

The Way Out Bangladesh Islamists' Impasse:

Shah Abdul Halim

[This article is the political thinking of a cultural activist. The writer is a researcher and Chairman of Bangladesh Center for Islam and Pluralism. He can be reached Email: sah1947@yahoo.com]

In July 2008 I attended an international workshop on 'Politics and Islam' in Islamabad that was organized by Henry L. Stimson Center, a Washington based U. S. Think Tank. Diaa Rashwan, Director of Al Ahram Center for Political Strategic Studies Egypt attended the event. We had a good discussion on the political situation in Egypt and the activities of the Muslim Brotherhood in the sideline of the workshop. Diaa then informed me that Brotherhood is planning to float a new political party. The debate was then going on "whether this prospective party will be a means for the Muslim Brotherhood to carry out its public and political work, or if it will replace the Brotherhood entirely" [Diaa Rashwan, Political Islamists Movements: The Case of the Muslim Brotherhood in Egypt in Islam and Politics: Renewal and Resistance in the Muslim World, Stimson Regional Voices, Henry L. Stimson Center Washington, 2009, pp 3-16]. Now in the backdrop of the downfall of President Hosni Mubarak, Brotherhood has floated a new political party - Freedom and Justice Party. The Muslim Brotherhood would however continue to operate as the parent organization.

What is the lesson Islamists in Bangladesh can draw from the Egyptian experience is a very pertinent question now hitting the mind of the political observers here. In Bangladesh the mainstream Islamist, the Bangladesh Jamaat-e-Islami, analysts say, has lost much of its credibility for opposing the liberation war of the country in 1971. Whether this analysis is right or wrong, the fact remains that the secular forces here have been quite successful to discredit Bangladesh Jamaat-e-Islami in the public eyes and have also been successful to poison the minds of the new generation of people against it. That being the scenario, many analysts consider Jamaat-e-Islami as a "spent force" [Abid Ullah Jan, Moderate Islam: A Product of American Extremism, American Journal of Islamic Social Sciences, jointly published by Association of Muslim Social Scientists and International Institute of Islamic Thought, Herndon, V.A., U. S. A., Vol. 22, No. 3, Summer 2005, p 35]. It has hardly any future.

In this backdrop, a workshop was held in Dhaka in July 2009. It was participated by all former Presidents of Islami Chhattra Shibir, the student wing of Bangladesh Jamaat-e-Islami, three Assistant Secretary Generals of Bangladesh Jamaat-e-Islami, quite a few well-known lawyers, several retired government officials, eminent educationists and some other Islamist intellectuals [Weekly Budhbar, 7 October 2009].

The main theme of the paper presented in PowerPoint was to float a new political party in the model of Turkish Justice and Development Party, otherwise known as A. K. Party with the avowed objectives of promoting public welfare, good governance, safeguarding the independence, sovereignty and territorial integrity of the country, besides protecting the nation's economic interest, particularly safeguarding gas and other mineral resources. Some people as back as April 1998 also had written to the top leadership of Jamaat to float a new party with liberal and democratic aims and objectives committed to establishing social justice, peace, stability and bringing prosperity to the nation.

The workshop paper of July 2009 also recommended that the proposed party must distance itself from the demand of a theological state and strict compliance of shariah in public life. The recommendation of not bringing shariah into politics came in the light of the recently carried out ijthad or search on the application of shariah which says: "Negus, the Emperor of Abyssinia, who embraced Islam but did not rule as per shariah as that would have threatened his Kingdom. ... From this it becomes clear that Muslims can rule without implementing shariah if the circumstances are not in their favor or the people are not ready for such reform or the situation is not healthy enough or conducive for such a transformation or change" [Sheikh Rachid Ghannouchi, The Participation of Islamists in Non-Islamic Government in Azzam Tamimi ed. Power-Sharing Islam, Liberty for Muslims World Publications, London, U. K., 1993, pp 57-58. Also see Prof. Dr. Yusuf al Qaradawi, Islamic Awakening Between Rejection and Extremism, I. I. I. T., Virginia, U. S. A., 1991, pp 137-138. Further see Shah Abdul Halim, Concept of Sovereignty and Other Issues, www.shahfoundationbd.org]. An Nahadah Party ideologue Sheikh Rachid Ghannouchi, in the backdrop of the recent change in Tunisia, has returned to the country from long exile in the United Kingdom and has declared that An Nahadah will not bring shariah into politics

Meanwhile Muhammad Kamaruzzaman, Senior Assistant Secretary General of Bangladesh Jamaat-e-Islami who is now in prison facing the charge of war crimes for alleged involvement in human rights violation during the liberation war has circulated a political discourse dated 26 November 2010 to a select group of top Jamaat leaders as to what strategy need to be adopted in the country's changed political environment. Its copy has been leaked to the press. Reformists within Jamaat have however widely circulated photocopies of this political advice among the Jamaat activists, followers and sympathizers and it is now in everybody's possession. Kamaruzzaman in his political discourse has also advised Jamaat to form a new political platform with new policy and strategy outlines [Daily Kalerkantho, 28 February 2011].

In his paper Kamaruzzaman has given the outline of the proposed party. He suggested that Jamaat leaders against whom charges of war crimes hang should not be in any way linked with the new party. But many others believe this is perhaps not enough. Since the agenda of the Islamists should be the progress and advancement of Islam in society, the new party should be manned and headed by people from post-liberation generation, those who are born after 1971, against whom there cannot be any charge of war crimes or stigma of collaboration with the Pakistan army. The proposed party should even scrupulously avoid associating the family members or close relatives of pre-liberation Jamaat leaders in the

new party. There should not be any illusion about this. No mental obsession should also be there though it may be painful. It might appear to some as regression or a step back from Islamic call and guidance but it will ultimately pave the way for a stride and forward march creating a new environment where Islamic politics may make new leap forward.

The proposed party should be totally democratic in architecture. Centralize authority must be discarded in the new party. The weakness of the Islamist movement is that although it believes in human equality in principle but it has failed to translate such equality in real life practice in the state and the society as a whole. Malaysian scholar Dr. Chandra Muzaffar rightly pointed out: "If one looks at the contemporary situation, one could argue that contemporary Islamic movements have by and large, with a few exceptions such as the An Nahdah Party of Sheikh Rachid Ghannouchi, inherited this notion of equality and political, economic, social, and gender relations from the history ... It is a notion of equality which has been embodied in the fiqh tradition, the Islamic tradition of jurisprudence, which must be distinguished for the purpose of analysis from the divinely rooted shariah. It is this fiqh tradition, which has formed the basis of Islamic movement's approach to this fundamental question of equality in society. What Islamic movements have done the most notable amongst them being the Muslim Brotherhood and the Jamaat-e-Islami, is to say that they have accepted equality as an important principle at the general level. However, when it comes to translating that principle into specifics you will find that there are many inequalities and that they accept the inequality as divinely sanctioned. ... For example, in the realm of politics the fiqh oriented approach of contemporary Islamic movements is to say that you need a powerful ruler, a ruler who would centralize authority and thus be able to establish the norms and principles of an Islamic polity. That this in itself an act of inequality is something that does not occur to them. You will find that within these Islamic movements there is very little support for the idea of people's participation and empowering the individuals. Rather there exists this notion of a strong leader at the apex of society" [Shah Abdul Halim, Islamic Movement: An Overview, www.shahfoundationbd.org].

The leadership structure of the proposed party should be built like a pyramid - bottom-up approach from grassroots to the center, instead of top-bottom approach, where the leader at the apex nominates rest of the leadership having the veto power to overrule the decision of consultative committee and executive committee. In keeping with the true spirit and tradition of democracy, the new party would allow its members the unbridled freedom and opportunity to elect leadership and in no way restrict the exercise of the freedom to choose leadership by limiting their option by way of creating a panel of leadership, which only reflects the senior leader's lack of trust, faith and confidence on the ability of general members in exercising voting rights judiciously, from which top leaders are to be elected by the members.

The proposed party should adopt the system of electing leadership at every tier and the current belief and mindset of the Islamists that placing oneself to contest for leadership is contrary to the teachings of Islam must be given-up. History bears testimony that Prophet Yusuf (peace and blessings be upon him) asked Pharaoh to give him the ministerial responsibility of the government to administer the food management to ameliorate the suffering of the people. It means that if the Islamist leadership has any expertise, they are

duty bound even today to offer their services for the common good, public wellbeing and social welfare and refusing to offer or give such service shall be tantamount to zulm or oppression. Prophet Yusuf therefore did not hesitate to ask for ministerial responsibility to administer the food management and participate in the administration of Pharaoh to save people from starvation. The same principle should hold good and valid even now. What has happened to Prophet Yusuf can repeat to Muslims today. Muslims are permitted to ask for leadership position and join government to fulfill the greater interest of the Muslim community, the ummah and prevent evils and wrongdoings. Failure to do so will lead to undermining the overall interest of the Muslim community, the ummah and allowing the evils to spread and dominate the society. Muslims offer dua or prayers to God to give them leadership over the believers, muttaqina imama. So asking position for leadership cannot be termed as un-Islamic [Shah Abdul Halim, Power Sharing in Islam, www.shahfoundationbd.org].

The new party leadership must abide by the decisions of the shura or consultative committee. The decisions of the consultative committee must be binding on the leader(s) at apex. King Abdul Aziz became a caliph, the fifth rightly guided caliph of Islam, by accepting the binding provision of the shura. After the state of Medina was established and the Prophet (peace and blessings be upon him), now head of the state, was then ordained by God: Consult them (the Companions) in the (community) affair(s), and when you have reached a decision, then place your trust in God (and implement it) [Al Quran 3: 159]. "Al-Tabari characterizes consultation as one of the fundamental principles of the shariah (azaim al-ahkam), which are essential to the substance and identity of Islamic government. Ibn Taymiyyah held a similar view, observing that God, Most High, commanded the Prophet (peace and blessings be upon him) to consult the community, despite the fact that he was the recipient of divine revelation. The Quranic command is therefore all the more emphatic with regard to the subsequent generations of Muslims who no longer have the Prophet among them, and no longer have access to direct revelation. Muhammad Abduh has also held that in this verse, consultation is not just a recommendation, but an obligatory command addressed primarily to the head of the state to ensure that it is properly implemented in the government affairs" [Mohammad Hashim Kamali, Freedom of Expression in Islam, Part Two, Chapter IV Consultation (Shura), Ilmiah Publishers Sdn Bhd, Kuala Lumpur, 1998, pp 40-44].

It is thus evident that shura or consultation is obligatory for the leadership of the political party as they are directly involved with the process of governance of the state. The strength of the shura lies in the fact that consultation brings people closer together, and it provides them with an opportunity to share ideas and voice their views on matters of common concerns. In this way, shura prevents disunity and division among the people. But consultation can only be meaningful and effective when the participants enjoy total freedom to express their views. It would be totally in vain, and would make no sense to say that in Islam the government and for that matter political party is bound by the principle of consultation, and yet should have the liberty to deny the members of the shura the freedom to express an opinion.

It may not be out of context to mention here that Dr. Rezaul Karim, President of Islami

Chhattra Shibir, working for the coterie of a section of former Islami Chhattra Shibir Presidents who consider them more wise and judicious over the collective consultation, refused to accept the decision of the shura in 2009 to nominate Shishir Muhammad Munir as the Secretary General of the student organization. It sparked crisis and caused resignation of 20 out of 34 executive committee members.

Islami Chhattra Shibir must exercise unbridled freedom and independence as an organization and in no way be subservient to advice from any other person or organization. It must not involve people outside its own organization to mediate or resolve its problems rather must strictly follow its own constitutional provisions in resolving disputes, if ever it arises. Past experience has shown that mediators become partisan. Islami Chhattra Shibir in no way and must not become an organization of sycophant or what Muhammad Kamaruzzaman said: Islami Chhattra Shibir must come out of the fold of 'lejurbritti' or sycophancy of any political organization.

In the new party women members should be an integral part of the shura. This will help male members of the shura to have perceptions and views of women on important gender issues along with other national and international subjects to reach a fair, judicious and balanced decision. If women shura or consultative committee is separate, the fact remains that their voice is not heard at the particular moment of taking vital decisions. In the past it has been seen that women parliamentarians and male parliamentarians of the Islamist party are sitting in the same room although the male and female shura members are sitting in separate rooms. These practices are self-contradictory having no logic. Sometimes women are suppressed and their voice is not heard. This is neither Islamic nor democratic.

Elections to form committees and choose leadership of the proposed party at all levels must be on the basis of open discussion, secret ballots and open counting. Counting party election results openly and then declaring the scoring will not create division within the party as some argue; rather this will restore confidence in the rank and file of the new party. This would also meet the requirement of the national Election Commission. It would also break the hands of vicious circles who often manipulate the election results of the party as they do not consider shura binding. It is alleged that such manipulation did occur at different tiers of the student organization. It is also alleged that during party elections, election commissioner had even rigged and manipulated the results of apex body in the recent past.

The workshop held in July 2009 suggested that the proposed party should not be cadre based. The past experience has shown that cadre system develops privileged-class and a bar on the entry of newcomers to turn it into a mass organization. The leadership should be developed step by step from the grassroots. The cadre system would have no place at any level in the democratic setup of the new party. The present reporting system on personal conduct which a member has to maintain, according to some insiders, has also proved mischievous and it must be discontinued in the proposed political party.

The system of whole-timer should also be discarded in the proposed party. Experience has shown that whole-timers, being totally dependent on the salary of the party, lose freedom

and confidence to think independently being afraid of losing favor from the hierarchy where innovation and creativity constitute the lifeline of any organization committed to work for reform and renaissance. Whole-timers are found more interested in protecting their self-interest rather than working to push the right cause and chart out a pragmatic way as it may antagonize the party establishment.

The new party should be prepared to accept women in the leadership including the leadership positions at the apex. The Islamists are not yet ready to accept and embrace women in the leadership, which is another example of inequality between men and women. Those who object to assigning political positions to women forget that in today's world rulers are only parts of a wider political establishment making the government. Indeed government itself is one of a group of as many institutions that shares out among them the power and authority of the state, which were the domain and used to be exercised by a single ruler in the past, regardless of the title he assumed. During the earlier days of Islam the *kholafa-e-rashadeen used to combine in them a whole range of comprehensive and broad authority, over the whole Muslim world* which no ruler is expected to exercise now or in foreseeable future, including leading prayers, commanding armies, exercising absolute ijtehad in fiqh besides exercising powers as the supreme judge. These are being performed now by many people at different levels. There is a strict bifurcation and separation of powers. From the point of view of her competence, a woman may be now assigned some of these powers, including the post of the head of the state, because none of these powers, including that of head of the state, constitutes the *overall authority* over the community [For a detailed discussion as to whether women leadership is allowed in Islam or not see Shah Abdul Halim, Can Woman Become Head of the State or Government, www.shahfoundationbd.org].

The proposed party should have at least one woman Vice President and one woman Assistant Secretary General. The post of the President and the Secretary General should also remain open to contest by women. The Islamist in Bangladesh must take lessons from others. In Iran, which is no doubt an Islamic state, woman has been elected to the post of Vice President.

The new party as a matter of policy should adopt easy options when Islam offers different alternatives in resolving problems. It would always remain open to examine variable choices while deciding policy matters. Some Islamists overemphasize the importance of covering face by woman. A number of Islamist organizations have failed to make difference between local culture and Islamic culture, which is one of the reasons for the backwardness of the Muslims. Covering face of woman is a local culture and has nothing to do with Islam. Those who insist on using total veil by the women are really working to create bottleneck in the progress of Islamic society rather than promoting its advancement [This position of not covering face by women is also shared by Dr. Ahmad Totonji. See Shah Abdul Halim, Totonji on the Backwardness of the Muslim Ummah. www.shahfoundationbd.org].

Eminent Egyptian Islamic scholar Sheikh Adil Salahi commenting on the verses 24:30-31 [Say to the believing men that they should lower their gaze ... And say to the believing women that they should lower their gaze ... Al Quran 24:30-31] wherein both men and

women have been asked to lower their look when fall on the opposite sex, in his regular weekly column 'Our Dialogue' in Saudi daily Arab News observed: "The instruction of the verses quoted above is that both men and women are required to keep their eyes cast down, so that when they meet each other, neither should men stare at women nor women at men. The natural question that arises is why man should lower his gaze if the face of woman is totally covered? From the text of the verses it is clearly evident that the face of the woman is not to be covered and therefore man has been advised to lower his look".

Muslim Brotherhood leader Abdul Halim Abu Shuqqah commenting on the aforementioned verses said that the intent of the Law Giver is that women need not cover face. He said that if the intention of the Law Giver was to cover the face of women than He would not have asked men to lower the gaze [Abdul Halim Abu Shuqqah, Rasuler Juge Nari Shadhinata (Bengali tr. of Tahrirul Mar'ah Fi Asrir Risalah), Vol. IV, Bangladesh Institute of Islamic Thought (BIIT), Dhaka, 2006, pp 79-80].

The Islamists in Bangladesh should take note of the general practice of hijab by women in Indonesia, Malaysia, Iraq, Palestine, Lebanon, Egypt and Morocco where they keep their face open and they do not cover face with niqab. Women in the Saudi Television also appear without niqab or without covering the face. Even the women leaders of Muslim Brotherhood throughout Middle East, including eminent Brotherhood leader of Egypt Zainab al Ghazali known for her monumental work "Return of the Pharaoh: Memoirs in Naser's Prison", do not cover their face. It is obligatory that women must not cover their face during hajj.

Kamaruzzaman's initiative also called for limiting the tenure of the office of the central president and district presidents of the new party. He proposed to limit the tenure of the central president and the district presidents to three terms. But it would be appropriate to limit the tenure to two consecutive terms of three years each. To bring dynamism in the party, a system may be developed by which leadership is rotated through secret credible elections. Unlike the prevailing practice of the Islamists, at least fifteen posts of vice president and twenty-five posts of assistant secretary general may be created in the proposed party. This would create opportunity to produce more leaders, built up their capacity; evaluate who is more capable and dynamic in sharing responsibility.

The central leadership structure of the proposed party however may be organized based on how many people it wants to put in the various watchdog committees and in the Shadow Cabinet. This issue will be discussed at the later part of this article. Those found effective at the grassroots, particularly whose performance at the local government elections would be highly impressive and people would accept them as public leaders, should be gradually elevated to the central leadership.

However highly skilled professionals, eminent educationists, senior retired civil and military bureaucrats, celebrated journalists, renowned lawyers, prominent political leaders of other parties and such other notable members of the civil society with secular background, if they accept the aims and objectives and join the new party, should be elevated to the higher echelon of the leadership in keeping with the practice of the noble

Prophet who had placed leaders of the days of jahiliyyah or ignorance, when they sincerely accepted Islam and joined the Muslim rank, in the leadership ranks. In other words persons with rich and highly potential background will be absorbed in the new party implementing the spirit of the saying of the Prophet Muhammad: khiarukum fil jahiliyyah khiarukum fil Islam which means - those who proved competent in leadership during the days of jahiliyyah or ignorance they proved equally competent in leadership when they had joined the rank of Islam.

The proposed party will use standard parameters to evaluate the performances of the leadership and their ability to turn the party into a mass organization and effectively run a modern democratic state. Such parameters shall also be used to ascertain the intellectual capacity of the leadership in the context of the changed global environment. While developing such parameters, due consideration shall be given to such factors as professional skill, educational background, intellectual capacity, moral and ethical moorings and more importantly behavioral pattern etc. etc. The new party will also use parameters to make sure that leadership upholds high standard of financial integrity and maintains transparency in all fairness in fund management and monetary transactions. The leadership should also be required to make it certain that their living expenses and increase in wealth and all types of resources should commensurate with the known sources of earnings.

Past experience shows that concentration of power and responsibility without accountability in few hands make such persons over influential and sometimes quite despotic as the saying goes power makes a man corrupt and absolute power makes a man absolutely corrupt. Power intoxicates best hearts as the wine intoxicates the strongest heads. No man is wise enough or good enough to be trusted with unlimited power. Such concentration of power and responsibility is a bar on the development of collective leadership of participatory nature. By delegating power only in few hands the leadership at the apex in fact creates a situation in which the prospect of producing a galaxy of leaders, who can handle critical situation, might diminish. The leadership qualities never can be developed unless workload and responsibility are delegated. It is evident from the actual situation within the country's Islamist organization that the so-called trustworthy leaders at the zenith of the party, who consider themselves the only capable persons and indispensable have in fact developed a sort of bureaucratic mindset. They believe that without them the organization will not be able to sustain and they, in fact, have monopolized power by turning them into a vested group to protect their interests. Some people believe that these few leaders at the top have aggrandized power and position overlooking the greater community interest.

The proposed party should not allow a person to hold more than one position at a time as was advised by some people in some occasions in July 1996 and April 1998 and now by Muhammad Kamaruzzaman. It needs to be realized that human capacity is limited and at one point it gets saturated. Moreover those who are overburdened with too many jobs may not concentrate on any work or go into details of any issue. Thus the work suffers.

Prophet Muhammad (peace and blessings be upon him) during his life time sent Muadh b. Jabal (may God be pleased with him) as Governor to Yemen. On being asked by the Prophet as to how he will govern, Muadh b. Jabal replied that he will govern according to the Quran and will refer to sunnah if clear instruction is not available in the Quran and then will exercise his individual judgment if an explicit injunction is neither available in the Quran nor in the sunnah. History bears the testimony that Prophet Muhammad endorsed the governing principle and procedure of Muadh b. Jabal. Prophet even authorized Amr b. al-As (may God be pleased with him) to adjudicate in some disputes in his presence [Mohammad Hashim Kamali, Principles of Islamic Jurisprudence, Islamic Texts Society, Cambridge, 1991, p 383]. From this, analysts conclude that ijihad or intellectual exercise is allowed in Islam and ijihad is the sunnah of the Prophet. But what escaped the attention of many scholars and leaders of Islamic call and guidance is that Prophet Muhammad during his life time had delegated powers to Muadh b. Jabal and Amr b. al-As [This view is also shared by Dr. Anas S. Al Shaikh Ali, Academic Advisor, I.I.I.T, London, U.K].

This delegation is the pivotal precept of Islam and democracy. Unless you delegate, you really suffocate. Nothing can flourish in a suffocating and regimented environment. The new party must practice the system of delegating power and responsibility and the leadership at the apex will only give guidance and monitor developments. Everything, except confidential matters, should be delegated. Delegation is the opposite of imposing decision. It means power through people and not over the people. Delegation is the negation of manipulation. It is motivation through participation. Authority must be delegated at all tires of the proposed party so that decisions may be taken by way of participation at every level.

Muhammad Kamaruzzaman has also advised to form Shadow Cabinet. In fact Shadow Cabinet to monitor governance and Think Tank to formulate policies must be inseparable part of the proposed party. The new party, at the time of launching, should announce a Shadow Cabinet of 100 ministers. Each minister will be assisted by a Think Tank that would include three professionals in addition to ten researchers in respective fields. Each Think Tank professional members will also be members of the central consultative committee, and one, from amongst them, by rotation will represent the group to the central executive committee. Professional members should have the rights and privilege that if anyone of them requests the leadership at the apex to call a meeting of the central consultative committee and central executive committee; they shall be bound to call such a meeting. However such professional members may or may not have voting rights. Along with the 100 Think Tanks, an Advisory Council or Guardian Council or Council of Elders may be set up. Yet another Council of Eminent Ulama or religious scholars, as advised by Muhammad Kamaruzzaman, may also be constituted [The idea of formation of Shadow Cabinet of hundred ministers each of whom will head a Think Tank is also shared by Dr. Ahmad Totonji. See Shah Abdul Halim, Totonji on the Backwardness of the Muslim Ummah. www.shahfoundationbd.org].

In keeping with the democratic tradition, the proposed party should always arrive at a decision by a vote of majority and those who disagree with the decision of the majority will have the right to record the note of dissent. Recording the note of dissent must be practiced

in the new party as a binding principle. That is the only way to break the hands of the conspirators, coteries and reactionary forces that sometimes try to impose undesirable decision in the name of collective decision. Now that in the new party everyone can record their views because of the binding principle of recording the note of dissent, the conspirators and coteries will be fearful of being exposed and they will be much careful not to impose any undesirable opinion. There is no point of giving unnecessary concession in the name of consensus decision.

Moreover the new party will have to adopt such a constitution that will allow its leaders to hold and express divergent views publicly as is practiced by the political parties in the United States. Expressing constructive and positive views contrary to the declared and established party policies openly, even in front of media, will not be in anyway considered a revolt against the party, its leadership or its policies. Those leaders who will be able to win the confidence of the majority party members will be at the helm of affairs. There is no point of demanding the repeal of article 70 of Bangladesh Constitution to enable a member of the parliament to cross floor and express opinion against the very party to which s/he belongs when such freedom is not allowed within the political parties.

The proposed party not only should make room for non-Muslims becoming its members but at the same time reiterate in clear terms that it is committed to make such constitutional arrangements that will remove obstacles of non-Muslim becoming the head of the state. This will be in keeping with the political system envisaged by the Islamist political scientists of modern time. The plural and democratic nature of Islamist political order also becomes clear if someone looks at the constitutional proposals of the Muslim Brotherhood, the premier Islamist movement of the world. In 1952 Brotherhood drafted an Islamic Constitution for Egypt consisting of 103 articles.

The draft constitution puts forth the notion of a civil state based on citizenship and loyalty to the state. Muslim Brotherhood puts forward the idea of one state embracing Muslims and non-Muslims under the umbrella of loyalty to the nation (article - 88). The draft constitution reiterates that *people* are born free, equal in dignity, rights and liberties without any discrimination based on origin, language, religion or color (article - 77). The word used in this article is *people*, an inclusive neutral word in the Islamic heritage, which negates any kind of discrimination based on sex or religion. Each *individual* has the right to live freely, enjoying equality, security and safety (article - 78). The draft did not determine religion when recording rights. It used the word *individual*.

The Islamic Constitution drafted by the Brotherhood disregarded one's religion being the prerequisite of becoming the head of the state. Article - 4 stipulates that only an Egyptian can be a member of the parliament and parliamentary membership is not restricted to any particular religion or cult and article - 25 states that head of the state can be any person who meets all the conditions required for the Member of Parliament and all these disregard origin, language and religion which is compatible with the aforementioned article - 77 of the constitution. [The Legal Concept of an Islamic State According to the MB, Ikhwanweb - Cairo, Egypt, Monday, May 08, 2006. Also see Shah Abdul Halim, The Concept of Ummah and Pluralist Bangladesh. www.shahfoundationbd.org].

The proposed party must affirm in the most unambiguous language that it believes in absolute religious freedom. The Quran states: There is no compulsion in religion [Al Quran 2: 256]. As regards apostasy, which has created a great deal of controversy and misunderstanding among the freedom loving people, the new party must make clear its position in the light of the injunction of the Quran: Those who believe, then disbelieve, then believe again, then disbelieve and then increase in their disbelief – God will never forgive them nor guide them to the path [Al Quran 4: 137]. Commenting on the verse Mohammad Hashim Kamali pointed out: “The implication is unmistakable. The text would hardly entertain the prospect of repeated belief and disbelief if death were to be the prescribed punishment for the initial act” [Mohammad Hashim Kamali, Freedom of Expression in Islam, Chapter IX. - Freedom of Religion (Al-Hurriyyah al-Diniyyah), Ilmiah Publishers, Kuala Lumpur, 1998, pp 97-98]. In fact there is not a single instance that Prophet Muhammad did treat apostasy as a prescribed offence under hudd (plural hudud) or capital punishment *only* for leaving Islam. Prophet never put anyone to death for apostasy *alone* rather he let such person go unpunished. No one was sentenced to death *solely* for renunciation of faith *unless* accompanied by hostility and treason or was linked to an act of political betrayal of the community. As a matter of fact the Quran is *completely* silent on the question of death as a punishment for apostasy. Apostasy does not qualify for temporal punishment. The most pertinent question is: If God has granted us the merit of freedom, he who wants to believe is allowed that right and so too the one who wants to disbelieve. How can it be imagined by a rational person that God, Who has compelled none to believe, allows us the right to compel others and force them to believe [See Shah Abdul Halim, Islam & Pluralism, www.shahfoundationbd.org].

The new party should make a call for suspension of hudd or capital punishment in such areas as adultery as long as the door of obscenity - similar to brothels, bars, offensive movies, obscene printed books and pornography - remains open; and the government cannot ensure marriage at appropriate age. Eminent Islamic scholar and Dean of the Faculty of Shariah, Qatar University Prof. Dr. Yusuf Al Qaradawi opined that before implementing hudd or capital punishment as punishment of adultery, we have to establish an ideal Islamic society and close the door of obscenity [Prof. Dr. Yusuf Al Qaradawi, Shariatul Islam Khuluduha Wa Salahuha Lit-tatbiki Fi Kulli Jamanin Wa Makan, Bengali tr. Islami Shariat Bastobayan, Oddhai- Bartaman Juga Islami Shariat Bastobayaner Purba Sharta, Khairun Prokashani, Dhaka, 2003, pp 174-179]. Only recently Prof. Dr. Tariq Ramadhan, a distinguished educator of Philosophy at the University of Fribourg, Switzerland and an eminent Arab Islamic scholar, has given a clarion call for the suspension of hudd or capital punishment for the time being, till all relevant issues have been examined by the scholars. Such suspension will be in line with the suspension of the amputation of hands of the thief by Caliph Omar (may God be pleased with him) in a famine condition when people are without food and they resort to stealing [Shah Abdul Halim, Intent of the Islamic Law, www.shahfoundationbd.org].

The Islamists in Bangladesh failed to make any substantial headway in the political front during the last 64 years [1947-2011] as they largely ignored the cultural arena that deserve utmost attention. It is essential to put utmost emphasis to cultural activism to

make breakthrough in the political front. In fact cultural activism deserves more emphasis than political work as the past experience has proved beyond doubt that concentrating more on political work ignoring or giving less emphasis on cultural work has failed to generate the desired political dividend.

The Islamists failed to cultivate those aspects of the local and folk culture, even finer thread of classical music and mystic songs, which does not stand in clash with our beliefs, values, ethics and norms. They have also ignored local heroes, charming natural beauty of Bangladesh; and local cultural symbols are also missing in their cultural projections. Cultural movement is the lifeline of any movement committed to bring in social reforms and renaissance. Therefore a very comprehensive cultural policy needs to be formulated and action program drawn.

Further it needs to be realized that religion is ever present in our real life and existence, culture and thought. People here are basically liberal, broadminded and moderate and opposed to constriction, bigotry, and fanaticism. People are religious but at the same time against all types of overindulgence and severity. We have to construct our political philosophy by assimilating all these elements of our mores, history and culture, customs and traditions.

The proposed party shall not work to establish a theological state but still then maintain deep links with norms and ethics of Islam and core components of Muslim identity. It is largely believed that only an identity consciousness, educated and intellectually empowered community can bring change in the society. People associated with the proposed party will be encouraged to read contemporary Islamic literature of the eminent scholars, not plagiarized books or fifty years old books which has no relevance to modern day society and its problems, particularly when modern day scholars have reached newer conclusions through ijihad i.e. intellectual exercise on old and newly emerging issues. There is no reason and justification to repeat old arguments. Reading only one set of literature will result in a narrow tunnel-vision and will take the new generation nowhere.

Bangladesh is passing through the most critical period in its history. The proposed party therefore must formulate its policy keeping in view the geopolitical and strategic compulsions and erect invincible wall to protect the national interest standing on the hard rock and not on the quicksand. The proposed party must be pragmatic, open to all yet conscious of its goal. It is suggested that a rational, moderate and people oriented socio-cultural and political program be formulated which is suitable to the genius of the people of Bangladesh.

The proposed party however will make public commitment that it will uphold the principle of peaceful coexistence and friendship with all countries. It will work to achieve this goal when it will go to power alone or in a coalition. It will pursue the same policy guidelines in the United Nations and in all bilateral, multilateral and regional forums. The new party will make further pledge that whether in government or in opposition it will make strenuous efforts to improve ties with neighboring countries and fix up all outstanding issues peacefully and bilaterally. However it will make public commitment at the same time that it

will raise such issues in multilateral forums including United Nations if attempts to solve such problems like water sharing, maritime boundary etc. bilaterally fails. Special steps will simultaneously be taken to consolidate and further strengthen the existing brotherly relations with all Muslim countries.

The new party will make commitment that in economy and business it will pursue open market policy. It will follow the outline of a mixed economy to provide utilities to public at affordable cost. The party will further reiterate that it will make credible efforts to make Bangladesh a self-reliant country by expanding its production base for domestic consumers as well as for export market. The party will also pledge that it will protect the national economy particularly the local industries by using appropriate tariff and non-tariff measures. The party will also make public commitment that it will work to protect country's mineral resources like coal, gas, oil and such other valuable resources from the paws of multinational corporations and foreign powers. It will discourage loans from IMF by reducing unnecessary budgetary spending. It will also follow similar policy to cut superfluous foreign aid for use in projects which are not beneficial to the nation on the one hand and will work to makeup the shortfall by greater mobilization of internal revenues and enhancing flow of remittance of the Bangladeshi expatriates on the other.

Last but not the least, the proposed political party, true to the democratic culture and tradition, will maintain harmonious relations with every other political organization. But it will not, in any way, subordinate itself to any other political organization or leader however sagacious seemingly they might appear to be. The new party will not maintain extra territorial or secret link with any other political organization or leader who may tend to control it or influence its functioning. It will strictly follow its own constitution and single-handedly try to accomplish its own policies and objectives. The new party will never take position on political issues in opposition to the dreams, wishes and aspirations of the overwhelming majority people. But the million dollar question is: who and where are those young political leaders born after 1971 who will make a call for the formation of such a party to bring an end to the current impasse of the Islamists in Bangladesh and usher in an era of a bright prosperous future.#

References

[1] Daa Rashwan, Political Islamists Movements: The Case of the Muslim Brotherhood in Egypt in *Islam and Politics: Renewal and Resistance in the Muslim World*, Stimson Regional Voices, Henry L. Stimson Center Washington, 2009.

[2] Abid Ullah Jan, Moderate Islam: A Product of American Extremism, *American Journal of Islamic Social Sciences*, jointly published by Association of Muslim Social Scientists and International Institute of Islamic Thought, Herndon, V.A., U. S. A., Vol. 22, No. 3, Summer 2005.

[3] Sheikh Rachid Ghannouchi, *The Participation of Islamists in Non-Islamic Government in Azzam Tamimi ed. Power-Sharing Islam, Liberty for Muslims World Publications*, London, U. K., 1993.

- [4] Prof. Dr. Yusuf al Qaradawi, Islamic Awakening between Rejection and Extremism, I. I. I. T., Virginia, U. S. A., 1991.
- [5] Prof. Dr. Yusuf Al Qaradawi, Shariatul Islam Khuluduha Wa Salahuha Lit-tatbiki Fi Kulli Jamanin Wa Makan, Bengali tr. Islami Shariater Bastobayan, Oddhai- Bartaman Juga Islami Shariat Bastobayaner Purba Sharta, Khairun Prokashani, Dhaka.
- [6] Mohammad Hashim Kamali, Freedom of Expression in Islam, Ilmiah Publishers Sdn Bhd, Kuala Lumpur, 1998.
- [7] Mohammad Hashim Kamali, Principles of Islamic Jurisprudence, Islamic Texts Society, Cambridge, 1991.
- [8] Sheikh Adil Salahi, Our Dialogue, The Daily Arab News, Saudi Arabia.
- [9] Abdul Halim Abu Shuqqah, Rasuler Juge Nari Shadhinata (Bengali tr. of Tahrirul Mar'ah Fi Asrir Risalah), Vol. IV, Bangladesh Institute of Islamic Thought (BIIT), Dhaka, 2006.
- [10] Dr. Anas S. Al Shaikh Ali, Academic Advisor, I.I.I.T., London, U. K.
- [11] Weekly Budhbar, 7 October 2009.
- [12] Daily Kalerkantho, 28 February 2011.
- [13] Shah Abdul Halim, Concept of Sovereignty and Other Issues, www.shahfoundationbd.org
- [14] Shah Abdul Halim, Can Woman Become Head of the State or Government, www.shahfoundationbd.org
- [15] Shah Abdul Halim, Totonji on the Backwardness of the Muslim Ummah, www.shahfoundationbd.org
- [16] Shah Abdul Halim, Islam and Democracy: How Far Compatible? www.shahfoundationbd.org
- [17] Shah Abdul Halim, Islamic Movement: An Overview, www.shahfoundationbd.org
- [18] Shah Abdul Halim, Woman: Chastisement & Other Issues, [www.shah foundationbd.org](http://www.shahfoundationbd.org)
- [19] Shah Abdul Halim, Islam: Women and Society, www.shahfoundationbd.org
- [20] Shah Abdul Halim, Muslim Society: Reasons for Backwardness, [www.shah foundationbd.org](http://www.shahfoundationbd.org)
- [21] Shah Abdul Halim, Power Sharing in Islam, www.shahfoundationbd.org
- [22] Shah Abdul Halim, The Concept of Ummah and Pluralist Bangladesh, www.shahfoundationbd.org
- [23] Shah Abdul Halim, Islam & Pluralism, www.shahfoundationbd.org
- [24] Shah Abdul Halim, Intent of the Islamic Law, www.shahfoundationbd.org
- [25] Shah Abdul Halim, Khimar to Cover Bosom, 22 May 2008, Unpublished Work.

Article prepared on 1 July 2011