior on the part of our political parties. The second issue concerns the reform of the electoral system, which I discussed above.

Women's Dignity, Rights and Empowerment in Islam

We hear a lot of things about women's position and rights in the society. Some of the words that are expressed about the realization of women's rights are acceptable. Again there is room for difference of opinion on some points. It is imperative to establish the rights of men and women fully, because the society is moving forward everyday. So not only men or women but also the rights of every individual must be established.

The society has made significant progress during the last 50 years. The women like men have come forward though not equally. We have left far behind the society we had during Begum Rokeya's-time. She saw that the girls had no opportunity for education. You ladies, perhaps could not have received education if Begum Rokeya was not born at that time & not taken bold initiative for female education. Of course, Almighty Allah would have sent some other woman to this earth who could do the job. However, I do not want to digress from the point because I must finish the discussion within the allotted time.

In the whole world especially in our country the oppression that is being unleashed on the people particularly on the women has a foundation. The oppression is not descending from the sky. The ideological foundation for the persecution on women by men and at times by women themselves is: generally the people believe, particularly the men believe that women are inferior to men having low quality & below standard. The belief also exists in the women. This belief originates from some erroneous ideas among the people. And on this belief is standing firmly the whole edifice of oppression, deprivation and disrespect towards women.

If we want to eliminate persecution on women from our country, it cannot be done excluding Islam. I want to make it very clear that in a country like ours where ninety- percent people are Muslims, we

would not be able to move without Islam. Those who have revolted against Islam could not last long and are not able to sustain. A woman revolted - I would not name her - her end was not good. She ended in a miserable condition. With all humility I would like to say that if we can move ahead remaining within the framework of Islam then it will be good in all respects. I firmly believe that there is such a framework in Islam, which can ensure the progress of women.

I am not in favour of distorting Islam nor I am inclined to giving temporary interpretation of Islam. In true sense, Islam has empowered women and Islam has upheld respect for women. Islam has ensured rights for women. But before enlarging on this I would mention what could be the basis or "ideological foundation" on which the fundamental equality of men & women depends? God has not created all human beings with similar appearance. Two persons are never equal in every dot or in all respects. One person is different from another in terms of his weight, height, colour, education etc. But basically every human being is equal - equal to Almighty Allah. I would like to present four arguments to prove this:

1. Allah has made this thing very clear that real human being is 'Ruh'. We call it soul or spirit. Real man is not body. The body will perish in the grave. Those of us who believe in Islam know that fundamental element of man is the 'Ruh'. Allah created all human beings and their 'Ruhs' (spirit) at the same time, created them the same way and asked them a single question. All men and women gave the same answer. I quote a verse (172) from Sura A`araf:

When thy Lord drew forth
From the children of Adam
From their loins-
Their descendants and made them.
Testify concerning them (saying)
"Am I not your Lord
(Who cherishes & sustains you)?
They said: "yea!

We do testify!

It means all men and women reached an agreement on one point that is, "You are our Lord and we shall obey you. Here no separate agreements were made with men or with women. So, the first word about our ideological foundation is that the real human being is the Ruh (spirit) and all spirits are equal. Any other inequality or dissimilarity if any is insignificant or very small compared to the equality of human soul or spirit.

It means that the spiritual personalities of a human being are the same and so as 'human beings' all are equal. This is the fundamental foundation of equality among men and women.

2. We, men, boast of our physical structure as superior to that of the women and think that perhaps God has created us better comparatively. But God has made one thing very clear in the Holy Quran that there is, of course, some difference between all human beings but everyone is "the first class" and superb. Those of you who offer prayer regularly know a particular verse from 'Sura Tin' (Sura or chapter no 95 of the Quran, verse 4) which says: "we have indeed created the human beings in the best of moulds." It did not say that the men only were created in the best of moulds. It means there is difference in our appearances and in our structures. But everyone is excellent and first class.

So, to establish the fundamental equality of men and women or to launch a new movement for women or the humanity at large the men should not say that the structures of women are bad. Allah would not like that. Those who are believers must not say this. This is the second proof of basic equality among men and women. I say "basic" because there would remain some minor differences between men and women.

3. Allah clearly says: all people belong to one family- the family Adam and Eve. In Sura Nisa Allah says:

"O mankind! Revere
Your Guardian- Lord,
Who created you?

From a single person,
Created, of like nature,
His mate, and from them twain
Scattered (like seeds)
Countless men and women:"

It proves that we belong to a single family. We are children of Adam. In the Holy Quran Allah addressed the human beings as, "children of Adam" many times. As the children and parents together make a family, similarly all human beings together make a family in the eyes of Islam.

The family of human beings is above all other families. It means that our fundamental honour and dignity is the same. There may be some differences on minor issues but worldly dignity is not real dignity. As in legal terms, all human beings are equal in the eyes of the law, so all are equal in the eyes of Allah. The only foundation of respect to Allah is 'Taqwa` (obedience to Him).

Allah has never said that men are more respectful to Him or women are less respectful to Him. He says, only who obeys Him is respectful to Him amongst you.

If this were the foundation of respect to Allah, then does the difference created by men matter at all? Allah says, He never differentiates between person to person except on Taqwa or piety or obedient to Him. So we are children of one family and our fundamental dignity is the same. In Sura Huzurat, (Ayat 13) Allah says:

"O mankind! We created
You from a single (pair)
Of a male and a female,
And made you into
Nations and tribes, that
Ye may know each other
(Not that ye may despise
(Each other). Verily
The most honoured of you

In the sight of Allah
Is (the person who is) the most
Righteous of you.

And Allah has full knowledge
And is well acquainted
(with all things)."

Allah says in a verse of Surah Al Nisa (Chapter 4 of the Quran):

"Fear Allah through whom
Yea demand your mutual (rights)
And (revere) the wombs
(That bore you): for Allah
Ever watches over you."

Allah says clearly, "revere the wombs". While commenting on this verse a famous religious scholar of Egypt, Syed Qutb writes: These words were never written in any other literature in the world prior to The Holy Quran. He said in a detailed commentary of this verse that all human beings are essentially equal. But among them, women are superior in a sense. Because by revering the wombs Allah has in fact asked us to respect mothers and respect the women as a whole. So this proves the equality of our basic social status. This is the third proof of our new ideological foundation. (Sura Nisa - Tafsir: Syed Qutb).

4. At the time of creation Allah told the human beings, all of you are 'Khalifa` (caliph- representatives). He said, "I will send into the world my representatives." Allah did not say that He was sending women or men. He did not even say that He was sending human beings. He told that He was sending representatives.

He sent human beings but called them His representatives. He termed human beings as His Khalifa meaning representatives. The entire human race is His representatives irrespective of the sex. But it is true that if we commit sin, commit crime, commit murder, carry out oppression, and lose our faith in Him then we will lose our status as Khalifa. But basically we all are the representatives of Allah. (Quran 2:30; 35:39)

All empowerment lies with this status as Khalifa. No one can perform one's responsibility without power or authority. To perform one's responsibility as Khalifa each man or woman must have some authority.

The foundation of woman's empowerment lies with this Khilafat. Not only women; in Khelafat lies the foundation of empowerment of all women, men, poor, and weak. So this is the 4th proof of fundamental equality between a man and a women. Islam wants that every man, every woman, every person should be empowered. But if the women are deprived now they should be empowered first. If the men are deprived any time they should be empowered. We must think first about anyone who is deprived; at present we must put in efforts for the empowerment of women.

Today in your discussions you talked about what should be real work of a woman. Some of you questioned whether they should only stay at home? If any woman freely decides to stay at home, she has rights to do it. It is applicable to a man also. But Almighty Allah has never said anywhere that women will have to stay at home and will not be able to do anything outside. On the contrary, Allah has given the same basic responsibility to women as well as men. In the 71st verse of Sura Tawba (chapter 9 of the Quran) Allah says, men & women have 6 (six) responsibilities:

"The believers, men
And women, are protectors
One of another: They uphold
What is just, and forbid?
What is evil: they observe
Regular prayers, practice
Regular charity and obey
Allah and His Messenger."

So the 6 responsibilities are:

1. They uphold what is just
2. They forbid what is evil
3. They observe regular prayers.

4. Practice regular charity
5. Obey Allah
6. Obey His Messenger.

This verse says, Men and women are protectors ('Wali' or guardians) of one another. Some people say that women cannot be guardians but Allah says that the women can be guardians. Through these instructions Allah has recognized the participation of women in all good activities. Allah has declared that He will shower blessings on those who will perform these responsibilities. After studying several Tafsirs (commentaries) of the Holy Quran and as a person having full faith in the Holy Book and the Sunnah of Rasul (the way the prophet lived his life), I express my firm belief that all men & women are equal so far as these 6 responsibilities are concerned. All activities including politics & social work fall within its purview.

I feel that we have made ourselves busy with petty things leaving aside the essence of Islam. We are depending on many books written by men. It seems to me that we are not paying that much importance to the original Book of Allah in comparison to other books.

Lastly, I would like to say that if you learn Islam through others you would not learn the true spirit of Islam. You will have to study a few commentaries of the Quran yourself. Some try to insert their own opinions in the translations. So if you study 5 or 6 translation in the Quran you will be able to understand where people's opinions have found their place in the Quran and what are the words of Allah. Study of several commentaries will help you understand which interpretations are correct. We do not have well known women commentators of the Holy Book. It is their failure. There would not have been gender bias if they could play their part effectively. However, there are some commentaries of the Holy Quran, which are free from gender bias: for example "The Message of Quran by Mohammad Asad. I would like to conclude here.

Palestine State : an Unsolved Issue

Right now in August, when I am speaking, the world is going through a tense situation. I find that Israel, fully backed by America, has launched a vicious attack on Palestinian and Lebanese people. I need not go into the history of this problem which is almost well-known now to the people of the world and also our people in Bangladesh and Muslim world. However, I must mention that Israel was created not on the basis of any public opinion of the Palestinians. There was no referendum in Palestine to create Israel. It is not like Indian situation that the Indian subcontinent was divided on the basis of the opinion of the representative parties of the Muslims, the Hindus and the Sikhs, nothing like that happened in Palestine.

Palestine was an undivided entity. Its people were 85% Muslim, 10% Christian and 5% Jew. Britain was controlling the territory. Britain never held a referendum as we have seen later in east Timor where under United Nation a referendum was held and they said it by majority vote that they wanted to establish an independent state and did not want to remain in Indonesia. Nothing like that happened in Palestine.

On the basis of certain commitment given by Britain to a section of the leadership of the Jews, what happened finally is that the United Nations passed a resolution creating two entities, one called Israel and the other part was made a part of Jordan. They did not agree to create a single Palestine state. So, the state was created by United Nation in 1948 against the wishes of the Palestinian people. At that time Palestinian main party was Muslim party. By that time lot of Jews have been brought in Israel. It may be by that time Jews have become 15% or little more. But the main party was still the Muslims. They were 75%, Christian 10%. No opinion was taken of the Muslims. All were against it. Not a single Muslim or Christian was in favour of it. So it was imposed. Now Israel is backed by America. At that time Jews were backed by Russia, America, UK,

France with all kinds of assistance. They captured more areas than they were allocated. They were allocated about 45%, but they captured about 78% and the rest went to Jordan. Later, after 1967 war, when Israel captured West Bank, Jordan gave-up sovereignty over the West Bank to the Palestinians so that they can establish their state there and in Gaza.

So it is one of the tragedies of the modern history that such a state was created against the wishes of the people. There was no record like that in the whole human history. In the history also we find a state or province called Palestine, we do not find any state called Israel. The Israelis were Bani Israel, actually not Israel. But they have now created the state and we know the rest of the history how America backed Israel by financial and political support. People ask the question who controls whom? Is it America who controls Israel or is it Israel who controls America? All the time America's vetoes are available to protect Israel. So the world is helpless. One veto is sufficient to stop solution.

So presently, as far as I know from the International reports as I have seen that present situation started when one doctor and his wife were abducted by the Israeli Army and then a Palestinian group (not HAMAS) abducted an Israeli Soldier. Then Israel started bombing not Hamas or not only the so called militants but they started bombing on the power station, bridges, roads. Then Hizbullah joined in this conflict. There are still undecided issues between Hizbullah and Israel. Because part of south Lebanon is still occupied by Israel and there are Lebanese prisoners in the lands of Israel. Hizbullah was all the time telling Israel 'that free the prisoners or otherwise we shall capture one of your soldier so that we can exchange them'. According to Hizbullah they captured them in the southern Lebanon. The story I am reading in the internet. Even if they have captured from Israel, it does not give the Justification that they will start bombing the Lebanese govt. army, Lebanese govt. broadcasting station, into ports, airports, flyovers in Beirut city. This is an unthinkable barbarism that the United States thinks it is ok.

But what is the solution? I do not know. I do not find any immediate solution at all. I do not really see any solution. No solution for about 50 years because of United States of America and its VETO. This type of VETO is obstacle to peace. Reform of UN and the VETO system is a must. We have seen how by VETO power US has blocked peace and cease -fire initiatives.

What can be a line of solution? I think the best solution would have been (which people do not like to say now) is to create a single Palestinian state and the Jews who came from outside should go back to their countries. Only those Jews who are Arabs, who are born in Arab lands and the Muslims, the Christians who are original inhabitants should remain. It should be fully democratic, protector of the Human rights of all citizens, the Muslims, Jews, Christians. This is the best solution. But as the Palestinians have agreed and the Arab states by and large have agreed to a two-state solution to bury the conflict, it is Ok, if this is done quickly. Israel will retain pre-1967 border and the Palestinians will have their state in the rest of the land, about 22 percent. They have prepared themselves to forget the painful history and illegal occupation.

It can be a solution. But I think United Nation and USA should also give a time limit that within next two years Israel withdraws and if they want then there can be a wall in the boarder, no problem. There should be a time bound solution. . I think gradually the Palestinians are also thinking they can not get their state and they are thinking of going back to their original position, one Palestine state, where every Jew will be safe .Some foreign Jews may remain, something they will negotiate. But the idea is gaining ground that if two-states solution does not come then we shall have only one state call Palestine. Because the original land is known as Philistine, even Bible has said it is Palestine not Israel.

By and large, western media has never been sensible in the matter of Palestine. Most of them have always taken a line, a position in favor of Israel. They have never gone all out against Israeli wars, incursions or occupations (except honorable exceptions). They

have never said that either solve it within two years or get out. They have never said like that. But no western govt or media has taken this position. The Jewish lobby is very strong in Banking, media, in TV channel.

I really do not see any solution in the near future, despite what I have written above. So the Muslims should prepare for a long wait and a long battle, not really only military, but essentially an economic, political and diplomatic battle.

The Muslim and the whole world have suffered a lot. It may lead to big war involving Iraq, Iran, Syria, Jordan and even Egypt. We never know what happens. If something very bad happens, Egypt has to say that it will withdraw its Ambassador. Something very serious may happen. In that case the Arab people will force their governments to withdraw their Ambassador, to go back to their original position. So all these may happen. I think, I can only ask the Muslims that they should be ready for a long wait. They should be stronger economically, militarily, politically. The Muslim world must be democratic so that the West may not argue about corrupt and un-elected governments. We should have proper human rights. We should build up our economy and defense also. This also shows why Muslims should have nuclear power. I think it is necessary that few other states should have nuclear power, Egypt and/or Iran should have nuclear power. If Israel forsakes nuclear power then I agree it is better not to have nuclear power.

02.08.2006

Should Bangladesh Recognize Israel ?

The Foreign Minister of Pakistan, a few days back, met the Israeli Foreign Minister in Istanbul. This has brought to light that Pakistan was negotiating secretly with Israel for quite a long time. The major political parties and alliances of Pakistan, namely Pakistan Peoples Party Parliamentarian (Benazir Bhutto), Pakistan Muslim League (Newaz Sharif), Muttahida Majlis Amal (MMA) and ANP called a nation-wide strike in protest of the meeting by Pakistan's Foreign Minister with Israeli Foreign Minister. Press reports suggest that the strike was successfully observed. The opposition in Pakistan immediately after this meeting sat together and formed a committee to decide the future course in view of the action of the government.

In this backdrop, a few of our newspaper columnists have demanded that Bangladesh should recognize Israel. About two years back a section of the leaders of our business community demanded that Israel be recognized. The Chamber leaders raised the demand because at that time some US Congressmen demanded that the entry of Bangladeshi product in the US market be linked with Bangladesh recognition of Israel. The demand of the US Congressman alarmed a section of our businessmen. Being panicked they demanded that Israel be recognized. But they did not seriously ponder how Bangladesh-United States bilateral relations are linked with Bangladesh recognition of Israel?

Thereafter, about a year back, in an indoor meeting of a Think Tank that was attended by journalists, retired army officers, geo-strategic and security analysts in which this writer was present the issue of the Bangladesh recognition of Israel was discussed. A senior journalist present in the meeting tried to convince why Israel should be recognized. It became apparent that some other gentlemen present in the meeting supported his view. In another meeting, a few days back, this writer observed that Pakistan's

negotiation with Israel was discussed and two or three persons expressed their view in favor of Bangladesh recognition of Israel.

This makes it clear that a section of the elite of our society is in favor of Bangladesh recognition of Israel. To them it is not a matter of consideration that Israel is an illegitimate state that has violated many UN resolutions and occupied two-thirds of the Palestine land using force has occupied East Jerusalem that does not belong to them. If for argument sake we accept that Israel is the rightful owner of the land which UN mandate has given them in 1948 and should be under Israeli control, even then Israel should have vacated East Jerusalem long before. Israel has illegally established hundreds of settlements in West Bank Israel also established such settlements in Gaza that Israel vacated only recently. We have seen in the television screen their pain and anguish, as they had to leave Gaza which was not their land. This is nothing compared to the inhuman brutality the Palestinian had to suffer in their own land at the hands of the state of Israel.

People in our country who are supporting the recognition of Israel by Bangladesh, to them these are of no consequence, value and consideration. They ignore the fact that Israel is still denying Palestinian full control over the sky and sea of Gaza. They are not ready to consider all these issues. They are taking a very simplistic attitude. They are not considering the fact that only 5-7 countries out of the 57 Muslim countries have diplomatic relations with Israel and the reasons are also known. Turkey recognized Israel for it's the then government leaders were very friendly with the West. Egypt recognized Israel to recover Sinai Peninsula from military occupation. No doubt it was a wrong decision on the part of the then Egyptian leadership, but still one can find some logic in it. Egypt was forced by circumstances. Moreover, the Egyptian people had no role in this decision for an undemocratic autocratic head of state ruled the country. This is also true of Jordan. Most of the countries of the Muslim World have not yet recognized Israel and still now are opposed to such a move.

Now the question is how recognizing Israel will benefit Bangladesh? If there was really great benefit we could think over

the matter. How big is Israel? It is a small country of a few thousand square miles, roughly one-tenth of Bangladesh or less. The total population of Israel is 4 millions approximately. The question then naturally arises how big is the Israeli market from which we can benefit by exporting and also how much Bangladesh is losing for not having trade with Israel? How much we can earn from this small market? As regards imports, really what Israel can specially offer us that we cannot procure from other sources? Shall we have to import computers and other scientific equipments from Israel? Shall we have to import any other hardware or software from Israel? Shall we have to import aircraft and armaments from Israel? Are these not available in other countries? Whatever we need are available in China, Russia, United States, Malaysia, Indonesia and Pakistan. Then what is the big reason that we have to import from Israel, a country with which we do not have trade since 1947? How the scenario has changed or how far the situation is positively developed that Bangladesh needs to recognize Israel? We must not forget that the illegal state of Israel was created by a resolution of UN in 1948 when the number of member countries was 50-55, most of whom were from Europe, America and Latin America. The number of UN member countries from Asia and Africa then were few in number. Who are then the other UN member countries? Pakistan and India then just got independence from the British colonial yoke and have become UN members. Still then Pakistan opposed the 1948 UN resolution that created the state of Israel. India also opposed the resolution. It is thus clear that Israel is an illegitimate state that the West imposed on the indigenous Arabs and Palestinians through the then UN because Asia and Africa, the two big continents, were not represented fully in the then UN membership. The West got the 1948 UN resolution passed, created Israel by sheer strength of membership and votes. We must not forget that the resolution was essentially illegal and therefore unlawful. The Muslim countries only surrendered to de facto situation and ground realities. But the truth is that there should have been one country only in the old Palestine, that is Palestine. There was no state named Israel in the region before

1948 UN resolution. This resolution created a new state with new boundaries. Jews from all over the world was made to immigrate to Israel and new settlements were raised there. Since then Israel occupied more Palestinian territories and expanded its boundary by deceit, use of military force and war and uprooted the local Palestinians and made them refugees. Israel occupied the whole of Palestine in 1967 war. Since then 38 years have passed.

There is no moral basis for the creation of the state of Israel. It has been given legitimacy by use of force. Martial Law has no moral basis. Likewise, Israel has no moral basis although it gained some sort of legitimacy because of the UN resolution of 1948. This illegal state is still not allowing the Palestinians to have their own state in the land of which only they are the rightful owner. Israel is not returning Jerusalem to the Palestinians who are its rightful claimant. Israel is not allowing the Palestinian refugees to return to their homeland. Many such problems still exist and yet to be resolved. In such situation, why should Bangladesh recognize Israel? What has happened that Bangladesh needs to recognize an illegal state? Is it justified to recognize Israel as long as Palestinians does not recognize Israel? Yes, if the independent and sovereign state of Palestine is created and state of Palestine recognizes Israel, we shall then recognize state of Israel. Israel is not big as United States. It is not that big as European Union. The Israeli market is also not as big as EU and US. The question of substantial economic loss for having no trade and diplomatic relations is therefore not tenable. Is the demand of recognizing Israel is based on justice and in the interest of Islam? Unfortunately these reasons are not getting due attention of our elite. Why? Is it not because a large part of our so-called elite is brainwashed? Regrettably they only watch BBC and CNN and they read only English newspapers.

I therefore want to warn in advance the government of Bangladesh and the major political parties of the country not to proceed in this course and also request them not to accept the immoral advice of a section of our elite to recognize Israel. #

The Message of the Quran : A Great Tafsir of the current time

I became acquainted with the writings of Mahammad Asad, who wrote the Message of the Quran, in 1963 when I was under training in the Finance Services Academy in Lahore, Pakistan. The library of the Academy had the books of Mohammad Asad. I first read his "The Principles of the State and Government in Islam". It is one of the very first books written in the current time on the Political System of Islam. Then I read his Islam in the Cross Roads where he has discussed the modern and current important problems facing Islam and the Muslims. At this time I read his autobiographical book Road to Mecca. In this book he has discussed his life and experience and also expounded some of his views on Islam. When the First Volume of his The Message of the Quran was published (probably in 1964, translation was not completed then), I read it 1966 or '67. I was greatly impressed by the translation and the commentary. I remember that Professor Khurshid Ahmad once told me that this was the best translation of the Quran in English language.

In this translation of the Quran, Asad has not made literal translation, rather the spirit has been presented, same thing has been done by Maulana Maududi in his Urdu translation of the Quran Tafhimul Quran. But in the note of the translation, Asad has given the literal translation of the verses as well where needed. So those who want literal translation, they would also get it.

Asad was such a genius that he knew Arabic and English better than their native speakers, though these were not his mother tongues. This is reflected best in his Tafsir of the Quran.

Asad has added very significant notes in his Tafsir (commentary). He not only presented his understanding of the Verses of the

Quran, but also presented the views of the earlier scholars, particularly when he dealt with controversial issues. His tafsir shows his command of earlier Tafsir Literature. He was representative of Islam's humanistic and rationalist trend. But according to my understanding, he never forsook the spirit of Islam or did not surrender to the other civilizations, though some people say so. One of the characteristics of his Tafsir is that it is free from gender bias. It is his great success. We don't see it in many Tafsirs.

For example, he has translated the first verse of Sura Nisa as below: O mankind! Be conscious of your Sustainer Who has created you out of one living entity and out of it created its mate, and out of the two spread abroad a multitude of men and women.

His note No.1 of Sura Nisa is as follows:

Out of the many meanings attributable to the term nafs- soul, spirit, mind, animate being, living entity, human being, person, self (in the sense of a personal identity), human kind, life essence, vital principle and so forth- most of the classical commentators choose 'human being' and assume that it refers here to Adam. Muhammad Abduh, however, rejects this interpretation (Manar-IV) and gives instead preference to humankind inasmuch as this term stresses the common origin and brotherhood of the human race (which undoubtedly, is the purport of the above verse) without, at the same time, unwarrantably tying it to the Biblical account of the creation of Adam and Eve. My rendering of nafs, in this context, as 'living entity' follows the same reasoning. As regards the expression Zawjaha (its mate), it is to be noted that with reference to animate beings the Zawj, ('a pair', 'one of a pair' or 'a mate') applies to the male as well as to the female component of a pair or couple; hence, with reference to human beings, it signifies a woman's mate (husband) as well as man's mate (wife). Abu Muslim as quoted by Razi interprets the phrase "he created its mate (i.e. its sexual counterpart) out of its own kind (min jinsiha)" thus supporting the view of Muhammad Abduh referred to above. The literal translation of minha as 'out of it' clearly alludes, in

conformity with the text to biological fact that both sexes have originated from the 'one living entity'.

Asad in his commentary has accepted, subject to possible meanings of the Quranic verse, very rational explanations. In this connection we can mention the issue of marriage of 'slave girl' and 'hur'. He has translated Ayat 24 of Sura Nisa as follows (part):

And (forbidden to you are) all married women other than those whom you rightfully possess [through wedlock]

On this he has given note no.26 of Sura Nisa as follows:

“According to almost all the authorities, *almuhsanat* denotes in the above context” ‘married women’. As for the expression ‘*ma malakat aymanukum*’ (“those whom your right hands possess”, i.e. “those whom you rightfully possess”), it is often taken to mean female slaves captured in a war in God’s cause (see in this connection 8:67 and corresponding note). The commentators who choose this meaning hold that such slave girls can be taken in marriage irrespective of whether they have husbands in the country of origin or not. However, quite apart from the fundamental differences of opinion, even among the companion of the Prophet, regarding the legality of such a marriage, some of the outstanding commentators hold the view that ‘*ma malakat aymanukum*’ denotes here “women whom you rightfully possess through wedlock”; thus Razi in his commentary on the verse and Tabari in one of the alternative explanations (going back to Abdullah Ibn Abbas, Mujahid and others). Razi, in particular, points out that the reference to ‘all’ married women (*al-muhsanat min an-nisa*) coming as it does after enumeration of prohibited degrees of relationship, is meant to stress the prohibition of sexual relations with any woman other than one’s lawful wife.

In this connection note No.3 of Sura Al-Muminun is the Message of the Quran is also very significant which is given below: “or those whom their right hands possess” (*aw ma malakat aymanuhum*). Most of the commentators assume unquestioningly that this relates to female slaves, and that the particle *aw* (“or”)

denotes a permissible alternative. This conventional interpretation is, in my opinion, inadmissible inasmuch as it is based on the assumption that sexual intercourse with one’s female slave is permitted without marriage: an assumption which is contradicted by the Quran itself (see 4:3, 24, 25 and 24:32, with the corresponding notes). Nor is this the only objection to the above-mentioned interpretation. Since the Quran applies the term “believers” to men and women alike, and since the term ‘*azwaj*’ (“spouses”), too, denotes both the male and the female partners in marriage, there is no reason for attributing to the phrase ‘*ma malakat aymanuhum*’ the meaning of “their female slave”; and since, on the other hand, it is out of the question that female and male slaves could have been referred to here, it is obvious that this phrase does not relate to slaves at all, but has the same meaning as in 4:24 - namely, “those whom they rightfully possess through wedlock” (see note 26 on 4:24) - with the significant difference that in the present context this expression relates to both husbands and wives, who “rightfully possess” one another by virtue of marriage. On the basis of this interpretation, the particle *aw* which precedes this clause does not denote an alternative (“or”) but is, rather, in the nature of an explanatory amplification, more or less analogous to the phrase “in other words” or “that is” thus giving to the whole sentence the meaning, “...save with their spouses - that is, those whom they rightfully possess [through wedlock] ...” etc. (Cf. a similar construction 25:62- “for him who has the will to take thought- that is [lit., “or”] has the will to be grateful”)

Similarly he has given very rational explanation of *hur*. He writes in note no.8 of Sura Waqia as follows:

The noun ‘*hur*’ rendered by me as ‘companions pure’- is plural of both *ahwar* (masculine) and *hawra* (female), either of which describes “ a person distinguished by *hawra*” which latter term primarily denotes ‘in dense whiteness of the eyeball and lustrous black of the iris’ (Qamus). In a more general sense, *hawra* signifies simply ‘whiteness’ (Asas) or, as a moral qualification ‘purity’ (cf. Tabari, Razi and Ibn Kathir in their explanations of the term

hawariyyun in 3:52). Hence the compound expression 'hur' in signifies, approximately, "pure beings [or, more specially 'companions' pure], most beautiful of eye" (which latter is the meaning of 'in', the plural of Ayan).

As regards the term 'hur' in its more current feminine connotation, quite a number of earliest Quran commentators, among them Al-Hasan al Basri- understood it signifying no more or no less than "the righteous among the women of the human kind "(Tabari),-" [even] those toothless women of yours whom God will resurrect as new beings" (Al-Hasan as quoted by Razi in his comments on 44:54)

The whole of the commentary of Asad is an extraordinary work. There was always some difference of attitude in the Quranic commentary. This is very natural and it always happens among the scholars.

In the end, Asad has added 4 appendixes on symbolism and allegories in the Quran, Al-Muqatta'at (independent letters), Jinn and Night Journey. These are extremely useful appendixes.

Those who want to enter deeply into Tafsir literature must read Asad's commentary, as they should read other important tafsirs of the past and present.

Akram Khan's Tafsirul Quran : A Major work in Bangla

Moulana Muhammad Akram Khan was among the four or five topmost scholars of former Bengal in the last few hundred years.

He was the president of Bengal Muslim league, a remarkable Islamic scholar, and an eminent journalist. Above all, he was a writer and researcher of the biography of the prophet (peace be upon him), the Quran, and Muslim history and literature.

His 'Mustafa Charit', a biography of the prophet Muhammad (pbuh), clearly demonstrates the profundity of his ability as a researcher. He analysed the life of the Prophet in the light of authentic historical materials and accepted only those facts that have been verified. He excluded those materials which appeared contrary to reason. Western scholarly critiques of the Prophet's life and practices have been firmly rebutted. In this context, he considered some traditions attributed to the prophet and examined the texts of those traditions. Based on the principles of examining texts of Hadith (Matn), laid down by the jurisprudents (Usuliun), he concluded some of them as unacceptable. Everyone may not agree with him. But his work is good to think with and significantly furthers our ability to analyse.

His book 'The Social history of Muslim Bengal' is an unparalleled contribution.

Another extraordinary work of Akram Khan is his translation and interpretation of the Holy Quran, 'The Tafsirul Quran'. Although he used the older style of Bengali language used generally by all past major writers (but obsolete at present), the translation is lucid and a sheer pleasure to read. I find the language of his translation of the

Quran to be the best among all Bengali translations of our Divine Scripture. He adopts a very cautious approach and shows his great acumen in choosing his words very carefully and astutely. Some examples are as follows:

(1) He has translated the word 'taqwa' in several ways, one of them is restraint (Shangzom in Bangla), for instance in Sura Al-Bakara, Ayat - 21.

(2) He has translated the word 'fasiq' as evil doers (Duskarmaparayan in Bangla). I find it to be a very suitable translation of the word (Ref: translation of Sura Bakara, V:22; Tafsirul Quran, Zhinuk Publication, Dhaka, Bangladesh, volume 1, page 38)

(3) He has translated the word 'Asma'a' as knowledge of essence of all things or matter (Bostutottoguli in Bangla), which is very exceptional.

In his insightful treatment of issues related to women, he does not hesitate to clearly indicate where God privileges women. For example he translates the 36th verse of Sura Al Imran "Laisal zakaru kal unsa" as "whereas men are not equal (shomotulla in Bangla) to women" (Ref: ibid, page 395). I would suggest that those who enthusiastically and constantly refer to the 34th ayat of Sura Nisa, should also take this verse into account.

In his tafsir, he offers very logical explanations for various events. He had faith in the miraculous abilities of prophets but he did not accept fabricated and irrational stories. The account of the prophet Musa fleeing from Egypt with Bani Israel was proffered a very logical explanation. His main argument is that Musa along with his followers crossed the Nile rather than the Red Sea. Earlier Tafsirs were mainly based on Exodus of the Bible and other legends. His arguments about this issue are as follows:

"In the first part of the verse under discussion (Sura Bakara, Ayat 50), the word 'Al Bahr' has been used. In the dictionary, the word Bahr has been defined as:

(1) Large quantity of water, usually saline water (Kamus).

(2) All streams are Bahr (Zawhari).

(3) Word opposite to land -- saline water, a big stream, any wide substance. (Mawared).

It is therefore clearly established that the Israelites lived somewhere on the bank of the Nile, not far away from the royal palace. From that place they were moving to their ancestors' land...Their destination was Palestine and Jerusalem. After crossing the Egyptian border, they reached the Sinai Peninsula and Tih area. There are many proofs in the Quran in support of this fact."

Then Akram Khan argued that it was rather illogical to reach Arabia by crossing 500 miles of sea route and travel from there to Palestine. The irrationality lies in the fact that they were many in number and did not have any means of transportation. So it was very difficult for them to cover such large distances on foot. Instead the easier way for them to reach Sinai was to cross a lake or coastland from Egypt. He further argued that to describe the place where Pharaoh died, the words Bahr and Yam were used. Both of these words can be interpreted as a stream or any form of water body. It's merely a description narrated in Exodus of Old Testament that Pharaoh died drowning in the Red Sea. But there is no evidence for this in the Quran or authentic Hadith. Akram Khan stated in the conclusion:

"The area stretching from the Mediterranean Sea to the Suez city was filled with many lakes and various types of marshes before the Suez Canal was dug. The water of this area naturally decreased during low tide. Then the relatively higher lands would rise above the water level and nearby shallow lands became drier. During high tide the water entered and submerged those places.

According to Allah's command Prophet Musa began on the journey from Egypt at an appropriate time. He was also directed to the right path by Allah.

That is why the Bani Israelites were saved but the pharaoh died drowning in the sea. In my opinion this is the most important miracle in the life of the prophet Musa" (Ref: Tafsirul Quran, Zhinuk publication, volume 1, page 79 - 87).

In his exegetical work, he supported the view that there is no abrogated (Mansukh) verse in the Quran. In the commentary of Sura Bakara, verses 184 and 185, he wrote about this issue: "The word 'yutikunahu' is used in this verse. I interpreted it as those who can fast with great difficulty. I think it is the proper interpretation. Imam Razi supported this view and Imam Rageb also defined it in the same way in his dictionary. It is a matter of regret that most of the narrators of Tafsir interpreted it as 'those who don't fast in spite of being capable of fasting'.

Because of this inappropriate translation, a group of present-day modernist scholars are saying that one may break one's fast by paying fidya (feeding the indigent) even if there is no difficulty. On the other hand, a group of narrators and mufassirin are suggesting that ayat 185 was revealed just after revelation of ayat 184 abrogating the provision (of ayat 184). But we must remember that this is the speech (Qalam) of Allah. He cannot be so capricious that He would reveal an ayah and abrogate it immediately thereafter. In fact there is no Mansukh (abrogated) ayat in the Quran" (Tafsirul Quran, commentary under Sura Bakara, Ayat 184,185, page 224,225). He offers a very rational interpretation of verse 228 of Sura Al- Bakara.

He writes, "It has been further said that the husband has the same right over his wife as the wife has over her husband. If both fulfill their duties, family life will be full of happiness. Man has a degree over woman means that a man's responsibilities are a degree greater. In Sura Nisa, ayat 34, man has been said to be a kawwam or maintainer" (Tafsirul Quran, note no. 181, Sura Bakara).

He expresses the view that it was not lawful to have sexual relations with female slaves except through marriage. He writes, "A section of Ulama think that in this ayat no instruction has been

given to marry female slaves. They think that female slaves can be used in any manner on the basis of ownership, no marriage is necessary for this. I declare emphatically that this opinion is against the general principles of Islam and the principles laid down in the Quran. This is nothing but an extremely bad opinion." (Ref: Tafsirul Quran, Sura Nisa, note no.7, page - 580). Then Moulana Akram Khan elaborated his opinion in the next two pages where he also gives a long quotation of Imam Razi (Ahkamul Quran, vol-2, page-56).

This tafsir authored by Maulana Muhammad Akram Khan is an excellent Tafsir in every respect. It bears similarities with the tafsir titled The Message of the Qura'n by Muhammad Asad. Maulana Akram Khan can be said to be the Asad of South Asia in the field of tafsir though they probably did not meet each other. Some might not approve of his rationalist style of exegesis.

However, the reader of his commentary is compelled to acknowledge that every opinion in his tafsir is buttressed by superb reasoning. This tafsir should be reprinted, translated into other languages especially those prevalent in the subcontinent such as Urdu and Hindi, and circulated widely for the benefit of researchers and lay educated people alike.

**Former Secretary , Govt of Bangladesh.

Islamic Education Movement: Recent History and Objectives

Islamic Education Movement, which is otherwise widely known as the Movement for the Islamization of Knowledge, as a new phenomenon started its journey sometimes in 1977-1978. A group of scholars thought that the educational system in the Muslim World is not fulfilling the needs of the Muslim countries and that it should be thoroughly revised and updated. In this backdrop, the first Islamic Educational World Conference was held in Makkah in 1977 in which more than 300 academicians, scholars and intellectuals participated. The first Conference made certain significant recommendations for the Islamization of Knowledge. Later more such Conferences were held in other parts of the world in which *Ulama*, academicians, scholars and intellectuals of various countries joined. Such Conferences were held, among other countries, in Pakistan, Indonesia and Bangladesh. This writer had the opportunity to take part in the Conference held in Dhaka in 1980. These Conferences helped to a great extent in crystallizing and conceptualizing what should be the future shape and structure of the Islamic Education. Later notable institutions like International Institute of Islamic Thought (IIIT), USA joined in this Movement. The prime focus of activities of IIIT since then had been on the Restructuring of Thought and Islamization of Knowledge including Islamization of Education.

As the outcome of the painstaking efforts of the learned scholars of various disciplines to formulate a pragmatic Islamic Education Policy through the Islamic Education Conferences and contribution of eminent Islamic organizations and individuals, the *first* Islamic University, the International Islamic University (IIU), Malaysia,

was established. Distinguished Islamic scholars of the world, well known for their contribution in relevant fields, who are at the same time specialist in their own discipline and subject and at the same time firm believer in Islam assembled in the new alma mater. Many of these scholars were leaders of the Islamic Movement in their own countries and were at the forefront of *dawah*, Islamic activities in their own arena. Dr. AbdulHamid AbuSulayman, renowned scholar and current Chairman of IIIT USA took the responsibility of the IIU; Malaysia after initial work has been done by the 1st Rector of the University Prof. Dr. A. Rauf along with his colleagues. A prolific writer, Dr. AbulHamid has in his credit a number of publications of which 'Towards an Islamic Theory of International Relations' and 'Crisis in the Muslim Mind' are widely acclaimed. Dr. AbulHamid, on assuming the responsibility of the University, vigorously started the work of Islamization of Education. Arabic and *Fiqh*, Islamic Law and Jurisprudence were introduced as compulsory university requirement courses. The University from the very beginning took steps to gradually Islamize the subjects of the social science discipline and the effort is still on.

Later more Islamic universities have been established in other parts of the world following the model of IIU, Malaysia. One such university has been established in Islamabad (Pakistan), another in Uganda in Africa and another in Kushtia (Bangladesh). It must be admitted that the Islamic University, Bangladesh has, to some extent, lost direction because of political environment within the country, and the University could not make much headway following the model of IIU, Malaysia; nevertheless it has to be accepted that Islamic University, Bangladesh also made some contribution in the Islamization of Education and Islamization of Knowledge. Later Darul Ihsan University and Islamic University, Chittagong were established with the same mission*.

To many it remains a question why Islamization of Education is important and this demands an in-depth examination and critical and careful analysis. Islamization of Education is significant

because the root cause of all problems and malaises of the *Ummah*, the Muslim community, is education. If we look at the setback and crisis of the *Ummah*, if we evaluate the political, economic and social dilemma of the Muslim world and particularly if we refer to the overall scenario prevailing in the Muslim countries from the Islamic point of view and look at them from an Islamic vision and perspective then we shall reach to the conclusion that the ultimate reason for all these ills in the Muslim world lies in our failure to restructure the education which shall not only meet the demand of our time but at the same time make a Muslim a Muslim. Had we been able to educate Muslims, as worthy Muslims there would not have been political, economic and social problems in the Muslim world of the size and level as exist now. Such prominent scholars and academicians as Ismail Raji al Faruqi, AbdulHamid AbuSulayman and Syed Ali Ashraf, eminent educationist, Islamic scholar and founder of Darul Ihsan University Bangladesh share this view.

Islamic educationists and scholars are of unanimous opinion that the root cause of all problems of the *Ummah* is education, it is more appropriately the crisis of education. Such thinkers and intellectuals identify the failure of the education as being the prime reason of the crisis faced by the world today. They think that education has failed to achieve the desired objective because our education has ignored ethics and morality during the last one hundred years.

The crisis humankind, the world civilization is facing is because the curriculum of the educational institutions have ignored ethics and morality for at least last one hundred years. As an outcome of this disrespect to eternal moral values, our educational institutions have produced violent and cruel man devoid of love, affection, fraternity, brotherhood and fellow feeling. What has happened in Bosnia, Kosava, Chechnya, Iraq, Kashmir, Afghanistan and more recently in Gujrat in India is the result of modern education, which has produced cruel and violent man. Modern man is not imbued with the eternal humane values and therefore most sophisticated

nations do not mind to bomb unarmed civilian, women and children in Afghanistan and does not mind to continue sanction against Iraq at the costs the lives of millions of Iraqi children. Nobody can hope to change this sorry state of affairs, to really improve the face of modern civilization unless the educational curriculum is restructured and emphasis is given on moral and ethical values.

What is, therefore, required is to reorganize the education on the foundation of ethical principles, to combine moral education with professional education. Professional excellence has to be integrated with morality and ethics, which basically can be derived from religion. As far as Muslims are concerned such values can be drawn from Islam and if Muslim societies are not rectified in the light of the precept and teachings of Islam then the Muslim societies nay the whole world is bound to suffer. That means humankind will suffer. The solution, therefore, lies in combining Islamic values with modern subjects in case of Muslims. Where non-Muslims are in majority as in Japan, China and other countries modern subject should be combined with ethics and morality. Nobody should forget that in the days of globalization and internet in the new millennium no region remains unaffected if any part of it is affected. Therefore the problem has to be addressed both at regional and international levels.

Dr. AbdulHamid A. AbuSulayman, former Rector IIU, Malaysia and currently Chairman of IIIT USA addressing a seminar in Dhaka during his recent visit to Bangladesh pointed out: “Muslims are not performing. Bangladesh is not performing. The Muslim world is not performing”. He pointed out that in January 2001 (or December 2000) the total GDP of the Muslim world was US \$ 1100 billion whereas the GDP of Japan at that time was US \$ 5500 billion, five times more than Muslim world whereas Muslim world is spread over from Pacific to Atlantic. Why this is the condition of the Muslim world, Dr. Abdul Hamid asked? “Why are not Muslims performing, why are not Muslims motivated, why are not Muslims big actors in the world scene, why are they only

spectators, why they are in the fringe”, Dr. AbdulHamid asked his learned audience in the seminar.

Dr. AbdulHamid thinks that Muslims are marginalized because: “We are not motivated”. The present educational system has failed to motivate Muslims and one of the foremost reasons of this is that Muslims still have slavish mentality of the colonial period. We could not leave, get rid of slavish mentality. We only imitate. We do not think positively and in a constructive way. We have lost our originality and creativity. Dr. AbdulHamid thinks that we must give due importance education deserves and integrate moral values and ethics with modern professional knowledge. He believes that we as Muslims should integrate professional education and social science with Islamic values.

Now if we look back to history what we see. If we look back to Abbasi, Usmania or Mughul period we will find that their educational system did produce army generals or civil servants who studied the then modern subjects and at the same were fully conversant with teachings of the Quran, *Sunnah*, the Tradition of the Prophet (*SAWS*), *Fiqh*, Islamic law and jurisprudence.

There was integration in the educational systems of them. An army officer during the Abbasi used to know not only military science but also such an officer was conversant with the teachings of Quran, *Sunnah*, *Fiqh* and Arabic language. Likewise a civil servant was required to study the then professional subjects along with Quran, *Sunnah*, *Fiqh* and Arabic. Approximately 150 to 200 years earlier, the system of education was an integrated whole.

What is then the responsibility of the new generation of Muslims? The duty and obligation of the Muslims, the task of the entire humankind is to think and reflect on how to restructure the educational system and not to give over emphasis only on professional knowledge for if we only over emphasize on professional knowledge then we shall only produce robot and not man with soul and values. In fact we have to structure educational system in such a way, for all nations in all countries worldwide,

which shall integrate professional knowledge with ethics and morality and we Muslims believe it and are fully committed to it. This can be done on the basis of religion. It should however be made clear that the establishment of Islamic University does not mean that the door of such educational institutions shall remain closed for the non-Muslims. Islamic University is open for all. Any student can study in such a university and the teachings of Islam shall not be imposed on the non-Muslim student. Non-Muslim student shall have to study only the educational program (including the University requirement courses). It needs to be further examined whether non-Muslim student can be offered optional subjects in some discipline or areas.

The message of Islam is universal. Islam addresses humankind: *Ya Ayyuhan nass*, O mankind. Allah has revealed Quran not to divide mankind. The duty of the Prophet (*SAWS*), was to unite people. Islam teaches man not to take away the rights of others but to protect it. Islam stands for moderation. In real sense there is no extremism in Islam. Islam is a middle way. Allah (*SWT*) in *Surat Al Baqarah* has revealed: “We have created you as a balanced community”(2:143). Allah did not tell that We created you as extreme community.

It is, therefore, clear that if we are fully able to appreciate and realize the true meaning of Islam, then we cannot turn out to be extremist. There is no reason of non-Muslim being afraid of Islam. If we look back to history then we shall find that Prophet Muhammad (*SAWS*) established a system in which life, honor and property of the non-Muslims were fully secured. Moreover, in the commonwealth established by the Prophet (*SAWS*) under the Charter of Medina the Jews were self governing and autonomous and they used to conduct the life according to their own laws. The Muslims used to follow their own law. The state was run according to Islamic Shariah and all the communities participated in the joint activities of the state such as defense.

The essence of Islam is *Tawheed*, which not only means that Allah is one but also it signifies that humankind is one and its honor is

inviolable. The objective of the *Shariah* is welfare of the mankind. *Tawheed* signifies the welfare of the entire mankind. It also means and implies that believers of *Tawheed* must always wish, and long for well-being and happiness of others and must not distinguish between man and man and respect all man. There may be small difference between man and man for various reasons but it is not good to differentiate between man and man. It is against the principle of *Tawheed*. Prophet Muhammad (SAWS) fully absorbed the full meaning of *Tawheed*. He (SAWS) said in his farewell pilgrimage speech: No Arab has superiority over non-Arab. White colored has no superiority over the black. What is the meaning of this? There is male and female both in white skinned and black skinned people. It signifies that female of a particular race is not superior to male of another race nor male of a particular race is superior to another. Likewise what is the meaning of Arabs and non-Arabs are equal. It means Arab female is to equal to non-Arab male and non-Arab male is equal to Arab female.

Small differences do not change the basic equality of humanity. All human beings remain basically equal in honour, respect and dignity, despite differences in duties and responsibilities. The differences that exist in our society are the result of the prevalent educational system. There is nothing to fear from Islamic education. If Islamic educational system is established in Bangladesh the door of education shall remain wide open for all. There shall be various options open for the non-Muslims to prosecute their studies. New avenues shall be opened and new scopes and opportunities shall be created. Human equality shall be pursued meticulously. The honor, dignity and respect of the non-Muslims shall be vigorously guarded. There shall be no compulsion in respect of religion as enunciated in the Quran: *La Ikraha Fideen (Surat Al Baqarah: 256)*.

Kaumi Madrasah Education: **Some Suggestions**

Kaumi Madrasah education has spread through the subcontinent since its inception in the 19th century. From that period till today, it has not undergone any comprehensive reformation. The students coming out of these institutions have two compulsory options: either teaching in such Madrasah or leading the congregation of prayer in the masjids. They have little or no part/role in the commerce and industry, banking, administration, etc. of the country.

It is necessary for the interest of Islam that the Madrasah educated should fulfill all the demands of the society (and to achieve this goal they should be properly equipped as well) so that they can become banker, administrator, economist, etc along with becoming teacher of such Madrasahs and Imam of Masjids.

Most of the big Kaumi Madrasahs are called Jamea that means university which means that all the necessary branches of learning are taught here. The Madrasah students study four subjects viz. Tafseer, Hadeeth, Fiqh and Arabic Literature (though they call it one Daura). It is not feasible to start Daura in all the disciplines nevertheless the introduction of at least two new subjects will become helpful in making them efficient to play role in administration and in the Islamization of the whole society as a whole. These two subjects are Islamic Economics and Public Administration. Fortunately by this time Islamic Economics has turned into a science and progress has also been made in the field of Public Administration from Islamic point of view. In this regard I suggest the authority of Kaumi Madrasah open Daura (degree courses) in these two subjects, which will require some changes in the lower classes. In the 11th and 12th classes two papers on Public Administration and Economics will have to be incorporated. These two papers should be optional. A student can take only one

of them and cannot take both. Only the students taking these papers in 11th and 12th classes will be able to take them in Daura (higher level). (If Jameas like they may start more subjects)

Another matter to be taken seriously is the teaching of languages (Arabic, Bangla (or national language) and English). Their proficiency in English will make it possible for them to serve the interest of Islam and disseminate its teachings throughout the world. It will be better if they include the modern Tafseers (exegeses) of the Holy Quran, the modern interpretation of Hadeeth and the modern trend of Fiqh in their syllabus of Daura. After all the whole syllabus of their curricula should be reviewed and some old books should be removed and some new ones should be included and only then their courses will meet the needs of the present society and the demand of Islam as well.

(Published in the daily Inqilab, Dhaka) (Kaumi Madrasahs are non-government Madrasahs not funded by the government, not even controlled by them in any respect. The matter is applicable in other parts of the sub-continent)

The Religious Education of Muslim Women in Bangladesh

The Madrasahs in present-day South Asia are bearers of the remarkable revival that Islamic religious education witnessed in colonial India during the late nineteenth century. This renewal began in particular earnestness with the establishment of the Dar-ul-Uloom Madrasah at Deoband in 1867. However, women were not part of this revivalist project in formal religious education, although on the level of informal religious education, they were taken into serious consideration by some Ulama who sought to promote individual piety, to re-Islamize household rituals and daily cultural practices, and to facilitate individual knowledge and observance of Qur'an- and Hadith-based religious injunctions as opposed to folk customs (Gail Minault, 1998, *Secluded Scholars: Women's Education and Muslim Social Reform in Colonial India*, Oxford University Press). One of the most well known among these reformist Ulama who showed significant concern for enhancing women's informal/household religious knowledge in the late nineteenth and early twentieth centuries was the Deoband Madrasah-trained scholar Maulana Ashraf Ali Thanavi (1864-1943). His encyclopedic work, *Bihishti Zewar* (The Ornaments of Paradise), was primarily aimed at women (although Maulana Thanavi strongly encouraged men to follow it as well) and contained a vast amount of extremely detailed religious prescriptions for conducting numerous daily religious and household activities and for purifying bodily, mental, and emotional states. Maulana Thanavi's emphasis on both Muslim men's and women's EQUAL obligations to seek knowledge and education was remarkably egalitarian for contemporary society, particularly the then worldview of many Indian Ulama and the Muslim elite (Barbara Metcalf, 1982, "Islamic Reform and Islamic Women: Maulana Thanawi's Jewelry of Paradise" in *Moral Conducted and Authority*, edited by Barbara Metcalf, pp. 184-95).

However, despite Maulana Thanavi's reformist emphasis on the egalitarian message of Islam, like most Ulama of his time and of many many decades later, the Maulana was opposed to women's access to public space and possibly could not therefore imagine women's access to even the most basic levels of Madrasa education, let alone women's access to higher levels of formal religious scholarly capacities.

The historical neglect of women's formal religious education continues to shape the sphere of women's access to religious scholarship in present-day South Asia, even though some changes are under way in the margins. The neglect of women's religious education in South Asia (and possibly elsewhere) is evident today not only in the abysmal gaps between the numbers of male and female Madrasa students and traditional religious scholars but also in the dearth of scholarship on women's Madrasas in South Asia. Thus, for instance, neither of the two most comprehensive, recent, and otherwise illuminating and timely scholarly articles on Madrasas in South Asia (see Mumtaz Ahmad's and Yogi Sikand's respective chapters in *Religious Radicalism and Security in South Asia*, eds. Satu Limaye et al, Honolulu, Hawaii University Press, 2004) mentions female Madrasa students women even in passing. This essay will briefly discuss and analyze the current situation of religious education of Muslim women in Bangladesh and adjacent areas from a historical perspective.

Gaps Between Islamic Canonical Teachings and Muslim Historical and Cultural Practices

Even though Islam has emphasized access to knowledge for all, the education of Muslim girls and women, particularly in the areas of religious scholarship and authoritative expertise, has been seriously marginalized in most parts of the Muslim world historically. The Prophet of Islam (sm) said that, "Securing education is an obligation for all Muslims(...)." The Quran has emphasized education unequivocally. The revelation even began with the word 'Iqra' meaning read, recite.(Quran:96:1) The Quran asks "Are

those who know and who do not know equal?"(Sura Zumar, Ayat 9)

The Muslim community failed to implement its obligation to educate all its members, male and female. Studies of the Muslim history of various countries reveal that in the establishment of educational institutions, equal opportunities were not created for boys and girls. Of course, rudimentary religious education was imparted to all at home, such as recitation of the Quran, the formal and technical rules of Salat and Siam, and fundamental religious values of modesty, honesty, respect for elders (adab), duties towards one's parents, etcetera. But higher education and the realm of religious scholarship and authority became the preserves of men alone. Furthermore, despite the Qur'anic emphasis on the equality of all human beings and on the Prophetic stress on access to knowledge for all, discriminatory practices were found even with regard to men, let alone women. Thus, prior to the nineteenth century, access to Madrasa teaching and education was largely restricted to the communities of elite Muslims—the *ashraf* nobility who were mostly migrants from Central Asia, Iran, and Arabia, and their descendents. The indigenous Muslims—the *ajlaf*—were expected to remain satisfied with the most elementary knowledge of Islam (Yogi Sikand, 2004, "Reforming the Indian Madrasas: Contemporary Muslim Voices" in *Religious Radicalism and Security in South Asia*: 120).

However, sociopolitical changes began to sweep across the Muslim world during the 19th and 20th centuries. With the establishment of British colonialism, the Dar-ul-Uloom Madrasa at Deoband was established in 1865. This remains the largest traditional Madrasa in South Asia till this day. In the absence of Muslim rulers as patrons of Madrasa education, and concerned with the threat colonialism and intensifying Christian missionary work in the region posed to the production, sustenance, and enhancement of Islamic knowledge and sensibilities, Ulamas began to establish small and large Madrasas which increasingly turned to the ranks of ordinary *ajlaf* Muslims, with whom Ulamas

and Madrasas had had little contact until then. The ordinary Muslim came to symbolize the survival and well-being of Islam and to serve as the repository of Islamic knowledge and moral reform. In the wake of these changes, Muslim girls did not remain untouched by such reforms for too long. But it would not be till the late nineteenth century and early twentieth century that Muslim girls began to gain access to higher education. At least, this was the case in former Bengal.

Women's Religious and Formal Education in Bengal

The eminent lady who played the greatest role in mobilizing for formal and higher education for women in Bengal specifically, was Begum Rokeya Sakhawat Hussein, who against numerous personal/familial, cultural, and financial odds, established an Urdu-medium school for girls in Calcutta in the year 1911; by then Urdu had come to dominate the elite Muslim culture in Bengal, to be gradually replaced by Bengali in later decades. Named the "Sakhawat Memorial Girls' School," this school opened at 13 Waliulla Lane in a tiny classroom, with only 8 girls in attendance. In 1917, it became a middle English school. Begum Rokeya added a class every year till her school became a high school in 1931 (Sonia Nishat Amin, 1996, *The World of Muslim Women in Colonial Bengal 1876-1939*, E. J. Brill, pp. 156-7).

While this was the first stable beginning of modern education among Muslim girls in this region, there were other and even earlier efforts in various parts of Bengal and in certain parts of India to make modern education accessible to girls. Thus, for instance, a primary school for girls from strictly purdah observing families were founded in 1873 in Comilla by another pioneering Bengali woman, Nawab Faizunnessa Chaudhurani who herself had received a good education at home in Urdu, Bengali, Sanskrit, and Persian. This school became a Junior High School (till the 8th grade) in 1889 and a regular High School in 1931. It operates today as Nawab Faizunnessa High School for Girls (Amin 1996: 149-50). In 1897, on the request of Nawab Shamsi Jahan Firdaus Mahal of Murshidabad, Lady Mckenzie, the wife of the governor

of Calcutta, Muslim Girls' Madrasa was inaugurated at Calcutta. Begum Firdaus Mahal funded the construction of the building. She also provided a monthly grant of Rs. 150 while Nawab Ahsanullah of Dhaka contributed Rs. 1000. In 1898, 46 girls enrolled at the Madrasa (Amin 1996: 147). However, not much is known about the exact contents of the Madrasa curriculum. The first formal school for girls in Dhaka, Eden Female School, was established in June 1878. This was the first government secondary school for girls in the region and remained thus for many years. A college section was introduced in 1926, making the Eden Girls' School and College the first institute for higher secondary education for women in Eastern Bengal (Amin 1996: 151-3).

However, there was no effort in the area of Bengal to create opportunities for women to obtain higher RELIGIOUS education. Women traditionally received some basic Islamic education at home. In certain *ashraf* or upper aristocratic families, the quality of Islamic education that girls received at home could be quite remarkable and as high as the quality of the education received by the boys in those families. In many middle and upper class families, a girl would be introduced to the Qur'an at the age of 5 through a lesson in Arabic letters taught by female tutors from modest backgrounds called "ustadnis." These female tutors would also teach some Persian, Urdu, some basic accounting skills, a little sewing and embroidery, and later Bengali and English as well (Amin 1996: 136). Once women began to attend non-religious public schools, they began to be instructed in subjects such as mathematics, history, and geography, but some basic religious instruction continues to this present day in the form of the course "Islamiyat," which is a compulsory course for Muslims in state schools in Bangladesh. However, a Muslim woman did not have any opportunity to become an Alim (religious scholar) through education at an elite Madrasa (a religious seminary with 16 years of coursework and training).

Only during the last 2-3 decades did the Ulama finally open the doors of formal, elite Madrasas to women. Separate women's

Madrasas, both of the Kamil/Alia variety (that is the Madrasas which follow the govt. approved course curriculum of a few modern subjects and a revised form of the Dars Nizami syllabus) and the Kaumi variety (which follow the Deoband and most traditional/standard Dars Nizami) have been established. However, as far as traditional Islamic courses are concerned, the courses are essentially the same in both the Kamil/Alia and Kaumi systems of religious education. The Kawmi Madrasas are private. They do not receive any financial support from the government and are supported by religious endowments or by zakat and sadaqa. While most of the Alia Madrasas, except the five fully state controlled major Ali Madrasas, are privately owned and administered, the Government of Bangladesh pays 80 percent of the salaries of their teachers and administrators. To varying extents, Madrasa education, by virtue of its charitable spirit and affordability, has made possible some degree of social mobility for thousands of lower and lower middle class people throughout modern South Asia (Mumtaz Ahmad, 2004, “Madrasa Education in Pakistan and Bangladesh” in *Religious Radicalism and Security in South Asia*).

The number of Madrasas for girls which followed Alia courses (in 2005) is as follows:

Level	Course Duration	Number of Students
Dakhil	10 yrs	952
Alim	12 years	77
Fazil	14 years	22
Kamil	16 years	5

(Source: Dr. Muhammad Abdus Satter, senior official of Madrasah Education Board and author of *Bangladesh Madrasah Shikkha* (Madrasah Education in Bangladesh), published by the Islamic Foundation Bangladesh).

There are several Kawmi Madrasas for girls. In Dhaka, there are 2 such Madrasas which award the Dawra (briefly explain/describe “dawra”) degree to girls.

The course syllabi used in girls/boys Madrasahs in both Alia and Kawmi systems are the same. There is a shortage of female teachers. However, the problem is not a serious one since male teachers in many cases teach in these Madrasahs. Male and female Alims tend to be equal in knowledge and abilities. In fact, a senior Alim, Maulana Abul Kalam Azad informed me that the girls tend to perform better as students than the boys since the former appear to take their school duties more seriously. In my view, women Alims can be deployed, as in Turkey, as Muftis wherever their services are required. However, it must be stated that as things stand currently, in order to be compatible with present socioeconomic demands, the Madrasa curriculum requires significant improvement and diversification in coursework, while sustaining a focus on the core religious courses. A serious inclusion of modern disciplines would not only help bridge increasing gaps between Madrasa-educated and lay-educated Muslims but would also help produce Muslims who are religious scholars, able to effectively administer the increasingly diversifying and specialized public and private sectors, and able to establish needed dialogues both within the Muslim community and between Muslims and non-Muslims of different faiths and persuasions. A Muslim, educated in this manner, would truly embody the Islamic ideal of a comprehensive person and system where any separation of one area of life (such as “religion”) from another (such as “politics” or “economy” or “society” or “culture” of “education”) is not recognized. Every dimension exists as a part of a whole just as every organ and part of a human body operates as an integral part of a whole.

Madrasa Education in Bangladesh

Let me briefly discuss the development of Madrasa education in the Bangladesh region over the last 200 years. Warren Hastings, the Governor General of British India, on the request made by the Muslims in 1780, asked Maulana Majduddin, an accomplished scholar of the traditional Islamic Sciences to prepare a course curriculum and to launch a Madrasa. The Madrasa took off in 1780 according to a variant of the *Dars Nizamia* curriculum. This

curriculum, which historically served as a model for many Madrasas throughout the world, was developed in its original form for the Nizamia Madrasa in Baghdad, founded by the eleventh century Seljuq Vizier Nizam-ul Mulk Hasan ibn ‘Ali during the Abbasid period. The 1780 Madrasa in Bengal was launched in a rented building in Kolkata (Calcutta). The original Nizamia syllabus had represented a blend of *naqli ‘uloom* (revealed sciences), including the Quran, the hadith, fiqh (Islamic jurisprudence) and tafsir (Quranic commentary), on the one hand, and the aqli ‘ulum (rational sciences), including Arabic language, grammar, logic, rhetoric, philosophy, astronomy, medicine, physics and mathematics, on the other. However, the Nizami syllabus, as adopted in colonial South Asia and as shaped by cultural and political forces, came to distinguish between “religious” and “worldly” knowledge and to stress the “*deenie*” sphere of knowledge to the neglect and virtual exclusion (until very recent decades) of areas of modern “*duniyavi*” knowledge (Sikand 2004). Thus the first Madrasa in Bengal followed traditional courses in Arabic grammar, Arabic language, philosophy, logic, Fiqh, usul-al-fiqh, theology (kalam), Tafsir, and Hadith, all largely based on classical texts. This was the beginning of the Alia Madrasa system (Dr. Muhammad Abdus Satter, 2004, *Bangladesh Madrasa Shikkha [Madrasa Education in Bangladesh]*, Islamic Foundation Bangladesh, 1st edition, pp. 120-129).

Many commissions and committees have been formed since then to deal with the various aspects of public education and Madrasa education, but the courses basically remained the same and the Madrasa text books in Fiqh, Usul-al-Fiqh, Tafsir and Hadith have all remained essentially the same. Virtually no significant changes have been effected with the passage of time and significant shifts in socio-political and economic conditions both locally and globally. Contemporary texts and disciplines have not been included in any significant way in the Madrasa curriculum although the subjects of English, Science, Bangla, History, Geography, and Mathematics have been included in the lower stages of Madrasa education (Dr. AKM Azharul Islam and

Professor Shah Muhammad Habibur Rahman, *Bangladesh School and Madrasa Shikkhaniti o Karjokrom [Curriculum and Education Policy of Schools and Madrasas of Bangladesh]*, The Islamic Academy, Cambridge, UK, Chapter 4). Thus, for instance, texts used for the core religious subjects date back to the seventeenth century at the latest and the eleventh century at the earliest. However, this Alia system of Madrasa education in Bangladesh is quite unique in its five distinct sub-divisions: ibtedai (elementary), dakhil (secondary), alim (higher secondary), fazil (B.A.), and kamil (M.A.) (Mumtaz Ahmad, 2004, “Madrasa Education in Pakistan and Bangladesh” in *Religious Radicalism and Security in South Asia*).

Until recent decades, we find Madrasa education in Bangladesh and possibly in South Asia to be characterized by the following features:

1. The method of instruction was Urdu.
2. No reference whatsoever is made to female education.
3. Strict dependence on extremely dated and classical texts.
4. Initially separate books were prescribed in Fiqh, Usul al Fiqh and Kalam for Sunni and Shia students even though these students used to study in the same Madrasa (Dr. Muhammad Abdus Satter, *ibid*, pages 172-199.).

However, as I said before, the Ulama in the course of the last 20-25 years have become aware of the need of higher religious education for women. Below, I note some of the figures related to the female student community following the Alia system of religious education:

Year	Course	Number of male students	Number of female students
2000	Dhakil	101,414	50,835
2000	Alim	51,127	14,743
2000	Fazil	20,732	3,256
2000	Kamil	13,158	833

Now I turn to the Islamic Studies Department in colleges and universities. This degree is open to both men and women. The course curriculum has been patterned on the key elements of the

syllabus followed at the Dars Nizami Madrasas, where the subjects taught include Arabic, Fiqh, Usul al Fiqh and Hadith, history, and Islamic Philosophy. However, the course coverage of the Islamic traditional sciences is less here than in the Kamil or Dawrah Madrasa courses. A serious student can develop into an Alim if he or she undertakes advanced personal study. However, my conversations with scholars revealed that completion of the Islamic Studies course currently prevalent in the universities can hardly be said to transform one into an Alim (This is the opinion of Prof. Mustafizur Rahman of Dhaka university, Arabic Department, a former Vice-Chancellor of Islamic University, Kushtia, and Nasima Hasan, an M.S. in Islamic Studies from Dhaka University, now a teacher at the International Islamic University, Chittagong, Dhaka Campus).

Let me add that in recent times, some women are taking part in television programs in Bangladesh. These women are largely university educated and trained in general subjects, but have pursued the informal study of Islam on a personal level. A few hold degrees in Islamic Studies or Arabic. The emergence of modern, self-styled religious thinkers or scholars, who secure religious knowledge through informal and personal or Islamic organizational study of Islam, is evident throughout Muslim communities today notably in South Asia, Southeast Asia, and the Middle East. This culture of self-styled religious authority is particularly evident in the sphere of electronic communication. This phenomenon speaks to the gaps in traditional religious education and to the inability of many traditional religious experts to respond satisfactorily to the issues increasingly central to the experiences and needs of younger generations of non-Madrasa educated Muslims in the present-day world.

In conclusion, I will say that Islamic education among women is increasing and diversifying both at informal and formal levels even though the standard of religious education in most of these cases leaves much to be desired. Most female students of religious scholarship today are becoming traditional Alims, as deficient as

male Alims in responding to the needs of the rapidly growing numbers of Muslim recipients of modern/non-religious mass higher education, those ranks of Muslims from which the leaders of contemporary Muslim societies and states continue to emerge. Voices for reforming the Madrasa system grow stronger every year and these voices are diverse, but the pace of any real reform has been painfully slow for a number of reasons that scholars have discussed (see, for instance, Yogi Sikand in *Religious Radicalism and Security in South Asia*, 2004).

The atmosphere of distrust created by the US-led war against “terrorism” is certainly not helping the cause of Madrasa reform since many orthodox ulama, who have always resisted reform, now feel more certain than ever that under the guise of liberalizing and modernizing Islamic education, the West and its secular allies are bent on gradually eradicating the force of Islam altogether from the educational and cultural spheres. However, I feel that despite various difficulties and legitimate doubts and concerns, Muslims must move beyond a RE-ACTIVE politics which is often unproductive and harms Muslim interests in the end. While one must learn from history and study it carefully, one should not be determined by it. Muslims and the Ulama in particular, must become PRO-ACTIVE instead and take whatever initiatives necessary to sustain, improve, and enhance Islamic education such that it impacts life positively all over the world, not only in Muslim majority societies. The Qur’an, after all, was revealed as guidance not only for Muslims, but for “humankind.” We should not allow our fear of the uncertainties of the future and the formidable strength and ploys of our adversaries to prevent us from determining, with clarity, the priorities of the Muslim ummah, however diversely constituted. We allowed colonialism to paralyze our advancement for many precious decades. It is no secret, for example, that nineteenth and twentieth century nationalist efforts to define Indian women strictly in terms of the domestic sphere were in large part a reaction to the colonial project of domination and imposed transformation in the Indian subcontinent. Today, we must not allow the current age of imperialism or neo-colonialism

to freeze our progress as Muslims for the next hundred years. If Madrasa reforms are undertaken effectively, substantially, and thoughtfully, with an emphasis on the OVERALL kind of Muslim person, scholar, scientist, and leader we want to produce for the twenty-first century and beyond, then it is my belief that both men and women of this generation and the generations to come would benefit from these reforms immensely.

Some Thoughts on Human Rights

When this write-up will be published, we have already observed the 50th UN Human Rights Day on December 10, 1998.

Indeed the human rights document of the UN is a major one and by and large world has agreed on basic aspects of human rights and the need for their implementation in the various countries of the world. Those who worked for the preparation of the documents on the basis of the experience of humanity in history deserve our greatest admiration and thanks.

Human rights are really fundamental to human existence and good life. There may be some disagreement on the details of human rights, but there is hardly any disagreement on basic aspects of human rights. Human rights were always violated in the human history. The rulers, the local powerful people mostly oppressed people and did not grant them full enjoyment of human rights. Even the religious leadership in some cases was responsible for violation of human rights, though this was not in the best spirit of religious values.

It was hoped that with the advent of modern times arrival of renaissance, rise in education, the condition of human rights shall radically improve. There has been of course improvement in some respects in some countries. But life and liberty of people in most countries are still not safe. There has been increase in terrorism by the state within and outside the political borders of the state. We do not find any justification of bombing in Sudan, Libya and Afganistan by one super power. The way one or two powers threaten Iraq every now and then of military action shows that some countries have given up even the mask of honorable behaviour.

We have also seen recently the terrorism of Serbia in Bosnia and Kosovo. State terrorism is also going unabated for long in Palestine and Kashmir. Israel and India want to hold on to West Bank and Kashmir by force even though the people of the area do not want them.

State terrorism and violation of human rights has another dimension. It is violation of human rights by the state security organs in their own people. It is the most common type and prevalent in almost all countries. In Bangladesh also several hundred people have died in police custody. Torture in the hand of police and investigation agencies is a regular feature. Though law does not permit it from my discussion with police officials. I have found them mostly to justify it. Remand comes handy for torture.

After the death of Rubel, a young student, in the hands of police, most people have demanded the abolition of remand system and Section 54 of Cr. P.C. Justice Habibur Rahman Commission has given some suggestions. The Govt. of Bangladesh should implement them without any delay.

However, there should be no excess in the area of human rights. There are people who have opposed action against blasphemy, pornography and "living together"(without marriage) in the name of liberty, freedom and human rights. These are perversions. We can not agree to such excessive freedom as these are against our very good moral values.

Human rights are far from being achieved. A great movement by moral philosophers and activists will be needed to reach the goal and it will probably take time.

Beauty Contest: What Good It Brings to Woman?

The history of the beauty contest is not clearly known to me. Who, where and when it started is unknown, but the common belief is that the beauty contest started some 60-70 years back in the West. Later some elements started to organize such beauty contests in the East, particularly in India and Japan. Of the total 60 Muslim countries, a few hold such contests against the age-old culture, custom, tradition and value system. In some countries the government is patronizing such beauty contests and in others individuals and private organizations arrange such contests. Never such contests were ever organized in Bangladesh. Strangely, some people are now trying to organize such beauty contests against the deep-rooted faith, ethics and norms of the majority people of our country. The government of Bangladesh did not allow organizing such functions in the country and therefore the people who are active to raze the basic elements of the culture of Bangladesh, a predominantly Muslim country, in the name of globalization and modernism, organized a beauty contest in London some time back and selected a girl who later participated in the world contest. Of late, some people are organizing beauty contest in Bangladesh in the name and cover of fashion show.

The most pertinent question is: does beauty contest enhance the prestige and dignity of the womenfolk of our country or is it in any way related with the development of the country's economy? In the beauty contest, the participating women are scantily dressed, are mostly required to expose their body and beauty before the male judges walking in the most offensive and distasteful manner. Does it in any way increase respect of the women? In fact, the uncovered body of woman brings disgrace for her. Historically all noble ladies even in the West until now were dressed in the most dignified manner. In fact such half clothed women become an

object of commercial display and turn into the easy prey of the lust of the males.

The question is: why beauty contest of the woman is being organized when no beauty contest is planned to select the most beautiful man? In fact a section of business community organizes beauty contest of the women to use them for commercial purposes for which women, our sisters and mothers, are disgraced. The beauty contests excite male members of the society. This is true not only in the matter of beauty contest, any obscene, offensive and vulgar programme involving women is bound to incite male members. Such programmes are responsible for the moral degeneration of our youth. The root cause of the increase of the rape, violence and crime related to women are the spread of obscenity in the society. The beauty contest therefore in no way increase prestige, honour, dignity, safety and security of the women rather women lose respect, and their security is further endangered.

Does the beauty contest in any way contribute to the economic development? No empirical study or survey has ever established that beauty contest some way or other has played any constructive or significant role for the progress and development of any country. There is no logic behind the claim of some persons that such beauty contest directly or indirectly contribute in the economic stride and progress of any society. Beauty contest has in no meaningful way made any contribution in the increase of Gross Domestic Product (GDP) or the national income. Some good-looking women who won in the beauty contest later joined the advertisement industry as model. This might some way financially benefit them personally. The joining of some pretty women in the commercial and advertisement industry might have increased the demand of certain product, soap, paste etc in the market but this increase takes place mostly at the expense or reduction of sale of some other soaps, paste etc of other companies. This however does not as a whole increase the GDP. Moreover products are sold because of the quality, not because of the fair looking models or

due to their physical posture. Some tourists of foreign countries might come to visit a particular country for a day or two, but this is very insignificant and does not carry any weight or credence. Such beauty contest, for sure, has no value in terms of the economic activity of a country or benefit the tourist industry on a long term basis.

What is the reaction of the women concerning the beauty contest? In this regard let us see the article by Hasina Habib, a student of BUET who in an article published in the daily Inqilab on 2nd April 2002 captioned 'Beauty Contest Vis A Vis Art' writes:

“BTV broadcasted a programme of beauty contest on 3rd April. The commentator during the presentation ceremony of the programme on several occasions commented that these beautiful ladies are the assets of the country. On what consideration these pretty ladies are the assets of the country? Earning forex by showing and screening beauty cannot be a prestigious profession or an aesthetic art. On what reckoning then the participants of beauty contest can be asset, when such contest in itself is not honourable? The questions that were put forward to the participants of the contest to ascertain the intelligence and the capacity for immediate response to quarry were not at all scholarly. Such questions were asked: To grow up is not an interesting matter, what do you think? What do you mean by hairstyle? ... etc. How such hollow and meaningless questions can be the reflection of intelligence and wisdom? The ultimate objective of the clothing is to cover up the body. Its aim is also to protect prestige, honour and the dignity of the individual personality. But in the presentation ceremony of the beauty contest as broadcast by the BTV the participant women were shown walking in such skin tight, bare and half naked way as if the purpose is to attract male members who are viewing. Such exposure of the body and beauty of the women is nothing but the wild expression of nakedness and offensive and indeed distasteful matter. Most of the guests present in the beauty contest had been male and their expression was objectionable, unpleasant and obnoxious. The only exception was

Andrew Kishore who was seen looking down bowing head by keeping his palm on the forehead. Rest of the males were looking and observing this nude art (!) with their lustful eyes. Does the definition of art or aesthetic beauty has changed into nudity and obscenity in the so-called modern life? How the exposure of the body of the women can be a sign of progress of the civilization? Why should we copy the negative and obscene elements of another culture leaving their positive elements? If nudity is considered a sign of progress then women one day will require becoming totally naked to increase the reserve of foreign exchange. In other words the loathsome and abhorrent male members will not spend money unless women expose them by becoming totally naked to earn money. It seems that in near future all people will become naked like the animal of jungles to keep pace with the development.

Those who do not have the sense of self-esteem and dignity and do not mind in becoming naked in front of the male jury and their only objective is to earn money by exposing their body and beauty, what name we can give to the profession of such people?"

Hasina Habib rightly pointed out that beauty contest which lacks socio-economic, moral and ethical consideration cannot be an art in the esthetic sense or an asset for the majority of the people of Bangladesh who are believers of Islamic ideology and values. Needless to mention that the so-called beauty contest, which is against the ideology of Islam and its teachings, is also against the history, tradition and culture of Bangladesh. It is not in agreement with the values of other religious faiths. We therefore appeal to all the businessmen, industrialists and cultural organizers of our country to take immediate and effective steps to stop the recurrence of further beauty contests. Not only beauty contests, we also appeal to business magnets, industrialists and socio-cultural workers to ensure that nothing is done in the name of cultural activities which cause moral decadence and disgrace and humiliate women, our daughters, sisters and mothers. Our message to the organizers, leaders and members of the women right groups is that you be active to wipe out the root cause of violence from the

society and the moral degeneration of our youth and events that are not the demonstration of the uplift of women in the society rather are the causes of shame and ignominy for the women. We also appeal to the government to keep watch so that some people working against our culture and value system cannot organize beauty contest in the cover and garb of fashion show or any other name. We all must do everything possible at our command before it exceeds all limits and before it is too late.

Valentine Day Does not suit our Culture

A new day in the name of Valentine Day (Bhalobasha Dibosh) is being observed in Bangladesh for the last few years. Some papers are encouraging its observance. A group of businessmen and hotel-owners are encouraging it for business gain and profit. What is the history and basis of this Valentine Day. I reproduce below in this regard from the writing of a major Scholar Dr. Khalid Baig.

“Most Muslims who indulge in many alien cultural practices, these days, do not know what they are doing. They are just blind followers of their equally blind cultural leaders.

Little do they realize that what they regard as innocent fun may in fact be rooted in paganism. That the symbols they embrace may be symbols of unbelief. That the ideas they borrow may be products of superstition. And that all these may be a negation of what Islam stands for.

Consider Valentine’s Day, a day that after dying out a well deserved death in most of Europe – but surviving in Britain and the United States – has suddenly started to emerge across a swath of Muslim countries. Who was Valentine? Why is this day observed?

Legends abound, as they do in all such cases, but this much is clear Valentine’s Day began as a pagan ritual started by Romans in the 4th century BCE to honour Lupercus, the ‘god of fertility and flocks’. Its main attraction was a lottery held to distribute young women to young men for ‘entertainment and pleasure’ – until the next year’s lottery.

Among other equally despicable practices associated with this day was the lashing of young women by two young men, clad only in a bit of goatskin and wielding goatskin thongs, who had been smeared with the blood of sacrificial goats and dogs. A lash of the ‘sacred’ thongs by these ‘holy men’ was believed to make the women better able to bear children.

As usual, Christianity tried, unsuccessfully, to stop the evil celebration of Lupercalia. It first replaced the lottery of the names of women with a lottery of the names of saints. The idea was that during the following year the young men would emulate the life of the saint whose name they had drawn. Christianity ended up doing in Rome, and elsewhere, as the Romans did.

The idea that you can preserve the appearance of a popular evil and yet somehow turn it to serve the purpose of virtue has survived.....

The only success it had was in changing the name of Lupercalia to St. Valentine’s Day. Pope Gelasius did it in the year 496, in honour of one Saint Valentine. However, there are as many as 50 different Valentines in Christian legends. Two of them are more famous, although their lives and characters are also shrouded in mystery.

According to one legend, which is more in line with the true nature of this celebration, St. Valentine was a ‘lover’s saint’ who had himself fallen in love with his jailer’s daughter.

Due to serious troubles that accompanied such lottery, French government banned the Valentine ritual in 1776. It also vanished over the years in Italy, Austria, Hungary and Germany. Earlier, during the 17th century when the Puritans were strong it had been banned in England, but King Charles II revived it in 1660.

From England the Valentine ritual arrived in the New World, where enterprising Yankees spotted a good means of making money. Esther A Howland who produced, in the 1840s, one of the first commercial American Valentine Day cards called - what else - valentines sold \$ 5,000 worth in the first year. (Then \$ 5,000 was a lot of money). The valentine industry has been booming ever since.

It is the same story with Halloween, which has otherwise normal human beings dressing, like ghosts and goblins in a re-enactment of an ancient pagan ritual of demon worship.

The pagan name for that event was Samhain (pronounced sow-en). Just as in case of Valentine's Day. Christianity changed its name, but not the pagan moorings.

Even the apparently innocuous celebration might have pagan foundations. According to one account, in pagan curlers, people feared evil spirits, especially on their birthdays. It was a common belief that evil spirits were more dangerous to a person when he or she experienced a change in their daily life, such as turning a year older. So family and friends surrounded the person with laughter and joy on their birthdays to protect them from evil.

How can anyone in his right mind think that Islam would be indifferent to practices steeped in anti-Islamic ideas and beliefs?....

It is a great tragedy that under the constant barrage of commercial and cultural propaganda from the forces of Jahiliya and the relentless media machine, Muslims have begun to embrace the Valentines, the Halloween ghosts, and even Santa Glaus.”-

(Impact International, London, March 2001)

This is the history of Valentine Day. Such a programme based on paganism and superstition should not be observed in a country like Bangladesh where Muslims constitute ninety percent of the population. Islam has taught us genuine love of all which does not depend on observance of a day of such type. In our country it has become a medium for free mixing of some young people and for adultery. This is no part of culture of the Muslims or the Bangladeshis. Any part of western culture which increases obscenity and indecency should not be allowed in our country. I draw the attention of scholars, journalists, teachers, Imams and social workers to take steps to stop its observance in our country.

Controversy on Prof Kippenberg's paper on Islam : Islam does not allow any individual to declare war

(This article was written in response to a national agitation against Prof. Kippenberg's in BISS in which he made some adverse comments on the Prophet and Jihad. This article was published on 18 October, 2004 in the New Nation).

Actually, the paper of Prof Hans Kippenberg is unfair to Islam. By any stretch of imagination; it cannot be said to be an academic paper. He has directly blamed the violence of 9/11 in the United States on the conduct of the Prophet Hazrat Muhammad (SM) and on the Quranic teachings.

In the first para he said, “The document (claimed by the FBI to have been found in three locations) shows that violence is justified by emulating meticulously the moment in early Islamic history, when Mohammad cancelled all contracts with non-Muslims in order to establish in Medina Islam as a political order”.

Prof Kippenberg, in fact, the FBI document (alleged to have been found from the cells of the perpetrators of September 11) shows that those who committed the violence emulated the Prophet, followed the Prophet who cancelled all contracts with Non-Muslims in order to establish Islamic state in Medina.

In fact, the state of Medina was established by peaceful agreement with the people of Medina, the Jews and the Muslims. It is about eight years or nine years after the establishment of Medina that Prophet cancelled some contracts (not all contracts) with the Beduin, Mushriks or idolaters because they repeatedly were violating the contracts. So this is not true that Prophet established the state of Medina after cancelling all contracts.

He also said in his first paragraph that “The Manual explicitly prescribes recitations, prayers and rituals, by which member of the

four cells prepares of the ghazwa, purifies his intention and anticipates in his mind the stages of the struggle to come.” That means by implication he had said in the whole paper that because they made intention, they had mentioned about Quranic verses and because they spoke about the sahadah or martyrdom, so this must be Islamic.

Just by niya, zikr, prayer things do not become Islamic. He forgot the phrase “devil quoting the scripture.”

In this paper he accepts the truth of the FBI document. He clearly said, “Only recently a scholarly edition, translation and analysis of the Arabic text have been published in Germany. And the few serious studies of the documents contradict the assumption of forgery.”

Many people have said the document is a forgery. It cannot be the basis of any study. But he strongly says that this is not forged. He has taken the position of FBI and he has neglected the other views. He has quoted some verses from the Quran’s Sura Tauba. He mentions that Prophet abrogated the agreement with the Musrikun and then said the Prophet has asked to kill the Musrikun whenever you find them.

He did not take into account the international policy of the Prophet, or the policy towards the Murikun or the Maccan people or Jews, Persians, Romans. All this depend on the context of the situation. Prophet’s policy was not static, it was a dynamic policy. In the battle of Badr, he forgave the persons and he released them. In Hudaibiah he entered into contract with a very unjust opponent. After victory of Macca, he forgave all of them. So, the policy of the Prophet was dynamic and contextual.

If you read through Sura Tauba you will find that he did not cancel all agreements. He only cancelled agreements with those Musrikun, who were repeatedly violating the contract, who were treacherous, who were trying to disturb the state.

So Prophet cancelled their agreements. The Islamic Jurists agree that this is only for Arab Musrikun of that time. The Quran did not say this is applicable to Ahlal-Kitab, that is Christians and the Jews. It was not applied on the Hindus or Buddhists by later jurists because they were civilised and had religious books. But Prof Hans applied this against all. He did not know that this is not applicable to Ahle Kitab. The Americans are basically Ahle Kitab and it is not applicable to them.

I am quoting the book, “Towards an Islamic Theory of Internaional Relations” by Abdul Hamid A. Abu Sulaiman, (P-110) about this matter. He said, “The issue of all-out war against the pagan Arab tribes unless they turned to Islam cannot be understood as ideological oppression. This decision came after the establishment of the Muslims state at Medina and after the Muslim had undergone about twenty-two years of persecution and war.” (IIIT Publication, Virginia, USA).

So, Prof Hans Kippenberg was very unfair to Prophet (SM). He did not understand the Islamic International Theory.

In this seminar I was present. I explained there that the FBI document cannot be basis of any academic studies. At the least it is doubtful, at the worst it is to be rejected. Any doubtful material cannot be basis of any investigation, research and any academic work. It shows the German Professor willingly or unwillingly only served the interest of the enemy of Islam.

There, I also said he should not forget that all Islamic scholars are agreed, and this is recorded in all books of Islamic law, that innocents, civilians, women, children cannot be killed, temple cannot be destroyed in war according to the Islamic law.

That is the reason, all the Islamic scholars have said attack on Twin Towers by whosoever (we do not know) is unlawful in the eye of Islam. Islam is against the killing of civilian and women (there was 30% women there).

So, how can it be justified in the name of Islam? Islam also does not allow any individual to declare war, only the state can do it.

Now, I would conclude that I think whatever had happened only the paper writer is responsible, nobody else BIISS. BIISS is not responsible in any way. In fact, BIISS gave us an opportunity to explain the Islamic position. I would also say that the seminar had good papers also.

For example, the paper of Prof Dr Shamsheer Ali. He clarified that religion is for peace and the militancy is more political. Justice Mostafa Kamal also explained that the West need not advise us. Their own record is very bad in Palestine, Afghanistan, Iraq and many other places.

However, such incidents are not uncommon in scholarly discourses. We should take it in an academic spirit.

Characteristics of Islamic Economy and its various inter-relationships

The characteristics of Islamic economy can be explained in various ways. I find the following as representative characteristics of a truly functioning Islamic economy or what ought to be in such an economy.

Basic Characteristics of Islamic Economy

1. Freedom of work and enterprise: Islam has allowed freedom of work and enterprise. This is evident from the Madinitic model of Islamic economy. A reading of the chapter of any Hadith collection in respect of agriculture, gardening, business etc. will establish this freedom of work and enterprise. The Quran also clearly states that "Allah has made business lawful for you (Sura Baqara, Ayat - 275)"

Islam essentially allows economy to operate freely according to the market forces subject to Islamic restrictions and guidelines on production, distribution, marketing, investment, trade, exchange, wages etc. The state can also further interfere in this free economy to restore equilibrium and establish justice and other Islamic objectives. In an Islamic economy, there is an "*allowability constraint*" (a term introduced by Dr. S.N.H Naqvi in his book. (S.N.H. Naqvi: Ethics and Economics. An Islamic Synthesis, First edition, Chapter-5, published by Islamic Foundation, U.K).

An entrepreneur can produce only permitted things. Profit should be normal in such an economy after giving proper wages to the labourers in accordance with Islamic principles. Some forms of trade practices, exchange, investment, and land tenancy in agriculture are prohibited in Islam. It also disallows monopoly and hoarding as social evils. The aforesaid restrictions make "free economy" in Islam qualitatively different from capitalism. Islam can not be said to be capitalistic only because it allows forces of

demand and supply to operate in the economy. Forces of demand and supply are fundamental economic forces, which were operational even before capitalism.

2. A special concept of ownership: In Islam God is the true owner of all things. The Quran says: "To Allah belongs whatever is in the earth". However, Allah in His mercy allows human beings to inherit wealth, own it and use it subject to His laws as evident from the following verses:

- i) The land belongs to Allah. He allows it, to be inherited by whomso ever he pleases. (Sura Araf, Ayat: 128).
- ii) Do they not see that we have created for them ----- among the things fashioned by us----- cattle of which they become owners? (Sura Yasin, Ayat: 29). Islam, therefore, allows man as Vice-gerant, to inherit from Allah (that is to own) wealth. This is indeed a trust for proper use. We may call it Trust ownership.

3. Kinds of Ownership: In early Islam there were three kinds of ownership: private, communal and state ownership. The books' of Hadith are full of accounts of individual ownership. This was the standard ownership. Some important things like water, canals, pastures and graveyards were communal properties. The state owned the mines, rivers and large tracts of land. After the conquest of Syria and Iraq, these lands were made state lands and were not allowed to go into private ownership.

(Tafhimul Quran, Sura Hashr, Syed Abul Ala Maududi)

4. State Ownership: There is no bar on state ownership of enterprise in Islam. The basic economic institutions may be brought under state control, if this is required to establish social justice or protect the interests of the community.

Islam protects lawful property and is in favour of confiscation of unlawful property. There are some instances of take over of unlawful property during the period of Hazrat Omar and Hazrat Omar bin-Abdul Aziz. Lawful property can be taken over by the state only for valid social reasons after due compensation. During

the last Hajj the Prophet (SM) announced the principle of protection of lawful property. The Quran says, "don't eat each other's property wrongfully" (Sura Nisa, Ayat- 29).

5. Prohibition of Interest: Islam prohibits interest. This requires a total reorganization of the economy, banking, investment, exchange, business and international trade. Already in the last 30 years hundreds of Islamic banks and financial institutions have been set up and this has become an alternative mode in most Muslim countries and some non- Muslim countries. Its viability and practicability has been accepted by economists and bankers and many consider this system superior in some respects. A body of literature has already come up on this subject.

6. Zakat: Islam has made Zakat compulsory on the wealth of rich Muslims. This is spent for the weaker and distressed sections of the society. Zakat not only distributes wealth between the rich and the poor of the society, it also influences investment, savings and allocation of income and resources. A detailed study has been made in this regard by Dr. Monzer Kahf in his book "Islamic Economy" American Trust Publications, USA. A rich body of literature has come up in recent times on Zakat. The Zakat and Ushr ordinance of Pakistan can be particularly referred to in this connection.

7. Concern for Poor: This is a special feature of Islam. Zakat is one institution which testifies to this. In this connection we may refer to ayat 5-6 of Sura Qasas.) We desired to show favour unto those who were depressed in the earth, and to make them leaders and to make them inheritors and to establish them on earth (Sura Qasas, Ayat: 5-6)

In these verses Allah, the Almighty has expressed His desire to show favour on the depressed people. Islamic economy shall establish all possible institutions to carry out this desire of the Almighty.

8. Distribution of inheritance: Islam has not left the distribution of inheritance on the whims of a person, In Islam a person can not favour one over the other of his relations for temporary or subjective reasons as is the rule in the West. Islam distributes inheritable property among several groups of people:

- i) Children
- ii) Husband/ Wife
- iii) Parents
- iv) Brothers and sisters in certain situations.

This distribution has taken care of different groups keeping in view their social role, requirements and proximity of kinship relationships. For those who remain outside the list of inheritors. Islam has provided for wasiat (will) for all such relations if they are in a distressed condition. A person can will upto one 3rd of his/her property for distressed relations or others outside the inheritors.

Inter – relationships

Now I will examine the inter-relationships of Islamic Economic system and other aspects of Islam and also relationship between state and private sector, between entrepreneurs and workers.

Interrelation between state and private

Islamic Economics is neither totally state dominated as communism nor totally free as capitalism. The Islamic System of life, of course, does not give any hard and fast rule in this regard and is not skewed to the state or to the private sector. Though the spirit of the Islam is freedom in every sector, it does not ban state ownership when public interest so demands. We have seen previously the examples of state ownership in the fore-going discussion and the principles relating thereto. This system is designed in such a way where the participation of the state and the private sectors do not contradict each other's effort. Where the private sector fails to fulfill the *Maqsid-al-Shariah* the state has to intervene and vice versa. *Al-Falah* maximization is the prime

objective of this system where both the government and the private sector will have to participate

Inter-relation between present and future; its relation to the Time-horizon of decision-making

The picture of Islamic Economics what we are seeing now might not be same in forthcoming days since the existing system is developed according to the demand of the day, the future shape of this system or institutional arrangement or their role of various institutions will of course change somewhat or more depending on the circumstances. Muslims, are now resorting to Ijtihad to build new postulates, theories and institutions. Islamization in future would represent a combination of (1) a nucleus for the discipline of economics from the Quran and the Sunnah; (2) the accommodation of functionally Islamic as well as neutral assumptions, postulates, and principles from the existing economic literature; and (3) the addition of new thoughts consistent with the corpus developed on the basis of Ijtihad.

Another aspect is the Islamic state and its economy has to take care of not only existing generation but also the needs of the future generations. We can not deplete all our resources and allow degradation of the environment without considering the interests of the future generations. The state has to protect the environment and use the resources in a balanced way. This is the spirit of the Quranic teaching (Wallazina Zaaau mim baadehim) (there is claim on the existing resources) for f those who will come afterwards (Sura Hashr, verse 10).

Interrelation between the spiritual and the worldly

Mainstream Islamic thought has been very clear in characterizing rational behavior as that which enables the use of God-given resources in a way that helps ensure the individual's this-worldly as well as other-worldly well-being and, thereby, brings about a balance between material and spiritual pursuits and between self-interest and social interest. There seems to have been a consensus

that while poverty (faqr) is undesirable, wealth (ghina) that is acquired wrongfully or which leads to extravagance, vain gloriousness and inequities is also to be censured. The emphasis of most writers has been on a balance between the material and the spiritual. There is nothing wrong in wealthy if it is acquired by rightful means without injustice to anyone, and is spent or invested productively to fulfill one's own needs and those of others in a balanced manner.

Interrelation between entrepreneurs and workers in fulfillment of reciprocal contractual relation

Islamic values require employers to consider employees as members of their own family. This demands that employees be treated with respect and compassion and that their well-being be ensured. Real wages in a Muslim society should ideally be at least at a level that would enable employees to fulfill all their and their families' essential needs in a humane manner. They must also be provided with training, with security and preferably, also a share in profits within the framework of a long-term, harmonious relationship. The objective should be not minimum wage but fair and adequate wages .

A certain agreed proportion of the firm's net profit should be required to be partly allocated for distribution among the employees a profit-sharing bonus and partly utilized to provide training facilities, improve their working conditions, and grant medical benefits, educational allowances for children, housing facilities, and food subsidies. Linking the increase in income and benefits of employees beyond a certain minimum needed for comfortable living to their firm's profitability should have a number of benefits.

Islam believes in peaceful resolution of disputes even in most difficult situations. (Sura Hujurat, verse 9). The same should be the objective in labor-owner dispute. The state should establish a judicial or administrative mechanism for such dispute resolution.

Integration between the different aspects of the Islamic System of life, and the meaning of inter-relation between its components

The Islamic System of Life is designed in such a way where each and every component is interlinked with others. The absence of one component might create a problem for another. The real benefit of the Islamic Economics, is possible if the other components like judicial, administrative or political systems of the society match with the fundamental principles of the Islamic System.

The Islamic System of Life, of course, supports pluralism. But, it does not mean that it wants a hybrid system for the Muslims. Because, this practice usually will not bring benefit for the Muslims. The complete satisfaction, in a nut shell, under Islamic framework depends upon a reasonable integration among the different components of Islamic System of life.

Islamic Banking: Problems and Prospects.

Islamic Banking

Before I discuss about the problems and prospects of Islamic Banking, I am discussing some primary issues such as definition, objective and history of modern Islamic banking.

Definition:

An Islamic Banking is a financial institution that operates with the objective to implement and materialise the economic and financial principles of Islam in the banking arena.

The Organisation of Islamic conference (OIC) defined an Islamic Bank as “a financial institution whose statutes, rules and procedures expressly state its commitment to the principles of Islamic Shariah and to the banning of the receipt and payment of interest on any of its operations.”

According to Islami Banking Act 1983 of Malaysia, an Islamic Bank is a “company which carries on Islamic Banking business..... Islamic Banking business means banking business whose aims and operations do not involve any element which is not approved by the religion Islam.”

Objectives:

The objective of Islamic Banking is not only to earn profit, but to do good and bring welfare to the people, Islam upholds the concept that money, income and property belong to Allah and this wealth is to be used for the good of the society.

Islamic Banks operate on Islamic principles of profit and loss sharing and other approved modes of Investment. It strictly avoids interest which is the root of all exploitation and is responsible for large scale inflation and unemployment.

An Islamic Bank is committed to do away with disparity and establish justice in the economy, trade, commerce and industry; build socio-economic infrastructure and create employment opportunities.

History and Present Status of Islamic Banking around the World **The History of Islamic Banking :**

The History of Islamic Banking could be divided in to two parts. **First** When it still remained an Idea, **Second**-When it become a reality-by private initiative in some counties and by law in others.

Islamic Banking as an Idea :

The scholar of the recent past in early fifties started writing for Islamic Banking in place of Interest Free Banking. In the next two decades Islamic Banking attracted more attention.

Early seventies saw the institutional involvement. Conference of the Finance Ministers of the Islamic Countries was held. The involvement of institutions and Government led to the application of theory to practice and resulted in the establishment of the Islamic Banks. In this process the **‘Islamic Development Bank (IDB)’** was established in 1975.

The coming into being of Islamic Banks:

The first private Islamic Bank, the **‘Dubai Islamic Bank’** was also set up in 1975 by a group of Muslim businessmen from several countries. Two more private banks were founded in 1977 under the name of **‘Faisal Islamic Bank’** in Egypt and Sudan. In the same year the Kuwaiti Government set up the **‘Kuwait Finance House’**.

In the ten years since the establishment of the first private commercial bank in Dubai, more than 50 Islamic Banks have come into being. Though nearly all of them are in Muslim countries, there are some in Western Europe as well: in Denmark, Luxembourg, Switzerland and the UK.

In most countries the establishment of Islamic banking had been by private initiative and were confined to that bank. In Iran and Pakistan, however, it was by government initiative and covered all banks in the country. The Governments in both these countries took steps in 1981 to introduce Islamic Banking.

At present there are Islamic Banks in the following countries:-

- | | | |
|--------------------|-----------------------------|------------------|
| 01. Afghanistan | 17. Gambia | 33. Pakistan |
| 02. Algeria | 18. India | 34. Palestine |
| 03. Albania | 19. Indonesia | 35. Philippines |
| 04. Argentina | 20. Iran | 36. Qatar |
| 05. Australia | 21. Iraq | 37. Russia |
| 06. Bahamas | 22. Jordan | 38. Saudi Arabia |
| 07. Bahrain | 23. Kazakhstan | 39. Senegal |
| 08. Bangladesh | 24. Kibris Turkish Republic | 40. South Africa |
| 09. Brunei | 25. Kuwait | 41. Sudan |
| 10. Cayman Islands | 26. Lebanon | 42. Switzerland |
| 11. Cyprus | 27. Liechtenstein | 43. Thailand |
| 12. Denmark | 28. Luxembourg | 44. Tunisia |
| 13. Djibouti | 29. Malaysia | 45. Turkey |
| 14. Egypt | 30. Mauritania | 46. U.A.E. |
| 15. Germany | 31. Morocco | 47. U. K. |
| 16. Guinea | 32. Niger | 48. S. S. A. |
| | | 49. Yemen. |

Problems being faced by Islamic Banking in the world in general

Most of the Islamic Banks operate on Bai- Murabaha, Bai Muazzal, Bai- Salam, Istisna, Hire Purchase/ Leasing mode of Investment i.e. Islamic Banks always prefer to run on markup/ guaranteed profit basis having Shariah coverage. For this reason some times the conventional Economists and General people failed

to understand the real difference between Islamic Banking and conventional Banking.

Mudaraba and **Musharaka** modes of Investment are ideal but Islamic Banks are not going in these two modes, the reasons for the above are as follows:

- i) There is no systemic analysis and research and no real efforts to introduce above mentioned two modes but the practitioners blame the following factors:-
 - a) There is lack of committed entrepreneur
 - b) There is lack of committed professional who can create new instruments.
 - c) There is lack of committed sponsors who can pressurize the professionals
 - d) There is shortage of skilled professionals.

2. The problem of forward contract/booking of foreign currency.

The value of US Dollars (\$), Pound Sterling, Euro and others are not fixed in Bangladesh, they are fluctuating from time to time. Most of our imports and exports are made in USD and USD being a strong currency always moves upward and the exporters are in better position than the importer in our country. In Bangladesh Forward Booking is required to check the exchange fluctuation for import of heavy/project Machineries where it take long time say one year or six months to produce the same.

But due to the restrictions of Shariah we can not cover the risk of Exchange fluctuation by forward contract as Forward Booking is not permitted by Shariah. As per Shariah, currency, transaction is to be made under certain terms and conditions laid down for "sarf" by Shariah, such as spot possession of both the currencies by both the parties which is not available in forward Booking. It is also prohibited to deal in the forward money market even if the purpose

is hedging to avoid loss of profit on a particular transaction effected in a currency whose value is expected to be declined. This problem requires a solution by Shariah experts.

3. Inland Bill Purchase/Foreign Bill Purchase :

This is another problem of Islamic Bank where the exporters immediately after export of the goods approach to the bank for fund before maturity of the bills to meet their daily needs. Here the Bank has to deploy billions of Taka each year but how and on what mode of investment? The Bank can not take anything by providing fund to the exporter except collection fee for collection of the Bill, which is very poor.

4. Unfamiliarity with the Islamic Banking System

The first problem, is that despite the growth of Islamic banks over the last 30 years, many people in the Muslim and non-Muslim world do not understand what Islamic banking actually is. The basic principle is clear, that it is contrary to Islamic law to make money out of money and that wealth should accumulate from trade and ownership of real assets. However, there does not appear to be a single definition of what is or not an Islamic-banking product; or there is not a single definition of Islamic banking. A major issue here is that it is the Shariah Councils or Boards at individual Islamic banks that actually define what is and what is not Islamic banking, and what is and what is not the acceptable way to do business, which in turn can complicate assessment of risk for both the bank and its customer. More generally, the uncertainty over what is, or is not, an Islamic product has so far prevented standardization. This is difficult for regulators as they like to know exactly what it is they are authorising. It is also an added burden on the banks that have to educate customers in new markets.

5. Portfolio Management :

The behaviour of economic agents in any country is determined partly by past experience and present constraints. The Islamic

banks are still growing in experience in many countries. Regarding constraints, Islamic banks in different countries do not freely choose arrangements, which best suit, their need. As a result, their activities are not demand-oriented and do not react flexibly to structural shifts in the economic setting as well as to changes in preferences. It is known to the bank management that a certain portion of the short-term fund is normally not withdrawn at maturity; these funds are used for medium or long-term financing. However, a precondition for this maturity transformation is that the bank be able to obtain liquidity from external sources in case of unexpected withdrawals. Islamic banks, without having an interest-free Islamic money and capital market, have no adequate instruments to meet this pre-condition for effective maturity transformation. On the other hand, Islamic banks can enhance term transformation if there is an interest-free bond market or a secondary market for Islamic financial papers. Adequate financial mechanism still has to be developed, without which financial intermediation, especially the risk and maturity transformation, is not performed properly.

6. The Regulatory environment

The relationship between Islamic banks and monetary authorities is a delicate one. The central bank exercises authority over Islamic banks under laws and regulations engineered to control and supervise both traditional banks. Whatever the goals and functions are, Islamic banks came into existence in an environment where the laws, institutions training and attitude are set to serve an economy based on the principles of interest. The operations of Islamic banks are on a profit and loss share basis (PLS), which actually do not come fully under the jurisdiction of the existing civil laws. If there are disputes to be handled, civil courts are not sufficiently acquainted with the rationale of the operations of Islamic Banking. Regarding the protection of depositors, Islamic Banks are required to let the authorities know the difference between money paid into current accounts and money paid into

investment accounts. Islamic banks operate two broad types of deposits:

- a) Deposits, which cover transaction balance. These have a 100 percent reserve requirement and completely safe, thus satisfying the needs of risk averters, and
- b) The PLS or equity account, in which depositors are treated exactly as if they were shareholders in the bank. There is no guaranteed rate of return or nominal value of the share.

In non-Muslim countries (i.e., the countries with less than 50% Muslim population) the central banks are very stringent in granting licenses for Islamic banks to operate. In order to be established in those countries Islamic banks must also meet the additional requirements of other government and non-government authorities. (So, apart from legal constraints there are economic measures that result operations of Islamic banks in the non-Muslim world difficult). In Muslim countries also they face economic restrictions. Besides funding, acceptable investment outlets is a major challenge for Islamic financial institutions.

7. Absence of Liquidity Instruments

Many Islamic banks lack liquidity instruments such as treasury bills and other marketable securities, which could be utilised either to cover liquidity shortages or to manage excess liquidity. This problem is aggravated since many Islamic banks work under operational procedures different from those of the central banks; the resulting non-compatibility prevents the central banks from controlling or giving support to Islamic banks if a liquidity gap should occur. So the issue of liquidity management must come under active discussion and scrutiny by the authorities involved in Islamic banking.

8. Use of Advanced Technology and Media

Many Islamic banks do not have the diversity of products essential to satisfy the growing need of their clients. The importance of using proper advanced technology in upgrading the acceptability of

a product and diversifying its application cannot be over emphasized. Given the potentiality of advanced technology, Islamic banks must have to come to terms with rapid changes in technology, and redesign the management and decision-making structures and, above, all introduce modern technology in its operations. Many Islamic banks also lack the necessary expertise and institutional capacity for Research and Development (R & D) that is not only necessary for the realization of their full potential, but also for its very survival in this age of fierce competition, sophisticated markets and an informed public. Islamic banking cannot but stagnate and wither without dynamic and ongoing programmes. In addition, Islamic banks have so far not used the media appropriately.

Even the Muslims are not very much aware that the Islamic banking is being practiced in the world. Islamic banks have not ever used an effective media to publicise their activities. The authorities concerned in Islamic banks should address these issues on a priority basis.

9. Need for Professional Bankers

The need for professional bankers or managers for Islamic banks cannot be over emphasized. Some banks are currently run by direct involvement of the owner himself, or by managers who have not had much exposure to Islamic banking activities, nor are conversant with conventional banking methods. Consequently, many Islamic banks are not able to face challenges and stiff competition. There is a need to institute professionalism in banking practice to enhance management capacity by competent bankers committed to their profession. Because, the professionals working in Islamic banking system have to face bigger challenge, as they must have a better understanding of industry, technology and the management of the business venture they entrust to their clients. They also have to understand the moral and religious implications of their investments with the business ventures. There is also a need for banking professionals to be properly trained in Islamic banking and finance. Most bank's professionals have been trained

in conventional economics. They lack the requisite vision and conviction about the efficiency of the Islamic banking.

10. Blending of Approach of Islamic Scholars with the Approach of the Conventional Bankers

Bankers, due to the nature of their jobs have to be pragmatic or application-oriented. There is and will be tendency in the bankers practicing in Islamic banks to mould or modify the Islamic principles to suit the requirement for transactions at hand. Additionally, being immersed in the travails of day to day banking, they find little time or inclination to do any research, which can make any substantial contribution to the Islamic banking. Islamic Scholars active in researching Islamic Banking and finance, on the other hand, typically have a normative approach, i.e. they are more concerned with what ought to be. A very few of them are knowledgeable about banking or the needs of the customers.

(ii) Problem Specific to Islamic Banking in Bangladesh

1. Absence of Islamic Money Market

In the absence of Islamic money market in Bangladesh, the Islamic banks cannot invest their surplus fund i.e., temporary excess liquidity to earn any income rather than keeping it idle. Because all the Government Treasury Bills, approved securities and Bangladesh Bank Bills in Bangladesh are interest bearing. Naturally, the Islamic banks cannot invest the permissible part of their Security Liquidity Reserve and liquid surplus in those securities. As a result, they deposit their whole reserve in cash with Bangladesh Bank. Similarly, the liquid surplus also remains uninvested. On the contrary, the conventional banks of the country do not suffer from this sort of limitations. As such, the profitability of the Islamic banks in Bangladesh is adversely affected.

2. Absence of Suitable Long-term Assets

The absence of suitable long term assets available to Islamic banks is mirrored by lack of short term tradable financial instruments. At present there is no equivalent of an inter-bank market in Bangladesh where banks could place, say, over night funds, or

where they could borrow to satisfy temporary liquidity needs. Trading of financial instruments is also difficult to arrange when rates of return are not known until maturity. Furthermore, it is not clear whether Islamic banks in Bangladesh can utilise more exotic instruments, such as derivatives, that are becoming increasingly popular with conventional banks. Obviously, these factors place Islamic banking in Bangladesh at a distinct disadvantage compared to its conventional banking counterpart.

3. Shortage of Supportive and Link Institutions

Any system, however well integrated it may be, cannot thrive exclusively on its built-in elements. It has to depend on a number of link institutions and so is the case with Islamic banking. For identifying suitable projects, Islamic banking can profitably draw the services of economists, lawyers, insurance companies, management consultants, auditors and so on. They also need research and training forums in order to prompt entrepreneurship amongst their clients. Such support services properly oriented towards Islamic banking are yet to be developed in Bangladesh.

4. Organising Relationship with Foreign Banks

Another important issue facing Islamic banks in Bangladesh is how to organise their relationships with foreign banks, and more generally, how to conduct international operations. This is, of course, an issue closely related to the creation of financial instruments, which would be simultaneously consistent with Islamic principles and acceptable to interest-based banks, including foreign banks.

5. Long-term Financing

Islamic Banks stick very closely to the pricing policies of the government. They can not benefit from hidden costs and inputs, which elevate the level of prices by certain entrepreneurs without any justification. On the other hand, Islamic banks as financial institutions are even more directly affected by the failure of the projects they finance. This is because the built in security for

getting back their funds, together with their profits, is in the success of the project. Islamically, it is not lawful to obtain security from the partner against dishonesty or negligence, both of which are very difficult if not impossible to prove.

Prospects

In my understanding the prospect of Islamic Banking is very bright. Muslim people everywhere want Islamic Banking. In Bangladesh, to give an example, 4/5 conventional Banks have opened separate Islamic branches recently. Five hundred applications are pending with Islamic Bank Bangladesh Ltd. for opening of new braches. IBBL has already 132 branches in the country.

The position may not be same in all countries. But if Islamic Banking succeeds in any country, the position will same in every Muslim country in my judgment. This means, that first Islamic Bank in any country should be well managed and successful so that people have faith in this system. Established Islamic Banks should co-operate by lending competent officials in setting up new Islamic Banks.

The problems mentioned in the preceding pages are not insurmountable. Most of them can be solved with more research and dedicated efforts. IDB, OIC Fiqh Academy, Internatinal Islamic Banking organizations and individual Islamic banks should put more resources in research in Islamic Banking, Finance and Economic issues. Cooperation of Central Banks and the Governments. will be needed in some areas. I have no doubt in mind that Islamic banking will expand more and more in the entire world.

ZAKAT : SOME RELEVANT ISSUES

1. Zakah and Tax : Conceptual Difference

"Zakah" in the lexicon means a thing which increase gradually. Lisanul Arabii[i][i], a major book on the meanings of Arabic words, explain it as "cleanliness, gradual increase, excess, praise". In the technical Shariah meaning, Zakat means that part of wealth whose payment has been made obligatory by Allah and His Prophet (SM). Similarly, giving of specified part of the wealth who are entitled to get it, is also called Zakat.iii[ii][ii]

Giving this wealth is called Zakat because it cleanses the heart and mind of the payer, it cleanses also his wealth (in the ultimate economic analysis). It gives increase to the poor in the sense that he gets something for his benefit and his mind is satisfied which is a psychological increase.iv[iii][iii]

On the other hand, Tax is an obligation imposed by the state on the citizens. Taxation is required to cover government expenditure. For a long time, governments imposed taxes to raise revenue only to cover the cost of administration and defence, and in the case of despotic monarchs for personal expenditure of the ruler.v[iv][iv] Now a days, taxes are no longer levied for defence and administration only, but also for the purpose of furthering social and economic policy of the state.

2. Similarities and Dissimilarities Between Zakat and Tax

There are some important similarities and dis-similarities between Zakat and Tax.

Similarities

a) Zakat is liable to be collected by force like tax, if the payer does not pay it willingly. This position is applicable where the state compulsorily collects Zakat, and in modern days, has legislated accordingly. The Quran and the Sunnah make it very clear that it is the obligation of an Islamic state which follows Islam to collect

Zakat. An important proof in this regard is the decision of Hazrat Abu Bakr (R.A.), the first head of the state of the Islamic Khilafat, to wage war against those who denied to pay Zakat to the state.vi[v][v]

b) Zakat collected in an Islamic state has to be kept in the Treasury, in a separate account, like tax, if collected by the state officials (Amelina Alaiha). However, if Zakat is collected by Non-government organizations or communities, these should be kept safely as in the case of any public fund and should be strictly audited .

c) Zakat, like tax, is paid though there is no direct and equivalent economic benefit is obtained by the payer This is a different matter that Zakat payer expects return in the life hereafter and the tax payer may receive some service from the state in return but there is no direct co-relation

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Dissimilarities

a) There are also important conceptual and other differences between Zakat and Tax. Primarily, Zakat is an Ibadah (act of worship) which Allah has made compulsory on human being, to express gratitude to Him and to obtain His nearness (Taqwa). Tax is not the same thing as Zakat. Tax is a social obligation without having special sense of gratitude to Allah or to obtain nearness to Allah while Zakat is essentially a matter between Allah and His servants, but tax has been primarily a matter between citizens and the state authorities..

b) Zakat is based on Nisab, any wealth below a limit is exempted from Zakat. This is not true in case of many taxes in modern times. Concept of exemption is there in case of tax but it is applicable only when and where the Government or Tax authorities specifically prescribe.

c) Zakat is a permanent and regular system. None can change it in any way. On the contrary, most of the taxes undergo change from time to time.

There is difference in the objective and intent between Zakat and Tax. As Allah has said,

"Take from their wealth Charity (Zakat) so that thereby you make them clean and pure and pray for them. Your Prayer (for them) is a source of comfort for them. Allah is All hearing, All-knowing" ... (Tauba : 103)

The intent of Zakat is to make wealth pure (in moral sense) and cleanse the heart of human beings from greed and hoarding. The object of Zakat is spiritual as well as economic. But the object of tax is much more mundane and worldly. Tax could never achieve the moral and spiritual objectives of Zakat in any time of history.

There is difference between Zakat and tax in respect of the utilisation of respective fund whereas tax can be spent for any purpose. Zakat is meant to be spent for specified objectives which are mainly provision for the poor (poverty alleviation), to free debtors from the debt, to free the people in bondage, for the way farer and for the good of the people i.e. Fi Sabi Lillah.vii[vi][vi]

3. Items on which Zakat is leviable

I am giving below the items on which Zakat is leviable from the annexure of Zakat rules of Bangladesh in the preperation of which this writer was involved. The list was essentially taken from Zakat Ordinance of Pakistan. (Please see the rulea below)

Sl. No	Assets on Which Zakat is Payable	Nisab for Payment of Zakat	Rates at Which Zakat is Payable
1.	Cash in hand or Bank; share certificate; bond and the like (face value); amount	Value of 52.5 tola of silver (612.36 gm)	2.5 % of the amount

	received on maturity or as survival benefit or on surrender from life insurance during a year; amount received on final settlement or on non-refundable withdrawal from provident fund during a year.		
2.	Gold, Silver, precious metal, ornaments of gold and Silver	7.5 tola (87.48 gm) in case of gold; 52.5 (612.36 gm) tola in case of silver; and value of 52.5 tola (612.36 gm) silver in case of gold and silver mixed.	2.5 % of the market value.
3.	Stock in trade of commercial and industrial undertakings.	Value of 52.5 tola silver (612.36 g)	2.5% of the book value or market value (at the option of Zakat payer.
4.	Agricultural produce	5 wasaq or 948 kilograms per crop	10% of produce in case of non-irrigated land and 5% of produce in case of irrigated land, or value thereof.
5.	Animals a) Sheep or goat;	40 (forty)	i) for owner of 1 - 39 heads : nil ii) for owner of 40 - 120 heads : 1 sheep/goat iii) for owner of 121 - 200 heads : 2 sheep/goats iv) for owner of 201 - 300 heads : 3 sheep/goats v) for owner of every complete : additional hundred head 1 sheep/goat be added.

	b) Cows, buffaloes or other bovine animals	30 (thirty)	i) for owner of 1 - 29 heads : nil ii) for owner of 30 - 39 heads : 1 year old calf iii) for owner of 40 - 59 heads : 2 years old calf iv) for owner of 60 head or more : 1 year old calf for each 30 heads
6.	Mineral production	Any quantity	20% of the market value of mineral excavated
7.	Other assets	As per Shariah	As per Shariah

4. Legality of Raising Taxes in Addition to Zakat

Whatever were the differences in the early writings of Fuquaha (Jurists) of Islam in early period of Islam, there is no serious disagreement among the Fuquaha or Islamic Economists of the current time, as regards of the legality of imposition of taxes in addition to Zakat. Rather a consensus is likely to be prevalent in this regard. Current writings of Islamic Economists, Fuquaha and recent books of Fatwa of the competent Ulama justify this view.

Dr Yusuf Al-Qaradawi in his monumental work *Fiqh-uz-Zakat* (Law of Zakat) has given the following arguments in favour of imposition of Taxes by Islamic states, if needed :

Firstly, in his chapter on "whether there is right on wealth other than Zakat", it has been stated that jurists have, by and large, agreed on this point that in the case of genuine need for Muslims, tax can be imposed even after Zakat.

Secondly, there are needs which cannot be met by Zakat resources i.e. running of general administration, national infrastructure building and so on. This requires imposition of taxes beyond Zakat. Jurists are on the opinion that "which is necessary to complete wajib is wajib (obligatory).

Thirdly, general principle of Fiqh is that "avoidance of damage will get priority over doing of good". If proper economic duties are not

performed by the state due to lack of resources, this will lead to serious public dissatisfaction and create violent situation. As such, the state has to obtain required amount of resources through taxes for carrying out its duties

Fourthly, Allah has made it obligatory to carry out Jihad (defence of Islam and Islamic territory and to put an end to oppression anywhere in this world) through employing one's life and wealth.^{viii}[vii][vii] This is a duty beyond Zakat. To carry out a major Jihad in this age, if needed, there is no other way but to raise resources through taxes.

Al-Qardawi also mentions that evidence against taxes beyond Zakat from the Hadith are either weak or not unequivocal, whereas the evidence in support of dues other than Zakat from the Quran and Sunnah are very strong.^{ix}[viii][viii]

There is also consensus among scholars now a days, that even if people pay other taxes, the obligation of payment of Zakat does not lapse. Zakat has been made compulsory, in part, on the Muslim citizen in Pakistan, through promulgation of *Zakat and Ushr Ordinance*, even though the Muslim citizens pay other taxes such as Income tax, sales tax, import tax. However, Zakat paid is deducted from total income liable to income taxation.

The same provision has been made in Zakat Ordinance of Bangladesh though Zakat payment here is optimal. The Ordinance and the rules made thereunder provide for the items liable to Zakat, Nisab thereof and the rates of Zakat. The Zakat rules of Bangladesh is given in Appendix-A. In Bangladesh also, Zakat Payment does not mean that the payer can escape other taxes

There is no reason why other taxes would not be paid if Zakat is paid, because the purpose of Zakat levy and the purpose of taxation, as discussed before in the paper, are very different. Zakat can not meet the need of general revenue.

5. Probable Taxes in An Islamic State

What sort of tax can be levied under Islamic system after payment of Zakat ? In my view, all sorts of taxes in whatever name can be levied under Islamic system, as long as revenues are needed for the development and defence of the country and for social welfare.

It is not necessary to levy special tax on the non-Muslims. As long as the non-Muslims pay taxes like Income tax, Customs duties, Value Added Tax, etc. as token of their obligation and obedience to the state, there is no need for a special tax only on Non-Muslims. Islamic states of Iran, Pakistan, Saudi Arabia, do not think it necessary to impose a special tax on Non-Muslims in particular name.

This is also the view of the great jurist of the current age Dr. Yousuf Al-Qaradawi. (Kitabul Amwal).^x[ix][x] (Dr Monzer Kahf during discussion on the paper mentioned that Zizia is not revelent in the modern states as these are not conquered territories rather these states mostly have been established by the joint struggle of the Muslims and non-Muslims. Syed Abul-Ala Maududi has also stated in his book "Rasail Wa Masail" (Vol. IV, page 158, Bangladesh Edition published by Syyed Abul Ala Maududi, Maududi Research Academy, Moghbazar, Dhaka) in response to a question on rights of Non-Muslims that Zizia is applicable only in case of citizens of conquered territories and not applicable to the non-Muslim citizens of country like Pakistan and Bangladesh).

6. The beneficiaries of Zakat are well-known, they are the poor, the destite, the Zakat officials, the debtors, the captives and for general welfare (Suras Tauba, verse 60)

7. A few words about loan taken by the Zakat payer, this may be deducted against cash and liquid assets if taken for consumption purposes (such as daly necessities, marrage and educational expenses). Loan taken against business can be adjusted against business stock at the time of payment of Zakat. Loan taken against house and car can not be adjusted against cash or other assets as house and car are not themselves Zakatable assets (Please see the

Pakistan Zakat Act). Creditor will pay Zakat on loan given by him only once when the creditor will get back the loan, this is the majority view of Fukaha.

8. Conclusion

As we have seen one of the major objectives of Zakat is poverty alleviation. The issue is, can Zakat be spent on Non-Muslims for this purpose. Though a number of Jurists have viewed that Zakat can be spent on non-Muslims, the majority view is that for poverty alleviation of Non-Muslims non-Zakat resources should be spent. There is no disagreement on the point that poverty alleviation and welfare of non-Muslims is an important concern for an Islamic state.

In my view Zakat receipt would be sufficient in most of the countries which have attained mid-level development in making provision for the poor and the unemployed. It may not be sufficient in some countries where there is massive poverty. These countries need other resources to tackle the problem of poverty.

Footnotes

- 1[1][1] Lisanul Arab,
- 2 Dr Yusuf Al-Qaradawi, Fiqhuzakat, Vol.- I, Introductory discussion.
- 3 ibid, Vol-1, Dr Yusuf Al-Qaradawi, quotes Imam Taimia, Imam Nabwi and others in this regard
- 4 A Text book of Economics, J.I. Hanson, Chapter-30 on Public Finance.
- 5 Syed Amir Ali, the History of Saracens, also books of Hadith.
- 6 Al-Quran - Sura : 9, Ayat : 60
- 7 Sura Tauba : 41, Sura Hazrat : 15, Sura Saf : 11 and many other verses of the Holy Quran.
- 8 Fiqh-uz-Zakat, Vol-2]
- 9 Dr Yusuf Al-Qaradawi, Fiqhuzakat, Vol.- I, "Zizia" Section.
- 10 Dr. Yusuf A-Qaradwabi, Law of Zakat, Vol.1, Chapter-2.

The Conflict Which Has No Frontier

The world is witnessing at the present time a conflict between western and Islamic civilizations. We were not that much conscious about this conflict in the past. But it is true that there was conflict between these two civilizations at different levels. For example in terms of faith, legal system and culture.

Sometimes conflict turned into confrontations. Muslim power occupied some Christian territories. They conquered Iraq, Syria, Palestine, Egypt etc. At that time many Jews and Christians lived in those countries. Later Turks occupied parts of eastern Europe. On the other hand, we have seen Christians to occupy a part of Egypt, a part of Palestine and Syria at the time of Crusades. Later the European, or it can be said the Christian power, occupied the whole world. They conquered the whole of Asia and Africa, most of which were Muslim lands.

Thus there were differences, conflicts and confrontations. But this hasn't been theorized until recently, may be because it was not clear or obvious or may be then scholars did not want to develop an un-pleasant theory of clash of civilization. On the other hand it cannot also be said that there was always conflicting atmosphere. Sometimes there was competition - even cooperation. But it is Huntington who made it into a theory of an all out and absolute theory in his book "The Clash of Civilization". Huntington's theory justified a sub-conscious feeling into a conscious clash of civilization. He did not do well to the humanity by sensitizing them on this issue.

As a matter of fact, none of the civilizations, western or Islamic, has uniformity in culture or civilization. Western civilization has many variations. It has different characteristics. Still it has an overall unity. Unity on the basis of materialism and secularism. Their conviction is that social life should not be guided by the injunctions of the Creator and that politics and economics should not be guided by religious values. This type of secularist view has shaped the modern civilization into a sort of materialism which

only inspires to earn, enjoy and indulge. It is not to deny that this civilization has many worthy contributions, however its dark sides are quite evident.

On the other hand Islamic civilization has also many local or variant shapes in terms of culture though the basic beliefs and values are the same, being based on the core teachings of the Quran and the Sunnah. It has overall unity which is evident in the countries within its domain, be it Indonesia, Pakistan, Morocco, Bangladesh or Turkey. Their faith is same. Their culture is quite similar. Their moral values are same. They adhere to Quran and sunnah generally..

Now I would like to discuss the characteristics of the conflict. This conflict is such that it is not limited to any state border. This conflict has entered into every village, into every ward, district, town and city, into every locality. In the same way conflict is there in every office and educational institution. Every where, because of western cultural penetration, there are enthusiastic supporters of western cultural practice. Their goal is to make our entertainment like them, to make our movies like them, to make our media like them and to make our drama and literature filled with sexuality. Television is being used as a powerful tool in realization of this goal. By dint of television conflict has penetrated into every home.

They are trying to force their culture and we are trying to protect it. We are not only protecting, we have also become agents of spread of Islamic culture in the West because of immigration and converted new Muslims. These Muslims are trying to live with Islamic culture even though they are encircled with the western culture. Their presence there show that Islamic culture is superior than western one – in Islamic culture, the family is stronger, parents get more respect, children get more attention, illicit sexuality is shunned, family structure is well protected and so on. The West is feeling pressure in the cultural field. They are facing the challenge of this culture in their own heart. Thus it is not only we who are facing challenges but the West also thinks that they are

being challenged. Moreover some people of the West are sympathetic to Islamic culture. Some of them are converting to Islam too. West is considering this phenomenon also as a challenge to its culture.

In the same way, west is also trying to politically dominate Muslim world and the third world .Particularly they are more interested in dominating the Muslim world. They are trying to motivate and cultivate people of these countries to work in their favor. They prepare their supporters in each Muslim country from among the intellectuals to work for them. They are using various means to achieve their objectives. They are trying to keep their dominance in the economic field also. They have built their economy mostly by exploiting the wealth of Asia and Africa for last two hundred years. They are trying to keep that dominance still today. They have forced the world especially the Muslim world to an imbalanced competition in the name of globalization.

The same thing is also true for education also. They are trying to influence us with the “Social Sciences”, most of these disciplines developed completely on their ideological view-point. In sociology there is no place for God. Sociology presumes that religion is a human creation. But they could have portrayed the society as the creation of God. God has created human being and has given him such instinct that he cannot live alone. Thereby he is inclined to live in a socialized environment. He is inclined to form family. Everyone in the society is dependant on each other. This idea towards society, man and its Creator could have been incorporated in sociology. On the contrary in line of the western thought they have rejected the concept of God totally in sociology. There was no justification to develop sociology on the basis of atheism alone. In natural sciences there is no mention of God anywhere as Creator of the Universe and the Maker of natural laws. Sometimes they mention Nature, what it is I do not know. Capitalism is claimed by the west to be the best system for the world. Its darker sides have been overlooked completely. In the theory of capitalism there is hardly any reference to the problems

of the poor. No solution is suggested about this in its theory. It is a different matter that they are taking measures in many places to tackle poverty going out of the framework of the theory of capitalism. Still they are ignoring this fact and claiming the superiority of capitalism, Whereas the reality is contrary to it. Capitalism has many problems. Its market system has many failures. As aforesaid, there is nothing in it for poor, that makes capitalism the most inhumane justice-denying system

In the social field, the difference between western and Islamic civilizations is very acute, it is evident from the fact that they consider adultery as trivial and not an offence whereas we consider it as one of the gravest sins which is seriously punishable as well.

Thus this conflict with Islamic civilization is basically in the area of culture, education and value, If we are to protect this, to overturn this, to win this struggle, we would require numerous competent manpower. In order to face the confrontation we need leaders and activists who would achieve their objective peacefully and democratically. But the question is where it is needed. The answer is everywhere. Because this confrontation has no definite border. Every quarter of the city and village needs workforce.

Those who have owned up the values of the West are everywhere, prepared to work for them. So those who want to work for Islamic civilization and culture, want to protect the soul of Islamic civilization, want to protect Tawhid (the conviction that the basis of every affair would be the existence and unity of God) and the very existence of God would not be avoided in conducting human affairs. This would require competent workers and leaders in favor of their cause. Numerous workers and leaders competent to face the confrontation are needed everywhere- in every villages, schools and colleges, in the field of print and electronic media and so on. . The members of the all Islamic parties have to be leaders and workers simultaneously in their respective places. We need numerous writers too. That is everywhere and in every field we need activists and leaders. We have to really understand it.

Those who work for Islam and Islamic civilization have to think themselves that how much time they are giving in this regard. If we observe closely we can see that professionals are giving twelve to fourteen hours in pursuit of earnings. Naturally they don't have enough time after that. They have unnecessarily increased their needs. A hidden or disguised materialism has over-powered them like the people in the West. They could give more time to study instead and strengthen their qualities. But in reality this is not happening. Businessmen, doctors, lawyers and many other professionals give most of their time in their business. So they have no time left. They are investing whole of their time (time means life), which is the prime bounty bestowed by Allah, into business for earning mainly. Generally Small part of their earnings they may spend for Allah. But they are not spending any significant portion of their time, the another name of life. Spending some money for humanity is good. But it cannot be commensurate with spending time and energy. So it would be ideal if we could manage to spend eight hours for professional purposes (there can be some variation depending on the profession) and rest of the five or six hours of waking time for the welfare of humanity, society and nation, for the welfare of distressed and for progress of Islamic and human cause.

It can be concluded that in this complicated and multi-faceted conflict between the two civilizations, as there is no border or specific frontline, sending people to a fixed place would not help our cause. It is a borderless struggle or conflict. We need numerous workers, each of whom would work in his/her place and also beyond, if he/ she can do. We need to give time. A good indicator to measure is to compare how much time we have spent for monetary return and how much time spent without return, solely for humanity, society, nation, for Islam and for distressed. I think these guidelines should be followed by leaders and workers of Islam, Alims, student activists and all concerned.

Islamic Banking: has Firm Legal Foundation.

There has been some discussion whether Islamic Banking in Bangladesh has legal foundation. First of all, this discussion after 25 years of Islamic banking in Bangladesh and after one of the Islamic Banks has gone to the top of the Banking in the country is unthinkable and unreasonable and unfair. These Islamic Banks are operating in this country for the last 10/15/20 years and to think that it is possible for such financial Institutions to run in a country without legal foundation or without the cover of law is totally unthinkable which some newspapers had alleged.

The truth is that no bank is permitted unless the whole matter is processed by the Bangladesh Bank first and second it is approved by an Inter-Ministerial committee in the Ministry of Finance. The issue of permission of all Islamic Banks like other banks was discussed in the above committee and only after their clearance, the Bangladesh Bank issued license. All the licenses of Islamic Banking say that the permission to open the Bank is subject to fulfillment of Shariah.

So this is the basis and the bank has to follow Bank Company Act and other relevant Acts. These are the conditions for license. So no Bank in this country, Islamic bank or any other bank is operating without a license issued by the Central Bank and the clearance of the committee of the Ministry of Finance.

Moreover, the Bank Company Act is not for conventional Banks only but for all Banks. The only difference is that when Bangladesh Bank gives license to an Islamic Bank they add only one more condition that the Islamic Bank should follow Islamic Shariah. Islamic Banks are also supervised by Bangladesh Bank in the same manner as they do other Banks.

So the allegation is not true. Bank company Act has been amended several times to accommodate Islamic Banking. The act was amended to permit trading as required by Islamic Banking. Off

course the Islamic Banks want a new Act for Islamic Banking. But even without a new act this Act is serving most of the needs of Islamic Banks.

As regard Shariah Council, some people has said they have no legal foundation. Shariah Council is nothing but a kind of committee of the Bank and the Bank can constitute any needed committee. A bank can establish training academy, for that it does not require any permission from Bangladesh Bank. Shariah Council has been established in terms of the condition of license granter by the Central Bank to abide by Shariah. Moreover, it is in keeping with the practice of all other Islamic bank around the world. Central Shariah Board was formed in terms of a decision taken in a meeting held in the Bangladesh Bank. So I would say that the allegation that Islamic Bank or Central Shariah Board or Shariah Councils have no legal foundation is born out of ignorance. I think it is wrong and I hope this article will clarify the allegation.

Shah Abdul Hannan: Former Secretary, Gov. of Bangladesh.

Campaign against Islami Bank : What is behind it

It is unfortunate that recently a section of press in Bangladesh has started a campaign against the biggest private sector Bank in the country- The Islami Bank Bangladesh Ltd. (IBBL).

The pretext is finding of check books of IBBL (of a branch of the Bank in Sylhet) in the hideout of sheikh Abdur Rahman, a terrorist leader connected with series of bomb-blasts in Bangladesh.

Most of these newspapers intentionally suppressed the fact that checkbooks of two other banks, one in the government sector and the other in the private sector, were also found in the same house.

Islami bank has clarified the matter already as follows: Some newspapers and television channels publicized news about Islami Bank Bangladesh Limited in connection with finding out a cheque book of a deposit client of Islami Bank Bangladesh Limited at Suryadighal Bari, the hideout of JMB leader Shaekh Abdur Rahman,. We feel necessity to explain this matter to relieve misunderstanding among the people.

The fact is: Some Saidur Rahman opened an account abiding by all banking procedures at Laldighirpar Branch of Islami Bank Bangladesh Limited in 27.02.1999. Janab Md. Abu Walid Chowdhury, the then Assistant Officer of the Branch (presently Manager of Biswanath Branch). signed a/c opening form as the introducer of that account. Currently there was no transaction in his account. The account was reactivated by the written application of Saidur Rahman. Total amounting of Taka 4 lac 15 thousand (taka four hundred and fifteen thousand, less than six thousand US dollar) was transferred to the account with different 8 TT from Gazipur and Savar Branches of the Bank. This transaction couldn't be suspected for the daily banking duty. After getting the cheque

book of the client from the hideout of Shaekh Abdur Rahman, the Bank immediately sent Audit and Inspection teams to the said branches and found few lapses on issuing TT. It was informed the Bangladesh Bank immediately and Administrative action was taken against the relating officials. Bangladesh Bank also inspected the matter and issued a Show Cause notice asking the explanation about the lapses. Islami Bank Bangladesh Limited will reply the letter with explanation positively in time.

We want to announce clearly that Islami Bank Bangladesh Limited does not support terrorist activities let alone involvement in such activities, operating as the source of terror funding or financing the terrors. Islami Bank Bangladesh Limited as a scheduled bank is being operated by obeying rules & procedures of Bangladesh Bank.

Md. Ataur Rahman, Senior Vice President, Islami bank Bangladesh Limited, Public Relations Department, 40. Dilkusha Commercial Area, Dhaka-1000. Bangladesh.

Even after clarification this section of press has continued with propaganda against IBBL which can have disastrous consequences for the banking sector, share market and the economy.

I give below as example some of the news items below:

1. The heading of daily Jugantar dated 30th March 2006 was "Islami Bank in bad shape due to Jamaat connection: price of share has further declined"

Jugantar unnecessarily brought in Jamaat connection. It also did not bother that it is dangerous to weaken confidence on a bank, that also of the strongest bank of the country, for the banking system and the economy.

2. The same paper on 29th March, 2006, gave same type of heading. It also said in its report on Islami Bank " It is understood that there are hundreds of accounts of the terrorists by name or by anonymous name in Islami bank".

If the paper knows why do they not give this information to the central bank?

The paper also quoted a reliable central bank source that the central bank will soon take action against the Islami Bank.

I am not sure that the source has been properly quoted. I know as a former central banker that it does not disclose any information which harms a financial institution. However I also do not understand why the Bangladesh Bank (The central Bank) is not denying such premature disclosure and not clarifying the issue so that the financial system is not affected. It is the duty of the central bank to protect integrity of the financial system.

I also think it is time to amend the Banking Act. including a section in it that damaging confidence on a bank or financial institution or the financial system is a grave offence liable to serious punishment.

3. Daily Janokhantho on 29th March, 2006 reported” 150 terrorist accounts in islami bank”. I have no further comment on this.

4. A report on Janokhantho on 24th March, 2006 reports that some political leaders of a leftist party have demanded to ban Islami Banks. However I find them silent on 17 other banks under investigation by Bangladesh bank on terror financing as reported by Daily Amar Desh dated 29-3-2006.

This shows the nature of the orchestrated campaign against Islami Bank by elements opposed to Islam and Islamic institution. It is not an isolated affair. It is the old disease of Islamphobia, that is to popes Islam and find fault with anything Islamic. I can only hope that the people of Bangladesh and their friends will understand this phenomenon.

(The writer is the former Banking Secretary in the Finance Ministry of the Government of Bangladesh).