Focus: Democracy and Islam

Religious Viewpoint: A Democratic System of Rule is Acceptable to Islam

by Mohammad Hashim Kamali

Muslim scholars have differed in their assessment of democracy and constitutionalism from the viewpoint of Islamic principles. The view has gained ground, however, that a democratic system of rule is on the whole acceptable to Islam. This is because democracy is about fundamental rights and liberties, the rule of law, a representative and participatory government, separation of powers, and equality before the law. Rights and liberties are a manifestation of human dignity which must be protected against the coercive power of the state. A constitution is an instrument of limitation, organisation, and division of power among the various organs of state. Broadly, Islam approves of most of these and takes affirmative positions on the protection and realisation of people's welfare and maslahah, a consultative government committed to accountability (muhasabah) and justice. Islam advocates a limited government, which is committed to the advancement of the goals and purposes (maqasid) of Shari'ah.

The Ummah as a Consumerist Market

by Karim Douglas Crow

The Halal market is currently estimated at roughly US$ 2.3 trillion, and is growing at half a trillion dollars a year. Malaysia has twenty-four Halal Parks and boasts of developing a ‘Halal economy’. On April 3rd–4th 2013 Malaysia hosted its eighth International Halal forum or World Halal Week Kuala Lumpur, under the direction of the Ministry of International Trade and Industry. This year 2013 will see many regional Halal Fairs including the ones in Sarajevo, Toronto and Moscow.

Depreciation of Currencies (Kasād al-Nuqūd) and its Shari’ah Rulings

by Mohammed Farid Ali & Tawfiique Al-Mubarak

Currency may depreciate due to various factors, and such depreciation (kasād) is not a new phenomenon at all. It dates back to as early as the beginning of the history of currencies. Early juristic works have often discussed kasād al-nuqūd in two forms; kasād in the sense of extinction or discontinuation of a currency, and in the sense of depreciation of the value of a currency, which is also referred to as rukhs al-nuqūd. Whereas the classical usage of the word “kasād” denotes discontinuation or extinction of a currency, in contemporary Islamic finance and economics it refers to depreciation in the value of a currency.

The Arab Spring and Its Aftermath: Some Questions for the Politicisation of Islam

by Ali Muhammed Fakhro

Today two years have passed since the Islamists have taken up rule in Egypt and Tunisia. Other Islamist factions may also be on their way to power in a number of other Arab countries in the near future. It is therefore appropriate to make some observations and pose some constructive questions, in all objectivity and with the best of intentions, for all to consider, both those who rule at the present time and for those who will come to rule.
O GOD: YOU are Peace, YOU are the source of Peace, Peace belongs to YOU. So welcome us (in the Hereafter) O LORD with the salutation of 'Peace!', and admit us into Paradise the Abode of Peace. Blessed and Exalted are YOU our LORD, Possessor of Majesty and Reverence.

(Text from al-Tirmidhi and al-Nasa’i)

EDITORIAL

Warm Greetings! We at IAIS are delighted to present our Bulletin 13 Issue focusing on Islamic political issues on the one hand and Islamic economics and markets on the other. In the leading article of Professor Kamali on whether Democracy is compatible with Islam, this is investigated from different standpoints with the qualified conclusion that democracy is not contrary to Islam. Certain specific features distinguish the Islamic concept of governance which is limited but dedicated to the promotion of the objectives of Islamic law (maqasid al-Shari’ah).

Dr Karim Crow has drawn attention in his article, “The Ummah as a Consumerist Market”, to the massive growth of the Shari’ah-conscious Halal goods market throughout the world – currently worth US$ 2.3 trillion - that even multi-national non-Muslim firms such as Nestle have to give focus in acknowledgement of the size of the Ummah market … growing and growing faster as Muslims tend to have sizeable families. In our Fiqh section Dr Farid Ali and Tawfiq Al-Mubarak explore Islamic scholars’ views on the depreciation and inflation of currencies, and whether outstanding debts are paid according to the currency face value or in terms of ‘price equivalence’. Michael Scott in translation provides us a window on current thinking in the Arab World regarding political developments in the aftermath of the Arab Spring by well-known columnist, Dr Ali Muhammed Fakhro, who has a plea to the current Islamist rulers to respect the rights of the people, to obtain good advice, and not to repeat early mistakes made due to inexperience in their governing.

Dear Reader, you should consider visiting the Umayyad masterpiece of spiritual inspiration and artistic expression - the Mosque of Cordova in Spain. In a memorial article dedicated to our much-loved Ustadh Uthman el-Muhammady who departed this world on 25th March, Sheila Ainon presents the philosopher-poet of Pakistan, Muhammad Iqbal’s poem and reminiscences on this beautiful representative of Islamic architecture.

In line with IAIS’s address of topical political issues facing the well-being of the Muslim World, reports are provided on public seminars organised co-jointly with IAIS on the topics of “Islam without Sectarianism”, “Islam in Bangladesh: Current Turbulence and Future Prospects”, and “Islam and Democracy: What is the Real Problem?” Do let us know if you would like a copy of this Bulletin to give to a friend. Wassalam.

Bulletin Editorial Team : Professor Mohammad Hashim Kamali, Daud AbdulFattah Batchelor, Mohammed Farid Ali, Tengku Ahmad Hazri and Norliza Saleh.

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Islam and democracy both seek to realise people’s welfare and basic rights of life, personal security, privacy and ownership. The Shari’ah recognises these as also the rights to education and employment, and the individual’s entitlement to the essentials of life.

There is much evidence to suggest that Islam envisages a civilian system of rule, not a theocracy. This is because the head of state is elected by the people through consultation, nomination and pledge of allegiance (bayah), which translate into the modern day equivalent of a popularly elected government where the locus of authority rests with the people.

The head of state is accountable to the people, triable before the court of justice, and the people have the authority ultimately to depose him in the event of a flagrant violation and miscarriage of duty.

The head of state has no papal authority to exonerate sin nor to interfere with the religion of a person.

The civilian character of his office is thus manifested in the legal maxim of fiqh that “The affairs of the head of state are judged by reference to public interest (amr al-imama manut bil-maslahah)”. The essence of stewardship in Islam is proclaimed in the hadith that “the leader of the people is their servant (sayyid al-qawmi khadimuhum)”. Yusuf al-Qaradawi approves of democracy and the electoral process, which he resembles to testimony (shahadah) in which the people testify to the suitability and trustworthiness of the candidates they vote for — and giving shahadah is a collective obligation (fard kifai) of the Muslim community.

Party politics, according to al-Qaradawi, is a means of organised participation in government affairs. This too resembles fiqh schools, or madhhab, which the learned scholar has characterised as juridical parties, manifesting partisan positions in jurisprudence.

As for the question that democracy is a western rather than an Islamic doctrine and that it carries western values and viewpoints, al-Qaradawi responds that the Islamic tradition and scholarship have maintained a relatively open profile of receptivity from and contribution to other civilisations. It has taken from other traditions which is of merit and acceptable to its own values.

Electoral democracy does not authorise the people or government to change the beliefs of Islam (‘aqid) nor any of its devotional principles (‘ibadat), the halal and haram, and the essentials of morality.

These are firmly grounded in the Quran and Sunnah and no one may in the name of democracy interfere with them. As for the management of community affairs and realisation of people’s welfare, democracy is more likely to facilitate rather than obstruct and undermine them.

Hence democracy is not contrary to Islam. The Islamic public law doctrine of Shari‘ah-oriented policy (siyasah shar‘iyah) also enables the ruling authorities to address urgent issues and problems that affect people’s lives through Shari‘ah-compliant ordinances and initiatives, even at the expense of some unavoidable departure from the rulings of the existing schools and scholars.

On the subject of sovereignty, which belongs to the people, the constitution, or Parliament (France, the United States, and the United Kingdom respectively), it is not an Islamic doctrine but an aspect of political democracy over which Islamic scholars have expressed reservations.

Yet many have also drawn a distinction between what they term as absolute sovereignty (siyadat al-hukm), which can make or unmake any law, and executive sovereignty (al-sultan al-tanfidhi).

Only the latter obtains in an Islamic polity, simply because it is not vested with the authority to change the essentials of Islam and Shari‘ah.

Hence what remains is a kind of executive sovereignty in which political authority is vested in the people and government exercises it on their behalf.

The challenge facing Islamic scholars in Malaysia and elsewhere is perhaps to highlight aspects of harmony between Islam and democracy, and for the government authorities to set in place rules and procedures that achieve unity and integration of values, of both Islam and democracy, into its legislative processes, with the purpose ultimately to eliminate or minimise the duality of laws in favour of substantive integration and unity.

Another aspect of this challenge is to enhance and integrate the human rights principles into the applied laws and procedures of both the civil law and Shari‘ah.

Democracy in this digital age presents new challenges for the people’s right of privacy, which
demands enhanced vigilance from the viewpoints of both the Shari‘ah and civil law.

There is also a need to specify with greater clarity what roles the media and education should play in the advancement of both democracy and Islam.

It must be added, however much in passing, that Malaysia is not new to most of these — and some work is also underway on the harmonisation of Shari‘ah and civil laws into the legal system of Malaysia, which has taken a fresh momentum with the milestones of progress Malaysia has made in Islamic banking and finance.

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by Tengku Ahmad Hazri

On 6 April 2013, IAIS Malaysia and the Islamic Renaissance Front (IRF) co-organised the International Seminar on ‘Islam and Democracy: What is the Real Problem?’ There was consensus among the speakers that the Qur‘an and Sunnah prescribe no specific form of government, but insist on commitment to principles like justice (‘adl) and welfare (maslahah), thus implying the “compatibility” of democracy with Islam. Prof Mohammad Hashim Kamali (Chairman and CEO, IAIS Malaysia) in his Keynote Address drew attention to the institutions of democracy, seeing in them prospects for the crystallisation of Qur‘anic principles of consultation (shura), consensus (ijma‘) and independent reasoning (ijtihad). Dr Syed Farid Alatas (National University of Singapore) cautioned against the ‘idealisation’ of democracy and indeed, against disproportionate emphasis on the ‘ideal’ itself. Democracy means more than the ballot box but requires supporting infrastructures, such as a strong business community and even the correct mindset. The latter is intertwined with theology; for instance, a religious approach that focuses on the punitive dimensions of religion is hostile to a democratic society. Dr Dzulkifly Ahmad (Islamic Party of Malaysia (PAS)) distinguished between the fixed (thawabit) and changeable (mutaghayyarat) components of Islam, and endorsed democracy on the ground that forms of government belong to the latter. But contrary to widespread assumption, this approval has nothing to do with necessity (darurah) for in cases of necessity, the Shari‘ah permits appropriation only to the extent necessary for survival. Yet in democratic societies individuals have gone beyond mere survival to flourish and thrive with their own talents and capabilities. Dr Farouk Musa (IRF) linked democracy with freedom, rationality and social justice, in the tradition of Muhammad Asad, Ali Shariati and Rachid Ghannouchi. If man has been dignified by Allah (Qur‘an, 17:70), it is because of the gift of reason, by means of which also man affirms al-tawhid (Oneness and Unity of Allah). At the social level, al-tawhid is also the underlying principle of human fraternity enjoined in Islam, hence its antipathy to sectarianism such as racism.

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**Quotable Quotes**

“The innate qualities of the soul are peace, love, truth and joy. When a soul gets affected by negative traits such as ego, greed and anger, the creative spark is reduced; however, when the soul is nurtured by positivity, the creative talent is released” (Bridget Menezes)

“It is only when we are at peace that we can search within ourselves and create something extraordinary” (Bridget Menezes)

“All that is necessary for the triumph of evil is that good men do nothing” (Edmund Burke)

Martin Luther King called the United States “the greatest purveyor of violence in the world today” - and said, “A nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death.” (Martin Luther King)
Islamic fashion, Halal-friendly tourism, and Islamic finance have blossomed into major sets of disciplines over recent decades, and now attract the serious attention of non-Islamic entities and institutions worldwide. In 2012 'The Economist Intelligence Unit' in London published its report on the growing importance of the shari'ah-compliant consumer market with products achieving healthy sales. Muslim majority countries are experiencing the fastest-growing demand: Arabian Gulf states, North Africa, and South Asia, while Malaysia and Turkey are actively engaged in staking out leading positions. Yet major investment firms and transnational corporations in Europe and America command the biggest percentage of sales. The largest producer of Halal goods globally remains the Swiss-based transnational corporation Nestlé, which in 2008 achieved $5.2 billion in revenue in Halal products alone. With expanding markets in Muslim countries Japanese companies also see the production of Halal foods and other products as a passport to the Islamic world.

Increased attention is devoted to the role of middle class consumption as a key driver of global capitalism. Shari'ah-conscious marketing is rapidly growing in all sectors, and a distinctive transnational Halal ‘Lifestyle’ is emerging. The Islamic brand has definitely arrived, promoted as being “where Big Money meets Religion” – and includes products like Halal Easter eggs, cat food, and even non-alcoholic cocktails. To become a player in this freshly arisen global market, Muslim values of purity, integrity, community, and compassion are held up as the model. Halal products are envisioned as “adding value” to existing goods and services, thereby ensuring a larger share of the global market.

Shifting of wealth East and the growing Muslim middle class present opportunities and risks for the Islamic global community. The size of the world's middle class is predicted by the OECD to increase from 1.8 billion people to 3.2 billion by 2020, and could reach up to nearly 5 billion people by the year 2030 with almost all this growth (ca. 85 per cent) occurring in Asia. Consumption is shaping the integration of Muslim societies into global economic market activities and commercial strategies. Will these factors bring an increasing acceptance of Islamic values in the global economy?

The McKinsey Global Institute's Sept. 2012 report 'The Archipelago Economy' predicts that Indonesia will become the 7th largest world economy by 2030. In less than twenty years Indonesia will add an estimated 90 million additional consumers (from its current 245 million) with considerable spending power. This will be stronger growth in the consuming class than any other economy apart from China and India. How the Halal market develops over the next decade also depends upon successful regional cooperation. The Arab World alone needs over $80 billion in agricultural investment to fill its food gap.

Nevertheless the inescapable reality is that Halalisation remains closely subordinated to the dominant Marketisation and Financialisation fueling our world economy of Late Modernity. The capitalist-inspired ethic of endless affluence and heedless waste threatens to overwhelm the natural ecosystem and human mercantile structures. What will be the Consumption-Per-Person or per capita ‘ecological footprint’ of so numerous an expanding consumer class, and the social and human costs for human wellbeing? It is no secret that over-consumption causes resource depletion and severe environmental degradation, while the capacity of Earth’s ecosystem to absorb wastes is being exhausted and reduces the ability of Earth to support life. Intelligent observers are raising alarm over unrestrained pursuit of the Consumer Society which ultimately profits a rich tiny transnational corporate and banking elite. They point to the financial, social and ecological crises that the globalised debt-based structure of endless consumption has brought upon our planet.

If the Muslim Ummah hopes to re-emerge as a global moral presence operating timeless Islamic values, this will require cultivating care and commitment to higher aims guiding responsible consumption of planetary and human resources. Islam's principles of social equity and just sharing of wealth, of curtailing wants and promoting frugality, and contentment, and of safeguarding individual conscience and ecological purity must be integrated into the communal experience of Muslims as consumers.

Essential Islamic values – an egalitarian social ethic, equitable economic system promoting communal welfare, and just polity and governance – carry considerable weight in the consciousness of Muslims, symbolised especially by the shari'ah and akhlāq. We have to be more creative when seeking to integrate the values of our faith into everyday realities and problems facing our societies. These questions have important implications for development goals and policy choices pursued by individuals as well as government and society leaders.
Muhammad Ibn 'Abd Allah al-Tamartashi (d. 1596 CE) in his treatise on monetary changes disclosed that the merchants in Greater Syria (Shām) used Shāhīs (Turkish Currency) and Sharfiyyahs (Dinar of Jerusalem) in their business transactions and contracts, which often changed in the exchange rates with the change of a governor. The treatise attempted to answer such issues. Similarly in our times, the value of the currency may depreciate due to inflation and the purchasing power diminishes accordingly. Likewise the value of the currency may appreciate due to deflation and the purchasing power increases accordingly. Hence, if Hasan borrows 100 Ringgit today, how much does he have to return the following month if there is inflation? However, Hasan will only return 100 Ringgit irrespective of its purchasing power today.

The view of Imām Abū Ḥanīfah was that in such a case the borrower will need to return the exact amount which he borrowed, irrespective of its depreciation. His disciple Abū Yusuf, although originally agreeing with him later revised his opinion and stated that the borrower will have to return the amount he borrowed in its value equivalence in dinār and dirham. Hence, if Hasan borrows 100 Ringgit today, how much does he have to return next month if there is inflation and the value of 100 Ringgit to be paid the following month is much lower than that of today?

The Mālikī scholars hold a similar opinion that there should be no increase in paying back a loan. Any excess will be deemed ribā. Abū Ishāq al-Shirāzī, a noted Shāfi’ī scholar, likewise, expressed that the borrower should only return what he borrowed, as loans should only be returned in exact amounts. Ibn Taimiyyah too, had the same view. In fact, it is a Shari‘ah principle that money loans should be paid in exact amounts (amthāl) without any increase, and not in price equivalence (qīmah). The basic difference between Abū Yusuf and other scholars’ opinions was due to Abū Yusuf’s consideration of currency as being part of dinār or dirham, whereas other scholars have considered the currency as represented by its inherent (face) value.

Ibn ʿUmar (r.a.) once asked the Prophet (pbuh) about his camel trades where the payment is sometimes made in dirham for dinār. The Prophet (pbuh) affirmed that it is valid as long as the payment is according to the exchange rate (of dinār and dirham) of the day of payment. The hadith affirms that loans should be returned in its equivalent amount (amthāl) on the day of payment. Had the price equivalence (qīmah) been the determinant in such delayed loans, the Prophet (pbuh) would have asked to pay according to the rate of the day the loan was taken.

The OIC Fiqh Academy in resolution no. 45 (4/5) also states that outstanding debts should be paid in the same amount (amthāl), and not in price equivalence (qīmah), and that it is not permissible to determine outstanding debts based on price indexes. Mufti Taqi Usmani concludes that Abū Yusuf’s opinion is applicable to gold dinār and silver dirhams only, not to paper money. Because, paper currency is not prone to appreciation (ghalā‘) and depreciation (rūkhs) as the gold and silver are. Paper currency is determined by its face value only. Hence, Hasan will only return 100 Ringgit irrespective of its purchasing power today.

Notes:

THE ARAB SPRING AND ITS AFTERMATH
SOME QUESTIONS FOR THE POLITICISATION OF ISLAM

by Ali Muhammed Fakhro

First: You have committed, and continue to commit, many significant grievous mistakes – in the domains of policy, administration, communications, and public relations. These mistakes occasionally betray a real bumbling, groping and distressing incomprehension of the spirit of our times, the age in which the world and your Ummah are living. If your experience is limited then why not solicit the assistance of others who enjoy the necessary experience and expertise? If you have limited knowledge of certain domains what would be the harm of seeking aid from those who have it more abundantly? Certainly, seeking help from others in no way lessens or detracts from those who do so. This is part and parcel of living in an age bursting with knowledge and discovery. But for you to continue trying different things and making one mistake after another and then apologizing while continuing to make more mistakes – this is something that might be acceptable at first but certainly in the long run it is to be condemned.

Second: As events have developed and interacted at such a rapid pace in the transitional period following the revolutions and popular mobilizations of the Arab Spring, with your sudden and surprising predominance upon the stage and transformations in your political mission, many people anticipated that you would be able to decisively arrive at a resolution with regard to many issues confronting the post-revolution societies. Among the most critical issues is the need for a clearly articulated and unambiguous position with regard to some of the stern and narrow-minded ‘salafi’ directives that in their judicial content exhibit marked historical stagnation and an intellectual backwardness that has exhausted even some of their most fervent advocates themselves, exceeding all legal and constitutional limits and violating the protected rights of citizens. They have worn themselves out as the self-appointed caretakers of the consciences of the faithful, as superintendents of the personal freedoms and independence of all human beings. And they have practiced their custodianship over these aspects of human life employing a discourse that is humiliating and wounding, and at times via a heavy and oppressive hand, with aggressive and terrorizing force.

People expectantly waited for you to take up a clear position condemning and rejecting all of that, and anticipated that you would confront it without any hesitation, in a decisive battle with the claimants to custodianship. People thought you would do this in the name of your religious duty, for you claim to be the agents of wasatiyyah, moderation. And they thought you would do so as a governing authority, responsible to uphold rights and basic freedoms throughout your own society.

The reality of the situation is that your stance on freedom – with all the variety of shapes and forms and shades and tones that it takes in the lives of citizens, especially in the realm of politics, thought, art and the personal lives of men and women alike – is going to trace the outline of the future presence of political Islam in Arab lands. It may help you to appreciate this before it is too late.

Third: There is a third and very serious, critical topic that requires resolution and decisiveness. It is to respond to the following question: Will the logic of your governance, and by extension the logic of your policies, actions, and conduct – in your countries and throughout the region – be in the name of the One and Comprehensive Islam, or will it be in the name of this or that madhhab against another madhhab or faction? You know very well that this issue has become the prime instrument used to fragment and destroy Arab and Muslim lands. Combating this logic will require firm stances and not public relations speeches.

At the end of the day the goal is to contribute to ensuring that the democratic experience in the Arab world does not fail. We do not wish to see any setback to the democratic surge, and we do not wish to see people scattered and dispersed from the Arab Spring in despair as a result of the multitude of mistakes that have been made or the pervasive lack of resolution on key issues.

Hence our hope that everyone will comprehend the importance of the role of defending the democratic project and investing in its success – for those who have died for its sake, as well as the right of those who will live to enjoy its fruits.

Dr. Ali Muhammad Fakhro writes a weekly column from Bahrain in 7 Arabic-language newspapers, and is Chairman of the Board of Trustees of the Bahrain Centre for Studies and Research. He has served as Bahrain’s Minister of Health (1970-1982), Minister of Education (1982-1995), and Ambassador to France (1995-2000), among other posts.

Translation by Michael K. Scott, IAIS Visiting Fellow, April 5, 2013

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Professor Mohammad Hashim Kamali published two articles, one on “Peace as a Universal Value”, and another on “Bribery and Corruption from a Shariah Perspective” in Islam and Civilisational Renewal Vol. 4 No. 2 (April 2013). He continued with various presentations as speaker or discussant at conferences and forums at IAIS and outside. He completed a paper on “Ethical Limits to Freedom of Expression,” for a conference presentation in Qatar. He is currently finalising the IAIS Policy Issue Paper on ‘Family Empowerment’ with Sheila Aion and working on an enhancement and revision of his two written works, one on “The Middle Path of Moderation in Islam” and the other on “Maqasid al-Shariah” with the assistance of Dr Farid Ali and Tengku Ahmad Hazri, respectively. Professor Kamali is also editing two books IAIS is publishing jointly with Kube Publishing of UK, one on Sukuk, and the other on Islamic Transactions.

Assoc Prof Dr Mohamed Azam Mohamed Adil joined IAIS as Deputy CEO on 1 April 2013. Prior to this appointment, he was Head of Department cum lecturer at the Centre for Islamic Thought and Understanding (CITU), Universiti Teknologi MARA (UiTM), Shah Alam. He is currently working on the IAIS book on ‘Islamic Transactions and Finance: Principles & Developments’ together with Prof. Mohammad Hashim Kamali and Sheila Ainon Yussof. He acted as Moderator at the International Seminar on “Islam in Bangladesh: Recent Decades, Current Turbulence & Future Prospects” co-organised by IAIS & Global Peace Malaysia (GPM) on 17 April 2013. He represented IAIS in roundtable discussions on the International Covenant on Civil and Political Rights (ICCPR) of 1966 at SUHAKAM on 18 April 2013.

Dr Karim Douglas Crow continues researching the nexus between Faith and Reason in relation to modernity; and is working on topics of Intra-Muslim understanding, Middle Class consumption, and Islamic Peace & Security (the May 16–17th 2013 Forum on Diplomacy and Human Security). A monograph on The Hashwiyah: Radical Muslim Traditionalism will appear shortly with Islamic Book Trust; and his study of Ja’far al-Sadiq: Lamp of Knowledge may be nearing completion.

Dr Daud Batchelor at the IAIS Internal Seminar on February 13 presented initial findings from his research project: “Developing a Political Framework Favourable for Peace in Post-Pullout Afghanistan for 2014 and Beyond”. In line with this continuing research he is preparing a paper on “Constitutional Change Towards Renewal in Afghanistan”. His article, “Deadly Drones in Hands of Trigger Happy Americans” was published in IAIS Bulletin No. 12. As an editorial committee member for the ICR and the IAIS Bulletin, he has been engaged in the review, editing and revision of submitted articles and participated in editorial planning meetings.

Michael K. Scott was engaged with reading, editing, and revising of material submitted to ICR as well as researching possible submission topics and contributors. This includes preparing and checking all ICR contributions and participation in all ICR editorial planning meetings; drafting letters and advertisements to promote subscriptions to the journal. In addition he is translating a booklet on Islamic Finance for the Islamic Development Bank, from the original Arabic to English.

Abdul Karim Abdullah @ Leslie Terebessy is completing a paper for the next issue of the ICR on the ‘Requirements of the Successful Implementation of Interest-free Financing.’ In addition, he is writing a book on ‘Problematics in Islamic finance, issues on interest-based lending and the benefits of profit and loss-sharing.’ He is also preparing about a dozen shorter pieces on Islamic finance for the Dirasat section of the IAIS Website.

Dr Mohammed Farid Ali continues working on a book on Maqasid al-Shari’ah in Financial Transactions and Contracts with Prof. Kamali and Tawfique Mubarak. He is working on the technical aspects of Prof. Kamali’s new edition of “Wasatiyyah”. He submitted a small article “Economic Recession and its Shariah Rulings” jointly written with Tawfique Mubarak. He is writing a view point on Hasan Nadawi’s concept of tajdid for the upcoming ICR and preparing a paper for the 10th International Risale-i-Nur Symposium and working on the research paper “Contentment and its Role in Curbing Social and Environmental Issues”.

Tawfique al-Mubarak is currently working with Prof. Mohammad Hashim Kamali and Dr. Farid Ali on the book Shariah Objectives (Maqasid al-Shariah) in Financial Transactions and Contracts. He is preparing a book review and
March-April 2013

The Sunni-Shi'a division has been the Muslim world's longest-standing division that warrants serious attention. On 10 March, IAIS Malaysia, Islamic Renaissance Front (IRF) and Islamic Book Trust (IBT) jointly organized the International Seminar on ‘Islam without Sectarianism’ as a step towards rapprochement.

Prof Mohammad Hashim Kamali (Chairman and CEO, IAIS Malaysia) in his Keynote Address stressed the importance of diversity (ikhtilaf) in Islam to the service of ijtihad (independent reasoning), stemming no doubt from the open-textured nature of the Qur'an itself, allowing for manifold interpretations. But this original motive was later obscured when, after crystallization into independent schools of thought, these schools succumbed to sectarian division unimagined by their founders, which makes a mockery of the whole notion of diversity itself. This was exacerbated in the 19th century by the Ottoman practice, hitherto unprecedented, of adopting an official state madhhab, the Hanafi legal school, for the pragmatic reason of securing consistency in the application of the law. These worrying developments notwithstanding, Kamali remained optimistic and pointed to recent initiatives like the Amman Message (2005) in which leading Muslim thinkers worldwide concurred on the validity of Sunni and Shi'a legal schools.

According to Dr Syed Farid Alatas (National University of Singapore), such a message is reflective of the mainstream current in Islamic thought, and he named among others, Mahmud Shaltut, Muhammad ‘Abduh, Salim al-Bishri, Muhammad al-Madani, Sayyid Sabiq, ‘Abd al-Azim al-Zarqani, Hassan al-Banna, Muhammad al-Ghazali, Muhammad Shaykh Sharawi and Syed Tantawi, as among those who have explicitly recognised Shi'a schools. The renowned scholar and former Mufti of Johor, Habib Alwi bin Tahir al-Haddad, even conferred an ijaza (teaching licence) to Ayatollah Mar’ashi Najafi, a prominent Shi'a scholar and founder of the Grand Library of Mar’ashi Najafi in Qom, Iran. These historical episodes present a different picture of Sunni-Shi'a relations from what is consumed in some media coverage of Shi'a in Sunni-majority countries (in some cases outright falsehood is involved, claiming for instance, that Shi'a Muslims exalt ‘Ali as a prophet and even have their own Qur’an!).

Apparently, the stereotypes were harvested through centuries of bickering which relied on “foundational myths” to use the phrase by Prof Karim Crow (IAIS Malaysia), referring to Sunni and Shi’a historicism that shaped their attitude towards each other. One such “myth”, he argued, was the invention by Sayf ibn Umar al-Tamimi of a certain ‘Abd Allah ibn Saba, supposedly a Yemeni Jew, as a scapegoat responsible for the feud between ‘Ali (the Prophet’s cousin) and ‘A’ishah (the Prophet’s wife). The standard Sunni response to such episodes of conflict, as typified by al-Tamimi’s approach, is to not take sides which may disparage either the Prophet’s family or Companions. This can be seen in Ahmad ibn Hanbal’s letter to a Basran traditionist, counseling the latter to pass in silence the shortcomings of the Companions for the sake of preserving their dignity and maintaining unity among Muslims. The Shi’as by contrast have always been more critical of the Companions and could not comprehend as to why a companion should precede the Prophet’s own cousin in succeeding him.

**Event Reports**

**International Seminar on ‘Islam without Sectarianism’, 10 March 2013, Kuala Lumpur**

*by Tengku Ahmad Hazri*

The Sunni-Shi’a division has been the Muslim world’s longest-standing division that warrants serious attention. On 10 March, IAIS Malaysia, Islamic Renaissance Front (IRF) and Islamic Book Trust (IBT) jointly organized the International Seminar on ‘Islam without Sectarianism’ as a step towards rapprochement.

Prof Mohammad Hashim Kamali (Chairman and CEO, IAIS Malaysia) in his Keynote Address stressed the importance of diversity (ikhtilaf) in Islam to the service of ijtihad (independent reasoning), stemming no doubt from the open-textured nature of the Qur’an itself, allowing for manifold interpretations. But this original motive was later obscured when, after crystallization into independent schools of thought, these schools succumbed to sectarian division unimagined by their founders, which makes a mockery of the whole notion of diversity itself. This was exacerbated in the 19th century by the Ottoman practice, hitherto unprecedented, of adopting an official state madhhab, the Hanafi legal school, for the pragmatic reason of securing consistency in the application of the law. These worrying developments notwithstanding, Kamali remained optimistic and pointed to recent initiatives like the Amman Message (2005) in which leading Muslim thinkers worldwide concurred on the validity of Sunni and Shi’a legal schools.

According to Dr Syed Farid Alatas (National University of Singapore), such a message is reflective of the mainstream current in Islamic thought, and he named among others, Mahmud Shaltut, Muhammad ‘Abduh, Salim al-Bishri, Muhammad al-Madani, Sayyid Sabiq, ‘Abd al-Azim al-Zarqani, Hassan al-Banna, Muhammad al-Ghazali, Muhammad Shaykh Sharawi and Syed Tantawi, as among those who have explicitly recognised Shi’a schools. The renowned scholar and former Mufti of Johor, Habib Alwi bin Tahir al-Haddad, even conferred an ijaza (teaching licence) to Ayatollah Mar’ashi Najafi, a prominent Shi’a scholar and founder of the Grand Library of Mar’ashi Najafi in Qom, Iran. These historical episodes present a different picture of Sunni-Shi’a relations from what is consumed in some media coverage of Shi’a in Sunni-majority countries (in some cases outright falsehood is involved, claiming for instance, that Shi’a Muslims exalt ‘Ali as a prophet and even have their own Qur’an!).

Apparently, the stereotypes were harvested through centuries of bickering which relied on “foundational myths” to use the phrase by Prof Karim Crow (IAIS Malaysia), referring to Sunni and Shi’a historicism that shaped their attitude towards each other. One such “myth”, he argued, was the invention by Sayf ibn Umar al-Tamimi of a certain ‘Abd Allah ibn Saba, supposedly a Yemeni Jew, as a scapegoat responsible for the feud between ‘Ali (the Prophet’s cousin) and ‘A’ishah (the Prophet’s wife). The standard Sunni response to such episodes of conflict, as typified by al-Tamimi’s approach, is to not take sides which may disparage either the Prophet’s family or Companions. This can be seen in Ahmad ibn Hanbal’s letter to a Basran traditionist, counseling the latter to pass in silence the shortcomings of the Companions for the sake of preserving their dignity and maintaining unity among Muslims. The Shi’as by contrast have always been more critical of the Companions and could not comprehend as to why a companion should precede the Prophet’s own cousin in succeeding him.
International Seminar on “Islam in Bangladesh: Recent Decades, Current Turbulence and Future Prospects”

by Tawfique Al-Mubarak

IAIS Malaysia held the International Seminar on “Islam in Bangladesh: Recent Decades, Current Turbulence and Future Prospects” on 17th April, 2013. Prof. Abdullahil Ahsan, Prof. Ershadul Bari, Lt. Gen. (Retd.) Dr. Aminul Karim and M. Raimi Abdur Rahim spoke at the event which was held at the IAIS boardroom.

IAIS Deputy CEO Assoc Prof Dr Mohamed Azam Mohamed Adil chaired the event. The speakers gave an overview of Islam in Bangladesh and spoke on the current upheavals which shook and shocked the nation very recently. Prof. Abdullahil Ahsan gave a historical account of Islam in Bangladesh, and shed some light on the ongoing International Crimes Tribunal (ICT), which he believes is basically a resolved issue. He suggested that Bangladesh should develop a better relationship with the OIC and ASEAN. Prof. Ershadul Bari's paper was on the constitutional reforms in Bangladesh, and the roles that secularism and Islam played in them. He also spoke on the feasibility of passing a new blasphemy law in Bangladesh. He concluded that the existing 1927 Amendment of the Penal Code could be enhanced to protect any contempt of religion.

Lt. Gen. (Retd.) Dr. Aminul Karim believes that the current crisis in Bangladeshi politics is the result of the artificially constructed divisions in the psyche of Bangladeshi Muslims. Bangladesh is a homogenous state, and the artificially constructed divisions should not compromise national interests at all. He concluded with the suggestion that the ummatic bondage should unite Bangladesh with other Muslim states. Raimi Abdur Rahim from Global Peace Malaysia spoke on the mutual ties between Malaysia and Bangladesh, and Malaysia's roles in enhancing the good relationship. He also briefed participants about the ongoing political tension and issues in Bangladesh. Raimi's suggestion to overcome the tension was through dissolution of the ICT and holding a fresh trial at the International Criminal Court (ICC).

Delegates from the Necmettin Erbakan University, Turkey visit IAIS Malaysia

by Tawfique Al-Mubarak

A delegation from the Konya University in Turkey visited IAIS on 28 March, 2013. The meeting began with a brief introduction of IAIS from the founding Chairman Prof. Mohammad Hashim Kamali to the delegates headed by the Rector Prof. Muzaff er Şeker. Konya University was established in 2010 and was later renamed as the Necmettin Erbakan University in 2012, in honour of the former Turkish statesman. The delegates exchanged views on possible research collaborations between the two organisations. Prof. Muzaff er stressed on the fact that despite a large Muslim population and ample researches on Islam, the research does not get adequate exposure and remains difficult to access. One of the major hindrances to such knowledge sharing is the communication gap in the Muslim world. However, modern technologies and Muslim expertise can contribute to solve the gap adequately.

Prof. Kamali provided an overview on the possible cooperation between the two organisations, which may include identifying and highlighting best publications, journal contributions, and exchange of selected works for better access and exposure. Both organizations showed interest to cooperate on peace and security studies, conflict resolution, the halal industry, and Islamic finance in their future collaboration.

Hikmah

The Prophet (pbuh) said: “Three self-destructive diseases are: niggardliness which is obeyed, vain desires which are being followed and a man’s conceit with his views.” (Reported by al-Tabrani)

“Islam will be destroyed by the mistakes of scholars, the arguments of the hypocrites who misinterpret the Qur’an to support their views and misleading rulers.” (Umar Ibn al-Khattab)

Ali b Abi Talib stated, “You will not know the truth by (looking at the) men. Know the truth first then you will know who really possesses it.” (Al-Qaradawi, al-Sahwah al-Islamiyyah, 107)
I have chosen to reflect on the “Mosque of Cordoba” as this beautiful poem was read to us by the late Ustaz El-Muhammady in 2007 when I was his student at ISTAC. He left us on 25th March 2013 (innalilaahi wainna-ilaihi raji’un). But he will always be remembered for his constant reminders to us “to remain mainstream” (staying away from bidaah or ritualistic innovations), how he had echoed the sunnah in his life, and the rendition of Iqbal’s poem the “Mosque of Cordoba” he gave, emphasising that “this temporal world is transient and what will be left behind when one dies is [just] one’s good deeds”.

The poem particularly appealed to me at that time as I was going through a spiritual transformation or a ‘reconstruction of religious thought in Islam’, and I remember him repeating its opening stanza:

The cycle of day and night [is] the engraver of events.
The cycle of day and night [is] the essence of life and death.
The cycle of day and night is a two-coloured thread of silk

with which the being weaves its attire of traits.
The cycle of day and night [is] the lamentation of the musical-instrument of the origin through which the being shows the vicissitudes of possibilities.
It tries you, it tries me;
the cycle of day and night is the examiner of the cosmos.
If you’re impure, if I’m impure [then] it leads to your funeral procession, it leads to my funeral procession.
What else is the truth of your days and nights

This stanza describes the nature of time as an unending cyclical chain of days and nights which is nevertheless only an apparent reality; everything that man creates is ephemeral, and the end result is annihilation.

O magnificent mosque! In love and eagerness we both are alike. There is a mystical affinity between you and me. Man, in his creation is a handful of dust but his heart is the envy of the ninth heaven. The human heart is also lit up with the lustre of Divinity and the joy of Presence.

Iqbal’s poetry is depicted as “the best embodiment of poetically mediated thought, squarely in the traditional continuity of Islamic literature and perhaps the finest flowering of wisdom poetry, or contemplative poetry, or inspired poetry, in modern times” (Annemarie Schimmel). Iqbal is said to represent the best articulated Muslim response to modernity that the Islamic world has produced in the twentieth century through his engagement with the conceptual paradigm of modernism. His book on “The Reconstruction of Religious Thought in Islam” presents his basic philosophic insights. He was also a political activist/social reformist and the intellectual source of inspiration for the state of Pakistan.

Alhamdulillah for the useful and life changing knowledge that I received from Allahyarham Ustaz El-Muhammady in part through the poetic and philosophical works of Allama Muhammad Iqbal. May these enlightened souls rest in eternal peace and be placed amongst the Mu’min in paradise. Amin.
# VISITS & EVENTS AT IAIS MALAYSIA

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A delegation from Necmettin Erbakan University (NEU), Turkey headed by Professor Dr Muzaffer Şeker (Rector of NEU)

International Seminar on “Islam Without Sectarianism”

Visit by MP of Palestine, Dr Abd AlRahman Yousif Ahmad

Roundtable Discussion “Transforming Education for the 21st Century”

Seminar on “Islam and Democracy: What is the Real Problem?” jointly organised with Islamic Renaissance Front (IRF)

Visit by a delegation from Afghanistan

Sheikh Salah Al-Budair, Imam of Masjid Nabawi