

Ideological & Political Mobilization in the Muslim World

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No society, not to speak of Muslim society, can advance only by utilizing wealth and resources. To pursue development of a society, the important aspect is to visualize the need for such a development. Ideas therefore are the driving force behind any change. But ideas alone can not change a society. This needs planning and appropriate actions to implement the ideas. Ideological and political mobilization therefore is important to bring about required changes in the Muslim society and for its onward march for progress and advancement.

In Bangladesh, as also elsewhere in the Muslim world, those who are active in the intellectual realm to bring about changes in our society basically represent two different ideological currents: the nationalist-secularist on the one hand and the Islamist on the other. The nationalist-secularist trend has its sub-trends with socialist joining this camp. The Islamists are broadly divided into two groups: the traditionalists Qaumi-Deobandi group who cling to the past on the one hand and the mainstream Islamists who intend to take into consideration the modern day compulsion, adapt to the prevailing environment and take note of the time and space factor on the other.

The secular intellectuals in Bangladesh unlike the Western secularists, for example the French secularists, are not anti-religious. They maintain a positive approach to religion but want exclusion of religion from state affairs or to give religion a minimum role. Our secularists however are not really atheists, except a very few. The people of Bangladesh are by nature religious and their sentiments contradict with secular intellectuals and the elite civil society, a minor force compared to dominant Islamic current. Thus, the principal agenda of the secular intellectuals is to influence the ruling class sometimes by aligning itself with those in power.

The nationalist-secularist current in our country is represented in the political arena by Bangladesh Awami League. Bangladesh Nationalist Party (BNP) represents the nationalist-Islamic current on the other. Both the parties believe in democratic pluralism, multi-party system and change of government through fair and free elections unlike political parties in West Asia as reflected in Egypt's ruling party's behavior with the Muslim Brotherhood and they have allowed Islamic political parties to operate in the country. Both these parties are committed not to legislate against the principles of Islam, the Quran and Sunnah and both the parties use Islamic symbols and slogans to attract electorate.

The traditionalists Qaumi-Deobandi group, who are committed to return to pristine past of the golden era, are represented in the political arena by such parties as Islami Okkya Jote, Bangladesh Khilafat Majlish, Islami Shashantantra Andolan to name a few. They do not represent any significant percentage of general population.

The mainstream Islamist intellectuals who are committed to renewal and revival of Islam are advocating pluralism in the political and cultural arena. The mainstream Islamist current in our country in the political arena is represented by Jamaat-e-Islami Bangladesh. They have participated in all past parliamentary elections. They found no problem in working with Bangladesh Awami League and Bangladesh Nationalist Party. Bangladesh Nationalist Party with the support of Jamaat formed government in Bangladesh in 1991. Again in 2001 Jamaat-e-Islami Bangladesh participated in a coalition government with Bangladesh Nationalist Party. Earlier in 1996 with the support of Jamaat, Bangladesh Awami League ascended to power. What is significant of this is that in Jamaat's estimation, Bangladesh nationalists-secularists are not extremists secularists like the French secularists and Turkish Kemelists and therefore Jamaat cooperated with Awami League. In the eye of nationalists-secularists, the Jamaat is not extremists and militants and therefore nationalist-secular parties like Bangladesh Awami League collaborated with the Jamaat.

The Jamaat is committed to Islamize every sector of the society and firmly believes in steady reform, - 'phase wise' to quote its election manifesto - of education, culture and gradual implementation of Shariah. Jamaat is not involved in any violent or terrorist activity which has been proved and established when Jama'atul Mujahideen Bangladesh (JMB) leaders were executed for killing judges for non-compliance of the Shariah, and the court found Jamaat innocent despite allegations by some quarters. That Jamaat has adopted a pluralistic approach is evident from the fact that while in power, 2001-2006, its minister visited Hindu temple during their festival.

Now let us discuss the prime question of **Islamic approach to politics and governance**. What is the Islamic perspective to democracy? What are the parameters of democracy? The prime question is how far Islam is compatible with democracy? What is the **measurement of a democratic** state? Any democratic and constitutional state must guarantee equal rights and freedom of religion to all its citizens, Muslims and non-Muslim alike. This is the core principle of democracy, and whether a government is democratic or not can be judged keeping this standard uppermost in consideration. Democracy may mean simply that the people rule, whether by referendum or by choosing representatives. A modern definition requires a range of basic rights to go along with the right to vote and to be elected in free elections: broad freedom of speech and association, equality before law, so on and so forth.

Literally democracy means the rule of the people. The essence of Islam is submission to God, to always remain loyal and faithful to the command of God. To some people it is a limit to man's authority. U.S. Declaration of Independence does not expressly say that the people are sovereign, but rather that all men are created equal and endowed by their Creator with certain unalienable rights. An unalienable right cannot be eliminated even if the people vote to abrogate it. Unalienable rights therefore place a limit on the sovereignty of the people, even in democracy.

In Bangladesh, Islam is the **state religion**. The question is: Can a state that embraces religion be democratic? The existence of state religion or the Ministry of Religious Affairs in no way has infringed any of the basic right. Britain has no separation of church and state. The queen is the Defender of the Faith and head of the Church of England. Anglican bishops sit in the House of Lords, and anyone who wants to change

the Book of Common Prayer must go through Parliament to do it. Yet Britain is the cradle of modern democracy.

The government can support one particular view of the good life. It can give money to mosques, churches and temples. But as long as the government does not force anyone to adopt religious beliefs that he or she rejects, or perform religious actions that are anathema, it has not violated the basic right of religious liberty or democratic principles.

The objective of the Islamic state is **public welfare and the consultation** by the head of the state and government is binding. Therefore, Islamic political system cannot be described undemocratic rather we may consider Islamic political system as essentially democratic.

I am of the view that Bangladesh is essentially an Islamic state by its constitution. Only thing we require is that we have to **constitute a committee** in the Ministry of Law, Justice & Parliamentary Affairs consisting of eminent Islamic scholars, Ulama, jurists and Fuqaha, Islamic theologians having the essential ability for expounding Islamic law and being an authority thereon, just, virtuous, abreast of time, having political and social insight, judicious and who command and enjoy the trust and confidence of the people. The members of this committee shall examine and review all drafts acts to be passed by Parliament (also all Presidential Ordinances) and give its views on such act(s) to the Government so that parliamentary enactments are not contrary to the tenets and precepts of Islam. The inclusion of such members in the committee will ensure that the Government is being judiciously advised at the drafting stage so that no law repugnant to the Quran and Sunnah comes before the Cabinet or Parliament for consideration.

The Islamic reformist in Bangladesh accepted the **democratic** model of governance being closer to Islam. The reformist thinks that even in the interpretation of the Quran- the Shariah- the Law some institutions have to have the final verdict. That may be Parliament, the Judiciary- the Supreme Court being the interpreter of the Constitution and Law, duly constituted Council of Elders or the people by referendum. The Islamic reformists in Bangladesh want to overrule the fears of some people that democracy that makes people the source of power might endanger the Islamic principle for the majority Muslims are not expected to pass legislation that contradict Islam and incontestable principles and conclusive rules of Islam. There is therefore no chance that legislators in Bangladesh, for that matter in any Muslim country, will take position contrary to the teachings of Islam. In any case, 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.

The people as a whole to be entrusted with the collective power and responsibility to interpret and apply God's will on earth. The community is to perform the task, and they can and must do so collectively. Muslim community is thus entrusted with the task of interpreting and applying God's word. The elected assembly would have the right to pass laws, and then the Supreme Court would decide whether these laws were consistent with Islam. Islamic values would therefore serve as a kind of constitutional grounding for the state, interpreted through judicial review. Over time, the Supreme Court would develop a body of precedents on the question of what Islamic values meant in practice.

Some people in Bangladesh are demanding **implementation of Shariah** without explaining or elaborating the idea. We have in Bangladesh Islamic Law in practice. The Law of Inheritance, the Law of Endowments and the Marriage Law – all these are by and large Islamic and akin to Shariah. God has given us a lot of freedom to enumerate laws- for example the municipal law or the traffic law, whether we walk on the left side or the right side of road etc. etc. As regards the law of Bangladesh Mr. Shah Abdul Hannan, an eminent Islamic scholar and Chairman of Bangladesh Institute of Islamic Thought opined that almost all laws of Bangladesh are really procedural laws and have nothing that contradicts Islam. Even most part of the criminal laws is not inconsistent with Islam as these can be considered as Tazir law, except a few cases arising under Hudud. Recently Mr. Abdul Hannan has examined all laws of Bangladesh and viewed that 98 percent of these laws are Islamic in the sense that these laws contain nothing in conflict with the Text of the Quran or Sunnah.

Prof. Dr. Yusuf Al Qaradawi, Dean of the Faculty of Shariah, Qatar Islamic University, after examining some laws of Qatar, an Arab Muslim country, wrote in his book 'Priorities of the Islamic Movement in the Coming Phase' that he found nothing objectionable in these laws and many of these laws fall within the purview of amr bil maruf wa nahi al munkar - realizing interests and removing evils but were not directly linked with any revealed Text except for one or two of them.

We can however say that the existence of Hudud punishments is not incompatible with democracy, unless we think that capital punishment makes a country undemocratic. It is important to realize that the Hudud punishments cover just a small number of crimes, and therefore leave room for just about every further law one could imagine to be made. The rest of the criminal laws can be determined by the government, according to criteria that the government specifies.

What is the position of those Muslims who do not rule according to Islam? We have before us the example Negus, the Emperor of Abyssinia, who embraced Islam but did not rule as per Shariah as that would have threatened his Kingdom and Prophet Muhammad (peace and blessings be upon him) offered Salatul Janaza for him when the news of his death reached him. Prophet did not consider Negus a disbeliever (Kafir) although he did not implement Shariah. From this it becomes clear that Muslims can rule without implementing Shariah if the circumstances are not in their favor or people are not ready for such reform or the situation is not healthy enough or conducive for such a transformation or change. This proves that Islam is for gradual implementation of Shariah.

Can a Muslim country be called Islamic if it is not fully run by the divine laws? Our laws, namely the Law of Inheritance, the Law of Endowments and Marriage and Divorce Law are by and large based on Shariah. Most of our laws are administrative laws and God has given us freedom to legislate in case of Tazir, where the Quran and Sunnah are silent. Punishment under Tazir is called Siyasa al Shariyyah in Islamic Fiqh. Our laws are not against Islam in the sense that these laws contain almost nothing that contradicts the Text of the Quran and the objective of these laws are human welfare and these laws also mostly fall within the category of amr bil maruf wa nahi al munkar-realizing interests and removing evils. Only a few sections have to be amended in some

laws, not even all sections of these laws. The constitution of Bangladesh reiterated its absolute trust and faith in Almighty God and the state religion is Islam. The two major political parties namely, BNP and Bangladesh Awami League are committed not to frame un-Islamic laws. Everybody in Bangladesh can perform religious rituals. Women can observe Hijab and there is no bar to establish mosque and Madrasa. In theory we have Islamic laws in the country although we find lapses in some cases. We observe such lapses during the Umayyad and the Abbasid Caliphates. We can however enact law of blasphemy so that none can dare to criticize Prophets and leaders of other religious faiths. Such a law should contain provision of harsh penalty for the violation. We can also frame law banning the production, storage, carrying, sale, import and drinking of wine and use of other narcotics and the law should have provision for severe punishment for the violation. However we have to keep in mind that as individual Muslim continue to remain a Muslim even after not observing certain principle of Islam, it is not proper and justified to think that a Muslim state loses its Islamic character just for not observing certain provisions of the Shariah. It remains Dar al-Islam, Islamic state in the technical sense despite some deficiencies.

Let us again go back to the question whether Islamic political system is democratic or not. Some people in Bangladesh is demanding Caliphate without elaborating how the Caliph of the Ummah will be elected or chosen and what shall be the qualification of such Caliph and what shall be the qualification of those who shall elect or choose the Caliph and what shall be the tenure of such Caliph. These people also did not explain how to select or elect Caliph of Bangladeshi Ummah or how the Parliament will be formed or how laws will be made.

In Islam the **forms of government have not been fixed** by the Quran and the Sunnah. It has been left to the people of each epoch. In the past Caliphs were understood to be selected by people, not God; they were expected to engage in some sort of consultation with the community they governed. These features of the early Islamic society provide the basis for all modern theories of Islamic democracy.

Early Muslims agreed that the Caliph was not to be chosen by God but elected or approved by a group of people. Once the Caliph was nominated, he then had to be approved through Baya, agreement of the general people. This was the case even in dynastic or monarchic type of Caliphate during the Umayyad and Abbasid.

Islamic scholars and academicians see the roots of modern democracy in the nomination of the Caliph and the agreement between the Caliph and people. The Caliph does not ascend the throne but is elected (or we can say selected) by a group of people who represent the entire community. Caliph therefore derives authority from the consent of the people.

Islam is not only an ideology but a vibrant faith which holds **rulers accountable** to justice and the rule of law. The ruler is subject to law, not above it. The Islamic state is a state of rights and law, not arbitrary or absolute power. In it, the ruler is accountable to the people who have assented to his rule. Once the ruler is in power, he must follow the Quranic command to engage in consultation (Shura) which is binding.

The state in Islam is **essentially civil**. Islam attributes no holiness to practices and decisions of leaders. It is a worldly state, one whose decisions are human and whose duty is to adopt the best of subjective and practical policies to manage the affairs of society. A leader in Islam is a person willingly authorized and chosen by the people and before whom he is liable.

Muslim jurists, both ancient and contemporary, agree that people is the origin of legitimacy for the state. Prophet Muhammad died **without appointing a successor**. He totally left the matter for the people not only to select the person they want, but also to choose the method of selection. Such action on the part of the Prophet constitutes a meaningful constitutional precedent. Leaders are chosen by their people; agreement of pledge of allegiance is a contract concluded between the ruler and the ruled, where total consent is the main condition without which the contract is null and void. The ruler, after all, is one individual selected from the people to manage power; he is not privileged as a result of that selection, and he should act according to the contract concluded. In other words, it is a civil state with popular legitimacy with responsibility of protecting the people and their interests. State in Islam is essentially civil.

By the same token, this principle can be applied to other constitutional articles such as the amendment of political institutions, elections, setting the terms of their office, and defining the relation between different authorities, their independence, etc. The aforementioned is subject to independent human reasoning.

Institutional reforms, constitutional mechanisms, legislative and political interpretations during the golden era are mere human outcome governed by the historical context, cultural circumstances, and milieu of that age. This experience does not mean that it has direct implications that surpass its age, place, and the surrounding circumstances. Such legacy should not by any means turn into an indispensable part of religion binding on all Muslims in all ages. Human political thought and culture have always been overwhelmed by some axioms that have influenced the Muslim understanding of the Islamic political system. These axioms hindered Muslims from achieving the purposes of Islam except within limits of human cultural environment available in every age. The Quran however is an inspiration from which the people benefit in accordance to their potentials, which they will never exhaust its intended teachings.

Having an Islamic state as a civil one that derives its legitimacy from its citizens makes Muslims more open to the incessant development of the form of government according to the humanly generated mechanisms and systems. This makes them, as well, more capable of applying the best form of democracy, which they can further enrich with Islamic principles and values that convey loftiness of belief, and social and human depth upon the endorsed democratic form.

The political system envisaged is pluralistic and democratic. It does not approve the path of violence and accept election as the only lawful method for changing government. Islam rejects violence as a means of settling disputes.

Let us discuss sovereignty. There is no meaning of saying that God is **Sovereign** without fully analyzing this concept in its modern connotations. Sovereignty is a new word and

it has no exact parallel or equivalent in Arabic or Islamic terminology. Sovereignty is totally a western concept. We can only infer how far Islam is nearer to this concept or to what extent Islam differs with the modern day concept of sovereignty. The authority which shall have the final say in the interpretation of the Text of the Quran is sovereign in the modern sense of this political term, whether it is the Parliament or the Supreme Court or the Council of Elders or the people by referendum. What I want to say is that Bangladeshi Ummah shall have the final say, last word to decide who shall have final authority in the interpretation of the Text of the Quran in Bangladesh. The Bangladeshi Ummah through its constitution can exercise it by referendum, or confer it either to the Parliament or the Supreme Court or the duly constituted Council of Elders.

In fact the modern concept of **sovereignty** is highly complex and technical in nature. According to Austin sovereign power possesses unlimited power, indivisible and a determinate authority. In real practice however there is nothing that can be called unlimited sovereignty in the sense that states actions are externally limited by the other states actions and rights, and internally state's power is divided between different organs of the state and government namely legislature, executive and judiciary. Powers are even sometimes subject to customs and public opinion. The bureaucracy and the media do exercise powers. Authority is divided and it is not possible to say that one controls the whole because each controls only a part. Each is supreme in its own sphere. Neither can be said to be supreme over the other. Taken all these factors into consideration we can say that state's powers are internally divided. The state only exists externally, in relation to other states.

Allah is Hakim, Command is only for God should not therefore be equated with Austin's concept of sovereignty. Austin did not refer to the Authority of God, he was referring to the authority of the ruler. Even in Kholafa-e-Rashadeen, Caliphs issued laws both in written and unwritten form and this did not constitute violation of Hakimat of Allah.

Now let us discuss the question of the participation of **woman as the head** of an Islamic government or head of an Islamic state. Those who object to assigning political position to women forget that in today's world rulers are parts of an establishment. Indeed government itself is one of a group of institutions that share out among itself the power and authority, which used to be *exercised by a single ruler*, regardless of the title he assumed. During the earlier days of Islam, the Kholafa-e-Rashadeen *used to combine in them comprehensive and broad authority, over the whole Muslim world* which no ruler is expected to exercise in foreseeable future, including leading prayers, commanding armies, exercising absolute Ijtihad in Fiqh, and being the supreme judge. From the point of view of her competence, a woman may be 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, constitute the *overall authority* over the community, which assigns it to a woman.

In modern state, it is institutions that rule, not individuals. Women, whatever their number in executive, legislative or judiciary positions are included in bodies and are subject to a system. Laws are codified, and discretionary decisions are subject to be reviewed by those who have higher positions or by the courts. No single man or woman can maintain absolute power in modern state. A woman has the right to vote, to be a member of parliament, a minister, a judge, and even an officer in the army. Which jobs

may or may not be convenient should be decided by women themselves- not imposed on them- according to their own conviction and based on their own interests. But many traditional Islamic leaders are reluctant to accept this position.

If we look at the Quran, we find that Queen (or the ruler) of **Sheba** was not removed from the throne even after she became a Muslim although she was a woman. The Hadith (Verily that nation would not prosper which hands over the reigns of its government to a woman- Bukhari) often quoted against the participation of woman as head of an Islamic government or head of an Islamic state is an Ahad Hadith (whose authenticity is not beyond question) and its meaning is Zanni (that is- it has no one established interpretation) in nature.

The constitution of Bangladesh puts no restriction on woman becoming the head of the state or government. In fact the Islamists in Bangladesh have participated in Government under a woman Premier.

The constitution of Bangladesh puts no restriction on **non-Muslim becoming head of the state or government**. In fact the premier Islamic movement of the world – the Muslim Brotherhood in 1952 drafted an Islamic Constitution for Egypt consisting of 103 articles. The draft constitution puts forth the notion of civil state based on citizenship and loyalty to the state. Muslim Brotherhood put 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 expels 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 Muslim Brotherhood disregarded one's religion being the prerequisite of becoming head of the state. Article – 4 stipulates that only an Egyptian can be 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 persons who meets all the conditions required for the Member 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].

Islam and Muslims are being accused by the West on the basis of the old ruling of the Muslims jurists that if a Muslim leaves Islam or converted to some other religion such person is beheaded for being **Murtad** (leaving Islam). But eminent contemporary Islamic scholars hold different view on the basis of renewed Ijtihad, research and investigation. The West however continues to propagate that Islam is against the freedom of conscience and Muslims do not believe in liberty, free will and choice. In fact there is not a single instance that Prophet Muhammad did treat apostasy as a prescribed

offence under Hudud (capital punishment) only for leaving Islam. Prophet never put anyone to death for apostasy alone rather he let such person go unharmed. 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. In fact the Supreme Court of Malaysia ruled that conversion to Christianity by a Muslim is not a punishable offence.

The verse 137 of Surat an Nisa is conclusive proof of argument against the death penalty for apostasy: “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”. The implication of the verse 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. It is also interesting to note that the initial reference to disbelief is followed by further confirmation of disbelief and then ‘increase in disbelief’. One might be inclined to think that if the first instance of apostasy did not qualify for capital punishment, the repeated apostasy might have provoked it – *had such a punishment ever been intended in the Quran*.

The Hadith, the Saying of the Prophet which makes it clear that the apostate must also boycott the community (Muifariq lil-jamaah) and challenge its legitimate leadership, in order to be subjected to death penalty: “The blood of a Muslim who professes that there is no god but God and that I am His Messenger, is sacrosanct except in three cases: a married adulterer; a person who has killed another human being; and a person who has abandoned his religion, while splitting himself off from the community (Muifariq lil-jamaah)”. Imam Ibn Taymiyyah explaining the aforementioned Hadith of the Prophet inferred that “the crime referred in the Hadith under discussion is that of high treason (Hirabah) and not apostasy (Riddah) as such”

S. A. Rahman, former Chief Justice of Pakistan in his monograph ‘The Punishment of Apostasy’ in Islam looked “into the evidence in the Quran and the Sunnah in detail, and draws attention to the fact that the Quran is silent on the question of death as the punishment for apostasy, despite this subject occurring no less than twenty times in the Holy Book”. Justice Rahman examined the Hadith “kill whoever changes his religion” (Man baddala dinahu faqtuluhu) and found “some weakness in the transmission (Isnad)”. Justice S. A. Rahman’s conclusion is also supported by other evidence, such as the fact that neither Prophet himself, nor any of his Companions ever compelled anyone to embrace Islam, nor did they sentence anyone to death solely for renunciation of faith. Justice Rahman’s view is supported by such eminent earlier scholars as Ibrahim al Nakhai and Sufyan al Thawri (both held the view that “apostate should be re-invited to Islam but should never be condemned to death”), the renowned Hanafi jurist Shams al Din al Sarakhsi (“apostasy does not qualify for temporal punishment”), Malaki jurist al Baji (“apostasy is a sin which carries no prescribed penalty, Hadd”) and modern scholars as Abd al Hakim al Ili and Ismail al Badawi (apostasy to be punishable by death has to be “political in character and aimed at the inveterate enemies of Islam”), Mahmud Shaltut (“apostasy carries no temporal penalty”), Mahmassani (“death penalty was meant to apply, not to simple act of apostasy from Islam, but when apostasy was linked to an act of political betrayal of the community”). Selim el Awa raised a very rational argument that if the Hadith “whoever renounces his religion shall be killed” is

literally applied it would be applicable also “to Christians, who convert to Judaism and vice versa” which “manifestly fall outside the intention” of the Hadith.

Dr. Hassan Turabi, the ideologue of the Sudanese Islamic movement, raised a very pertinent rational argument on the validity of the opinion of those scholars who hold the view that apostasy in Islam is punishable by death. He pointed out: “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?”

“If Almighty 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. If He has chosen to distinguish us from other creatures through His gift of freedom, instead of creating us believers by necessity like stones, mountains, and the earth, which all fear the responsibility of freedom shouldered by Man, the ignorant, the unjust; if that is so, then the exercise of that freedom will become a matter of course – a self-evident truth confirmed by the Quran as in, ‘No one is to be compelled to believe’.

“At the time of the Prophet Mohammad the Quran tells us of those who believed and then disbelieved again and so forth. The opinion of the people of those days changed so easily and freely – between belief and disbelief – that it appeared to swing like a pendulum.

“The Prophet’s saying about apostasy is a short statement pronounced within the context of war conditions. Muslims were greatly affected to see one of their companions desert his faith and join the ranks of disbelievers. They were not sure if they should kill him or spare his life because he was a Muslim once. The Prophet explained that one who abandons his religion and deserts his fellows should be killed. Regrettably, people of the subsequent generations have taken the Prophet’s saying out of its historical context and generalized it. In so doing they deny one of the basic truths of Islam: the freedom of faith.

“The saying is related to the case of the Muslim who deserts his fellows and joins the enemies of Islam. Such a person will either be killed or kill someone else”.

It is therefore clear that the Prophet’s saying about the apostate is restricted to times of war, when a Muslim deserter joins the ranks of the enemies to wage war against Islam, rather than seeing this Hadith as a measure for controlling the faith of those who do not bear arms. In fact any attempt by a Muslim forcibly or by unfair pressure to convert a Christian subject ... was punishable to death. This law existed in the Turkish Empire.

If anybody however takes a very penetrating look into the revealed text of the Quran, the verses related to the creation, the very pluralistic approach of God will be crystal clear. God is All Powerful [57: 1-2] and He created everything to worship Him alone [51: 56]. He even then tolerated the rebellion of the Satan and allowed Satan the opportunity to misguide men and women from the worship of God [7: 11-18]. When God tolerates Satan, how Muslims can be intolerant to some people or powers who do not subscribe their view and way of life? The Prophet Muhammad was sent as a mercy on humankind and not to force people [3: 164, 21: 107 and 50: 45]. The very principle of Islam is persuasion and not to force. There is no compulsion in religion [2: 256]. How then

Muslims can be intolerant and deny other religious communities the opportunity to live with them peacefully?

The West continues to repeat the old Ijtihad of the Muslim scholars that non-Muslims living in Muslim countries have to pay **Jiziah** tax even though contemporary jurists have ruled that paying of Jiziah is not compulsory and binding. In fact the second rightly guided caliph Omar bin Khattab reviewed the Jiziah policy (tax imposed on the non-Muslims) and abrogated the Jiziah imposed on old people, children, orphans and unsupported women. Omar even ordered to pay monthly allowance to a Jew when he saw him begging door to door. As long as non-Muslims pay some taxes as a mark of their obedience to the Muslim state, there is no need for a special tax only to be paid by the non-Muslims. The renowned Islamic jurist Dr. Yusuf Al Qaradawi in his book 'Fiqh-uz-Zakat' mentioned that Caliph Omar bin Khattab dropped Jiziah on the Christian of Banu Taglib tribe on their request and imposed another tax. Dr. Qaradawi opined that it is not necessary that non-Muslims pay Jiziah. It is enough if the non-Muslims pay a tax equal to Zakat. Eminent Arab economist Dr. Monzer Kahf currently working with Islamic Development Bank (IDB) opined that Jiziah can be charged only from the subjects of the conquered lands. Moulana Mawdudi also holds the same view. Moulana argued that Pakistan not being a conquered land the question of imposing Jiziah on the non Muslims citizens of Pakistan does not arise. The day of colonization is over. Modern states have been established by the joint struggle of both Muslims and non-Muslims. The imposition of Jiziah has therefore become irrelevant and impractical. In fact Islam makes no difference between Muslims and non-Muslims as far as the basic necessities are concerned [2: 126].

Secularization is not a necessary condition for democratization. Scholars who have emphasized and advocated secularization as *sine qua non* of democratization are grossly wrong. Secularism is a western concept and is not a necessary condition to establish and strengthen democracy in a society. Moreover secularism is of various kinds. British, French and American secularism are not the same. In U.S. and Britain religion form the core of the social and governmental system. We can however identify a value already implicit within Islam which is akin to democracy and this does not necessarily need incorporating a western idea like secularism.

There is nothing in Islam, which is against democratization. The scholars who allege such unfounded allegation that Islam is against democratic system and values ignore the fact that democracy could not flourish in the Muslim World due to foreign intervention and support to the ruling elite who are always stand by to serve their former colonial masters. In fifties the West worked against the democratic aspiration of the Iran installing autocratic Shah by replacing democratically elected Mosaddeq. Still later U.S. made every effort to protect the Shah of Iran and defeat the Islamic revolution. The most recent example is Algeria where the West backed the military junta to nullify democratic election. American military, strategic and economic interests have led to the destabilization of many Islamic states. The focus of Western attention is oil producing Arab countries where West used the technique of indirect manipulation of leaders of public opinion and regimes to all out intervention as in the case of Suez crisis in 1956. To this now may be added the current situation in Iraq where U.S is trying to manipulate situation for its own interest.

Now let us discuss the most important question of **Islamic approach to minority rights**. We all must remember that the political institutions and laws of an Islamic state are binding on all citizens irrespective of religion - Muslims and non-Muslims. For Muslims it is religious obligation to follow the political system of Islam for Islam is a Deen, a complete way of life. Such laws in no way would violate the religious rights of non-Muslims. However in line with the Quranic dictum: There is no compulsion in religion [2:256], we must remain conscious and vigilant about the rights of non-Muslims.

It is also important that while developing Islamic political model we must remain conscious and vigilant that while, as Muslims, we follow Islam, we do not force others to follow the injunctions of Islam. While developing the political model of Islam we have to keep in mind that Muslims are majority in some countries and in some other countries they are minorities. We therefore need to develop the political model keeping uppermost in our mind the time and space factor.

It is therefore seen that Islam has few or no fixed prescription regarding institutional arrangements for an Islamic society's political system. The Quran often makes reference to past societies and rulers, but its principal focus is on the moral behavior of societies and the extent of justice observed by rulers rather than on the format of politics and its structure. The Sunnah of the Prophet of Islam does not touch upon the organizational structure of political governance, but contains advices geared to the rulers on principles of justice, compassion, mercy and obedience.

Now let us discuss the position of minority in our country. Although some Islamic elements are incorporated in the Bangladesh constitution, but that does not bar any member of the religious minority community, Hindus, Buddhists or Christians, from being elected the head of the state or government or become chief justice or being appointed in such other coveted posts. There is no religious, political and civil discrimination in Bangladesh as far as law and constitution is concerned. What is important is that each Muslim country must ensure a free judiciary that can guarantee rule of law. It is not fair to become emotionally charged and then say that someone's position is second-class citizen in Bangladesh. Such allegations are sheer propaganda devoid of truth. No doubt we must make sincere efforts to improve further the condition of minority population in Bangladesh, which requires consistent efforts but the fact remains that minorities are in better position in Bangladesh than any neighboring country.

It is not clear how adoption of official religion in Bangladesh opened the door for abuses and causes division within society that ultimately alienates minority population, as some people have alleged, when fundamental rights of citizens in Bangladesh are protected by its law and constitution. In many European countries Christianity or Catholicism is the official religion. This does not effect fundamental rights or do not make others second-class citizen. In Bangladesh members of minority communities can join national security forces like Police and Army whereas Palestinians within Israel who are Israeli citizen cannot join Israeli security forces.

We have in Bangladesh approximately 10,000,000 (ten million) Hindus, 600,000 Buddhists and 500,000 Christians. They are better presented in the government services than the ratio of population. Historically the Hindus control trade of the

country. The minorities enjoy religious public holidays which are rare in the West. The Hindu enjoys three days public holidays on the occasion of three different Hindu festivals, Christians enjoys two days public holidays and the Buddhists enjoy one day public holiday.

Now let us discuss the **role is Islam in political mobilization in Muslim societies, particularly Islamist political parties and movements.** Islam plays important role in the politics of Bangladesh. Not to speak of Islamic political parties, even cultural organization like Jamaat-e-Tablique play pivotal role as Islamic force in mobilization for preaching and Dawah. Jamaat-e-Islami Bangladesh, the largest party of the Islamic movement in Bangladesh, although well organized, is isolated from the people and a minor force compared to nationalist-secularists. The Jamaat until now could not involve the religious minorities within their organization in a big way. Jamaat holds a vote bank of approximately ten percent of the votes and other minor Islamist parties, Islami Okya Jote, Bangladesh Khelafat Majlish, Islami Shashantranta Andolan, to name a few, together hold one percent of the vote. The eleven percent votes of the Islamists together play important role in making and unmaking of government. The Islamists in Bangladesh are thus a balancing factor in Bangladesh politics. The Islamists in Bangladesh have political prospect of power only in forming coalition government with the nationalists-Islamists. The Jamaat in 1996 contested all 300 parliamentary seats, they got only three seats. In 2001 Jamaat formed alliance with nationalist-Islamist Bangladesh Nationalist Party (BNP), contested 31 parliamentary seats and secured 17 seats. Although Islamists in Bangladesh are minor force, but even then Islam has major influence on the people and therefore the nationalists-secularists cannot ignore Islam and uses Islamic symbols and slogans during parliamentary elections. The nationalists-secularists try to woo the Islamists to ensure their election victory. In December 2007 nationalists-secularists Awama League to gain political legitimacy signed a memorandum with Islamist Bangladesh Khelafat Majlish pledging to recognize the degrees awarded by Qaumi Madrasa and to enact law of blasphemy, if form government after the parliamentary elections, and reiterating its firm faith that Prophet Muhammad as the last Prophet. Islam and Islamic forces thus play significant role in political mobilization.

As regards **non-religious approaches to political issues within predominantly Muslim societies** – really it is not possible to exclude Islam in a Muslim society in handling or talking any issue, political, social or cultural. Indeed Islamic norms are the basis of the state. Recently the Archbishop of Canterbury Ron William affirmed that Christian values are the basis of all laws of U. K. However secularists, socialists and communists work in Muslim countries and they should have right to operate.

Now let us discuss distinct **perspective Islamist politics** had adopted on transnational non-traditional security issues such as **environmental degradation, or water shortage and conflict.** It becomes clear from a glimpse into the last election manifesto of Jamaat-e-Islami Bangladesh (2001), largest of the Islamic parties, that the Islamists have not done enough work in the arena. The manifesto states: “Scientific measures shall be adopted for resisting environmental pollution, preserving ecological balance and improving the environment, creating mass awareness as well as preservation of the animal-variety. Deforestation shall be checked with an iron hand. ... Steps shall be taken to ensure proper and planned utilization of water resources ... abandoned streams,

canals, rivers and rivulets and derelict ponds shall be re-excavated". It thus has become clear that Islamists have not made a specific and clear-cut commitment to the people of Bangladesh in this regard. However they are in favor of allowing Non-government Organizations (NGOs) for playing constructive role in this arena. As regards resolution of **conflicts in non-traditional security issues with the neighboring countries** the Jamaat manifesto did not make its position clear excepting that they are against interference in the internal affairs of another state and will firmly meet any such eventuality.

The elite- **the knowledgeable people** in Bangladesh are in favor of giving **NGOs a positive and constructive** role in responding to threats from environmental change, public health and diseases, terrorism and crime, and other emerging cross-border or transnational problems side by **side with the government**. In fact Non-government Organizations (NGOs) in Bangladesh are working all these fields for a long time for example Anjuman-e-Mofidul Islam is working in the field of public health and diseases in addition to burial of dead bodies for more than sixty years. Undoubtedly Anjuman-e-Mofidul Islam and such other local organizations are **imbibed with the sprit of Islam and Muslim culture** that emphasizes in doing public good. NGOs such as Legal Aid Organizations are also working in mitigating problems arising out of terrorism and crime, and other emerging cross-border or transnational problems. NGOs are also working with full public support to mitigate people's suffering due to scarcity of pure drinking water. The knowledgeable people in Bangladesh however think that water shortage due to withdrawal of water in the upper riparian by India with its multifarious effects or conflicts and competition for natural resources in the bordering areas with India, problems arising out of terrorism and crime and other emerging cross-border or transnational problems must be solved by diplomatic initiative bilaterally and if necessary by raising such issues in multi-national forums including UN. #