

RELIGIOUS ABSOLUTISM UNDERMINING THE AUTONOMY OF THE INDIAN MUSLIM

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‘Some organisations are oblivious to the fact that their silences and statements on contemporary issues give the impression that they live in a medieval bubble’ | Photo Credit: AFP

There is a growing tendency in India to aggrandise Muslim religious organisations for their tokenistic gestures. For instance, the Jamaat-e-Islami Hind (JIH) is thought to have embraced secular polity because it no longer considers it against Islam to participate in democratic elections, and the Jamiat Ulama-i-Hind (JUH) is praised for having accepted the existence of caste among Indian Muslims because it has legally sought reservation for “Dalit Muslims” in educational institutions and government jobs.

As researcher Irfan Ahmad reminds us in his essay in *Islam in South Asia in practice* edited by Barbara Metcalf, the original mission of Abul Ala Maududi’s Jamaat-e-Islami was the “establishment of an Islamic state/Allah’s Kingdom (hukumat-i ilahiyya ka qayaam)”, and as such it had considered participating in elections in an “infidel (kafirana) state” an open violation of shari’a and Islamic monotheism.

But when in the mid-1980s the JIH lifted its ban on contesting elections was it because it jettisoned Maududian Islam? According to Ahmad, the JIH had already declared in 1961 that competing in elections is justifiable if the purpose was to make the Indian Constitution “Islamic” rather than to sustain the current “ungodly system” (ghayr ilahi nizam).

To this end, informs Ahmad, the Koranic phrase “iqamat-i din” (establishment of Islam) was inserted into the JIH Constitution as its new mission statement which replaced the earlier one, i.e., hukumat-i ilahiyya (Allah’s kingdom). This change reflects in Article 4 of the constitution, which enjoins that “Iqamat-e-Deen” should be “so enforced and given effect to in all aspects of human life, individual as well as corporate, that the development of the individual, the reconstruction of society and the formation of State should all conform to this very Deen”.

Even the JUH, the promoter of composite nationalism against the Muslim League’s two-nation theory, had piously hoped that one day, all Indians will become Muslims.

In *Muttahida Qawmiyyat aur Islam*, Hussain Ahmad Madani (1879-1957), a prominent member of the JUH, wrote that the need for liberation (najaat) from the miseries (masaa’ib) the British had heaped upon Indians would no longer remain when all citizens of India (tamaam

baashindagaan-e-mulk) entered the sphere of Islam (halqa-e-Islam mein daakhil hojaayen).

As for caste among Muslims, the JUH has never questioned the tribalistic definition of marital equality (kafa'at) propounded by the All India Muslim Personal Law Board (AIMPLB) in Section 117(3) of its Compendium of Islamic Laws: "Regard shall be had in respect of descent among the Arabs, especially the Quraish, and those non-Arab families who have preserved descent. People in the rest of the non-Arab Muslim world are mutually equal. On the basis of this principle, a girl can get terminated her marriage to a non-equal contracted by her guardian; and a guardian has the right to terminate the marriage of an adult woman to a non-equal."

The bigoted exclusivism of most Muslim religious outfits can be traced to the pre-colonial period when Muslim sovereignty in India was equated with Islamic conquest. For instance, we know from historian K.A. Nizami's account that wiping out "polytheistic practices" was one of the reasons given by Shah Waliullah (1703-1762), the famous Hanafi theologian, for inviting the Afghan ruler Ahmad Shah Abdali to save the Mughal empire from the Marathas and Jats. Similarly, it was the fear of the dilution of Islamic ideals that forced another Hanafi mystic, Shaikh Ahmad Sirhindi (1564-1624), to oppose emperor Akbar's religious universalism.

However, although Islam was exploited by Muslim rulers in India to idealise their rule, what they presided over was by no means an Islamic state or a caliphate. Yet, the hegemonic temporality of their empires remains subsumed under the hubristic belief of the clerics that they were iconoclastic kingdoms divinely installed to establish monotheistic Islam in a polytheistic India.

Unsuccessful attempts to Islamise pre-colonial India were not just expressions of uncompromising exclusivism but a manifestation of the struggle between power (the state) and authority (the ulama) that has been going on ever since the establishment of the Umayyad dynasty in 661 CE.

The clerical demand has been simple: in a Muslim polity, Islam should be the state religion, and the authority to interpret it must be vested with the ulama. A thoughtless implementation of this condition can be found in Articles 227-231 of the Pakistani Constitution, which state that all laws shall be in conformity with the injunctions of Islam as laid down in the Koran and Sunnah, and a "Council of Islamic Ideology" will decide "as to whether a proposed law is or is not repugnant to the injunctions of Islam."

What is astonishing is that some religious outfits continue to be under the delusion that even in democratic India they would be allowed to establish their authority over Muslims in the name of protecting an unreformed personal law. They are oblivious to the fact that their silences and statements on contemporary issues give the impression that they live in a medieval bubble.

For instance, there is no evidence of these outfits having condemned the conversion in July 2020 of a historic church into a mosque in Turkey, or the misuse of blasphemy laws in Pakistan.

But when the Supreme Court delegitimised the practice of instant triple talaq, the JUH general secretary is alleged to have responded that the practice will continue to be recognised. The JIH echoed similar views even before the judgment when its president issued the ludicrous warning that "banning triple talaq will not benefit Muslim women".

Likewise, on the issue of interfaith marriage (under the Special Marriage Act, 1954), the AIMPLB, in an August 2021 press release, asked Muslim parents to keep a penetrating eye (gehri nazar) on the mobile phones of their children, and convince them that the life partner for a Muslim can only be a Muslim (aek Musalmaan ke liye Musalmaan hi zindagi ka saathi ho sakta hai). The Board also instructed Muslim religious organisations to go to the houses of those who

give notice of intended marriage to the Marriage Registrar and inform them that after their naam nihaad nikah (so-called marriage), they will be spending their entire lives in a prohibited relationship (unki poori zindagi haraam mein guzregi).

The fact that such blinkered advisories enjoy a free reign in India begs the question: how long will the Muslims allow religious absolutism to undermine their personal autonomy?

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