

FREEDOM OF EXPRESSION

Secular Theocracy versus Liberal Democracy

Compiled and Edited by

Sita Ram Goel

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PREFACE

The concept of Secularism as known to the modern West is dreaded, derided and denounced in the strongest terms by the foundational doctrines of Christianity and Islam. Both of these doctrines prescribe Theocracy under which the State serves as the secular arm of the Church or the Ummah, and society is regimented by the Sacred Canon or the Shariat.

This fact is more than evident if we survey the history of Christianity till the French Revolution, and the practice which prevails in all Islamic states till today. It is a different matter that Christianity has reconciled itself to Secularism because of its steep decline in its traditional homelands - Europe and the Americas. The doctrine remains unchanged and Christianity will restore Theocracy if it were to acquire power again. Islam has yet to evince any sign of similar reconciliation with Secularism either in doctrine or in practice. In fact, the recent trend in most Islamic countries has been to revert to Theocracy in its pristine form, that is, as it existed under the four "rightly guided caliphs".

It is, therefore, intriguing that the most fanatical and fundamentalist adherents of Christianity and Islam in India - Christian missionaries and Muslim mullahs - cry themselves hoarse in defence of Indian Secularism, the same way as the votaries of Communist totalitarianism coming out vociferously in defence of Democracy. The puzzle needs unravelling unless one is satisfied with the mere sound of the word 'secularism', and at the same time nails pluralistic Hinduism as a closed monotheism like Islam and Christianity as India-watchers in the West and their lickspittles in this country have been doing for a long time.

It is significant that the word 'secularism' occurs neither in the writings and speeches of Pandit Nehru nor in the vocabulary of its other present-day votaries if we consult the record from the pre-independence period. Even in the Constitution of India as enacted in January 1950 the word does not find a place either in the Preamble or anywhere else; it was inserted there arbitrarily by Indira Gandhi during the Emergency she imposed on the country during 1975-76. But ever since Pandit Nehru rose to supreme power in the Indian National Congress and the country at large after the death of Sardar Patel in December 1950, we find this word becoming increasingly frequent in his writings and speeches and fashionable in the parlance of parties that have otherwise nothing in common except their hatred of Hindus and Hinduism. All sorts of Hindu-baiters have come to describe themselves as 'secularists', 'Secular forces' and 'Secular front' while distancing themselves from what they denounce as 'Hindu communalism'. It can be concluded quite safely that although **all 'secularists' may not be scoundrels, all scoundrels in India are 'secularists'**.

The puzzle stands solved when we learn from the post-independence writings and speeches of Pandit Nehru, the father of Indian Secularism, that he had borrowed from the modern West only the word and not its meaning in Western political parlance. In fact, he himself stated what he was doing in a letter he wrote to C.D. Deshmukh on 22 June 1952. "Nothing amazes me so much," he said, "as the perversion of well-known words and phrases in political and other controversies today. I suppose every demagogue does it."¹ He was either being blatantly dishonest or was blissfully unaware that he had proved himself to be a despicable demagogue when he picked up a well-known word from the Western political

parlance and perverted it to mean the opposite of what it meant over there. Secularism in the West had risen as a revolt against the closed creed of Christianity and had meant, for more than 150 years, a freeing of the State from the clutches of the Church. In the Indian context, it should have meant a revolt against the closed creed of Islam as well, and keeping the state aloof from the influence of mullahs. He, however, turned Secularism in India into a poisonous slogan for the use of a Muslim-Communist Christian combine, which he had forged in order to keep the national majority down.² L.K. Advani had hit the nail on the head when in a moment of clarity and courage during the Ayodhya Movement (1989) he had said that secularism in India was a euphemism for Hindu-baiting.

That was the intention when Pandit Nehru launched his 'Secularism' around 1951-52. The intention materialized into a grim reality in the next few years. Meanwhile, he permitted his courtiers, particularly the Gandhians, to provide the window-dressing to this formidable fraud. Secularism in India, they said, cannot mean the irrelevance of religion in mundane affairs as it meant in the modern West. India being a religious - in fact, a multi-religious - society, they asserted, religion was very much relevant to the lives of the Indian people. So Secularism had to acquire a new meaning in the Indian context. Instead of meaning irrelevance of religion, they proclaimed, it should mean the relevance of all religions prevailing in this country - Hinduism, Islam, Christianity, Sikhism, Jainism, Buddhism, and Zoroastrianism. In short, they defined Indian Secularism as *sarva-dharma-sambhav* - equal respect for all religions - as expounded by the Father of the Nation, Mahatma Gandhi.

But Gandhi's *sarva-dharma-sambhav* did not stop at equal respect for all religions; it went much further and stood for *equal validity* of all religions. The Mahatma had spared no ink or

breath to inculcate the belief that all religions embody the same truths, pursue the same goal, and lead to the same spiritual fulfilment. This second dimension of *sarva-dharma-sambhav* was brought forward very forcefully when the big-wigs of the Indian establishment -- the President, the Vice-President, the Prime Minister, the Chief Ministers -- started broadcasting their messages to the nation on the birthdays of Sri Rama, Sri Krishna, Prophet Muhammed, Jesus Christ, Guru Nanak, Mahavir and Buddha. According to these worthies, all these founders of 'great religions' blazed the same path to salvation, and stood squarely and in the same measure for human brotherhood, social justice, economic equality, world peace, self-sacrifice, compassion - in fact, for every spiritual virtue and socio-political value which happened to be in fashion at the time they brushed up their verbiage. The grandiose rhetoric has remained unabated till today.

These worthies may sound like a bunch of buffoons to those who have studied various religions from their primary sources, and who know for sure that there is nothing in common between monotheistic dogmas (blind beliefs) like Christianity and Islam on the one hand, and pluralistic spiritual traditions of Hinduism, Buddhism, Jainism and Sikhism³ on the other. Ascribing human brotherhood, social justice, world peace, self-sacrifice and compassion to Christianity and Islam is tantamount to proclaiming that the wolf is a votary of vegetarianism. But that makes no difference to the worthies who never suspect that what they are mouthing does not amount to equal respect but *equal ignorance* of all religions! They frown upon those who doubt their wisdom and accuse the latter of being 'chauvinists' out to wreck 'India's age-old communal amity'. *Sarva-dharma-sambhav* has thus become

another religious dogma (blind belief) sponsored by the Indian State.

It would have been a blessing indeed if the Indian State had stopped at proclaiming the dogma and left it to the citizens to believe in it or not. But what has happened is that the Indian State actively patronizes the exercise aimed at making all religions *mean* the same things, and *persecutes* those who defy the exercise. A whole army of 'secularist' scribes in the media and the academia has been employed and paid handsomely for whitewashing Islam and Christianity so that whatever is bigoted in the scriptures and blood-soaked histories of these creeds is carefully exorcised. On the other hand, whatever is liberal and large-hearted, humane and civilized in the pluralistic spirituality of India is remorseless pruned to the prescribed and proper size. In the process, Christianity has been made to mean only the Sermon on the Mount, and Islam equated with two Quranic sentences tom out of context - "Unto you your religion, and unto me my religion" and "There is no compulsion in religion."⁴ At the same time, Hindu Dharma has been reduced to Brahmanical tyranny, caste oppression, satee, cow-dung-eating, untouchability, bride-burning etc., and Buddhism, Jainism and Sikhism to revolts against 'all these evils'.

Again, it would have been some solace if Muslims, Christians, neo-Sikhs, neo-Buddhists and neo-Jains had subscribed to *sarva-dharma-sambhav* and shown respect for Hinduism. But what happened was just the opposite. While Hindus were harangued, even forced, to swear by and practise *sarva-dharma-sambhav* vis-à-vis Islam, Christianity, neo-Sikhism, neo-Buddhism, and neo-Jainism, followers of the latter creeds were left free not only to propagate their pet dogmas but also to attack Hinduism and proselytize Hindus.

What emerged as a result was a united front of Muslims, Christians, neo-Sikhs, neo-Buddhists and neo-Jains (the so-called minorities) which stood arrayed against Hindus, and insisted vehemently that Hindus accept the 'secularist' version of Hinduism, thus forcing Hindus to become apologetic and remain on the defensive always.

In short, the *sarva-dharma-sambhav* version of Indian Secularism turned out to be the same as the Nehruvian version. According to this version, Hindus were always in the wrong, no matter who committed aggression in the first instance and who the real culprit was for creating communal tension at any time. History of the Freedom Movement (1885-1947) was tailored in order to put Hindus in their proper place, that is, as those who brought about the 'tragedy of Partition'. It did not mean a fig to the Indian 'secularists' that Hindus by and large as well as their organizations (Hindu Mahasabha, Arya Samaj, Rashtriya Swayamsevak Sangh) had resisted tooth and nail the Muslim League demand for Pakistan; that 97% Muslims of India ruled by the British had opted for Partition in 1946; that the Communist Party of India had marshalled ideological and statistical arguments in support of the Muslim League case; that Socialists had pounced upon Hindus who criticized Muslims and/or Islam; that it was the Indian National Congress which had accepted the Mountbatten Plan of Partition in June 1946; and that Mahatma Gandhi had thrown up his hands in utter helplessness at the last moment after having continued to assure the Hindus of Punjab, Sindh, NWFP and Bengal that "vivisection of the Motherland could take place only on his dead body"! The exercise used the Nazi logic of 'accusing the sheep of provoking the wolf'.

The unkindest cut of all, however, came from the Bharatiya Jana Sangh, (BJS), the new Hindu party floated by the

Rashtriya Swayamsevak Sangh (RSS) in 1951. While it continued to proclaim that it stood for a united India (Akhand Bharat), it did not take long to start mouthing the slogan of *sarva-dharma-sambhav*. The only saving feature in this sorry situation was that the BJS did not incorporate the slogan in its Constitution finalized in 1973, nor forced its members to subscribe to it. That was left for the Bharatiya Janata Party (BJP) launched in 1980. This new avatar of the BJS incorporated the slogan as Article IV⁵ in its Constitution adopted in 1992, and made it obligatory for its members to take a pledge that they would abide by it. This abject surrender to Secularism was camouflaged by adding the word 'positive' to an essentially negative concept. The party was out to hoodwink Hindus who were led to believe that it stood for Hindu causes. It ended by deceiving itself as became more than obvious in the next few years. In any case, the 'secularist' camp viewed with contempt its secularist pretensions, and continued to denounce it as a party of 'Hindu communalists, chauvinists, Fascists and Nazis'. The outcome has been what it was bound to be. The BJP has been shying away from defending Hindus or Hinduism in order to earn certificates from the 'Secularist front'. Or, if it has espoused a Hindu cause once in a while, as in the case of the Ramjanmabhumi Movement, it has done so purely for its own private purpose of mobilizing Hindu votes and then run away from the battle when it came to the crux, leaving Hindu society at large to suffer the slings and arrows of an outraged 'secularist' mob.

The court cases and other articles in Section I of this book bear ample testimony that the Indian State has become a Theocracy for all practical purposes with *sarva-dharma-sambhav* serving as its official dogma. The twist given by Pandit Nehru and all other parties to the word 'secularism', had turned Indian

Secularism into a shield for protecting creeds and cults hostile to Hindus, and also into a sword for wounding and maiming Hinduism, which has always stood for an open society and religious pluralism. And as the Indian State has been dominated by Communists, Socialists and Leftists of all hues, I have chosen to label Indian Theocracy as Secular. For, Leftists in general have always opposed Theocracy in Muslim and Christian countries. It is only in India that they have become its unrivalled champions.

Muslims in India have taken full advantage of Indian Theocracy to prevent critical examination of Islam, its prophet, its scriptures, its history, its heroes, and its ethical and legal prescriptions. They have staged street riots, murdered innocent Hindus and policemen, and destroyed public and private property wherever the call has gone forth from their leaders that Islam has been insulted. Thereby they have succeeded in getting books, articles and films banned by invoking Sections 153 and 295 of the Indian Penal Code and similar provisions of the Indian Customs Act. At the same time, they have honeycombed the whole country with maktabas and madrasas which train an army of missionaries and militants, and provide shelter to terrorists sent by Pakistan, Bangladesh and other Islamic countries. They have formed themselves into a vote bank which all political parties, particularly the BJP, go out of their way to cultivate and woo. The BJP has coined a clever slogan - "justice for all, appeasement of none" - in order to cover up its courting of Muslims and hoodwink Hindus. But if you examine the record of State Governments of the BJP, it becomes more than clear that it has gone out of its way towards appeasement of Muslims. It is only the Muslims who have refused to oblige 'the party of Hindu fascists and Nazis'.

It is true that Christians in India do not behave like Muslims except once in a while, and one is free to criticize Christian dogmas and institutions, even its totem - Jesus Christ - if one chooses to do so, which is rare because of the inhibitions fostered by *sarva-dharma-sambhav*. But Christian leaders do shout from the housetops that the norms of Indian Secularism are being violated. Christianity also enjoys an advantage over Islam in this context. In spite of all the blah-blah about *sarva-dharma-sambhav*, there are very few Hindus who really respect Islam or its prophet. The record of Islamic crimes committed over the centuries and continued at present, has sunk too deep into the psyche of Hindus at large to encourage them to honour Islam or its scriptures or its heroes. On the other hand, due to the accidents of history, Christianity arrived too late in this country to create a similar record except for a brief period and over a small area - under the Portuguese and the French. The British, who won the race for consolidating a European empire in this country, were interested more in preserving their empire than making Jesus Christ preside over it. They did not permit Christian missionaries to use their patent methods, particularly after the Mutiny of 1857. In any case, Hindus could always laugh at the Christian missionaries foaming at the mouth and using foul language for all that Hindus cherish. Add to that the Hindu infatuation for Jesus Christ starting with Raja Ram Mohan Roy and coming down to Mahatma Gandhi and the Ramakrishna Mission. There has always been an abundance of Hindu elite and gurus, here and abroad, selling Jesus as a spiritual giant. For a large number of Hindus educated in Christian schools and colleges, Christianity means 'humanitarian services' which Hindus themselves have 'never undertaken'. Small wonder that the Christian establishment in India has remained confident that it has only to invoke Jesus

and Mother Teresa to silence the rare Hindu voice of dissent. In any case, Hindu scholars who have studied Christianity in depth and detail are too few and far between to bother the giant Christian apparatus funded by fabulous sums from abroad. The modern West may not have any use for Christianity, but it continues to maintain it for export to Third World countries like the rest of its junk. And the West never fails to rush to the defence of the Christian establishment in India whenever the latter protests that it is being molested by 'Hindus fundamentalists'.

II

Hindu intelligentsia by and large has been led to believe by the votaries of *sarva-dharma-sambhav* that this is an ancient Hindu doctrine accepted and practised by all Hindu schools of thought, always and everywhere. Nothing can be farther from the truth. The fact is that we do not find this phrase - *sarva-dharma-sambhav* - in any Hindu *shastra* down to our own days. It was Mahatma Gandhi who coined the phrase and prescribed it for all Hindus. In the earlier history of Hinduism, we do come across a few *sarva-darshan-samgraha* - compendium of all schools of thought. But what we find in them is not that all schools say the same things or that all schools are equally valid, but only expositions of the various points of view together with a critique of them by the compiler concerned. What is more telling is the hoary Hindu history of *shastrarth* (debate) going back to the Vedas. In subsequent ages, we come across lively debates among the main schools of Sanatan Dharma - six systems of philosophy on which Buddhism, Jainism, Vedanta, Shaivism, Shaktism, and Vaishnavism are based. Each of these schools has bequeathed to posterity a vast literature defending its own position and demolishing those of all others. Then there is a lot of debate among the sects within each school,

following the same pattern. The language of these debates is not always refined. Quite often, it is harsh, and occasionally downright derisive. And *shastrarth* was not confined to the written word. It was held in royal courts as well as in assemblies of the learned. The only thing we miss in these debates is going beyond words, written or spoken, and calling for breaking of heads. In the long history of *shastrarth* we do not come across a single instance of any school or sect calling for suppression of any other school or sect, or mobilizing its adherents to stage street riots in its support and against another - a method brought to India by Islam at its very advent.

But Islam was never accepted as a *dharma* by mainstream Hinduism. It was only in the fourteenth century of the Christian era that we meet the so-called Nirguna school of bhakti or santamata, founded by Kabir, which started treating Islam as a way of worship and even equating it with Hindu Dharma - Rama with Rahim, Veda with Kitab (*Kitab*, the Book or Quran), Kashi with Kaba, Pandit with Mullah, Temple Bells with Azan, and so on. Quite a bit of this equating was done for ridiculing the rituals of both Islam and Hinduism, and proclaiming that the spiritual secret was known only to the *sadguru*, the True Teacher like Kabir. For the rest, the bulk of the *santamata* literature is Vaishnavite derived from the Puranas, particularly the *Bhagavat-Puran*. The only variation is the mention of a few sufis like Mansur Al-Hallaj, Abu Yazid (Bayazid) and Adham Sultan, who were hardly sufis like those we meet in the latter day *silsilas* (orders). It is significant that none of the sufis from the *silsilas* finds place in this literature.

The *santamata* gave birth to many *sadgurus* and sprouted into many off-shoots in North India. But none of its offshoots ever became known in South India. In North India, too, it remained confined to a few low-caste communities amongst

whom the Puranic lore had been popular long before *santamata* appeared on the scene. The main-stream Bhakti Movement which was wide-spread among Hindus including those belonging to most of the lower castes, always looked down upon the *santamata*, even when the latter became increasingly more and more Hindu except for its incongruent streaks of monotheism, prophetism (*guruvad*) and anti-Brahminism. It is significant that no adherent of any school of *Santamata* is known to have converted to Islam. What we know is that some converts to Islam joined its ranks, notably Dadu and Sadhana.

So the doctrine of *sarva-dharma-sambhav* cannot be attributed to the *santamata*. What we find in *santamata* is not equal respect for all religions but *equal contempt* for all rituals and institutions, whether Hindu or Islamic.

It is only when we move to modern times that we find the first traces of *sarva-dharma-sambhav* surfacing in India in the form of the Brahma Samaj. Raja Ram Mohan Roy, the founder of this cult, was a votary of Islamic monotheism, and later on became infatuated with Jesus Christ. He confused the monism of the Upanishads with the monotheism of Biblical creeds, and gave birth to a lot of confusion. But, by and large, he stayed a Hindu who had some very hard words to say about the doings of Islam and Christian missionaries in India. Even Keshav Chandra Sen cannot be called a votary of *sarva-dharma-sambhav*, strictly speaking. The man fancied himself as the prophet of a New Dispensation (*Nav-Vidhan*), which had not only equated all religions but also gone beyond them. He ended by becoming a bag of nauseating nonsense. In any case, the Brahma Samaj remained confined to a miniscule minority in Bengal. One of its splinters, the Adi Brahma Samaj, returned to Hinduism for all practical purposes. That is more than obvious

in the works of Rabindranath Tagore, particularly his poetry which is saturated with Vedic imagery and Vaishnavite devotion.

The trail blazed by Keshab Chandra Sen, however, did not go in vain. It was followed by the first disciples of Sri Ramakrishna who took over the Mission after the death of its founder, Swami Vivekananda. Most of these disciples of Sri Ramakrishna, particularly those two who compiled his *Gospel* and *Biography* had come from the flock of Keshab. It took them no time to swallow the 'synthesis' and its 'transcendence' offered by their earlier guru. The only difference was that they replaced Keshab by Sri Ramakrishna as being the last and the best who had seen the equal truth of all religions including Christianity and Islam, and 'synthesised' them in his own avatarhood. He was thus supposed to have given birth to a new and perfected religion, Ramakrishnaism. In my opinion, this new 'religion' cannot be equated with *sarva-dharma-sambhav*. It is more a way of showing equal contempt for all religions, as in the case of Keshab. It is a different matter that the Mission has not been able to live up to its pretensions, and has become a Christian mission for all practical purposes.

Theosophy brought to India yet another strain of *sarva-dharma-sambhav*. It proclaimed that all religions were ultimately derived from and were distortions of the Original One Religion known to the ancient Mahatmas, who had kept themselves hidden for a long time. But so far as the prevalent religions are concerned, Theosophy never said that they were the same or equally true. In fact, the first Theosophists who come to South India showed a marked preference for Hinduism, and encouraged Hindus to ridicule and denounce Christianity, its totem, and its missions. Later on, Annie Besant founded the first Hindu College at Varanasi, and could never see eye to eye

with Mahatma Gandhi when it came to Islam. The only Theosophist who really stood for *sarva-dharma-sambhav* came from the heartland of Indian Islam, U.P. in North India. That was Dr. Bhagwan Das. But anyone who has studied different religions in right earnest can say without any hesitation that Bhagwan Das' magnum opus, *Essential Unity of All Religions*, is not much more than silly and sentimental humbug. He has missed the forest for the trees in the case of all religions when he picks up stray sentences from different scriptures and strings them together without any reference to context or their real meanings beyond the literal. Rather than studying and understanding all religions he is out to foist his own pet and preconceived notions on all of them.

So we are left with Mahatma Gandhi as the first and real prophet of *sarva-dharma-sambhav*. I have gone through volumes of his *Collected Works* published so far. There is little doubt that he is very proud of his Hindu Dharma, Hindu cultural heritage, Sanskrit language, idol-worship, the sacred thread, adoration for the cow, *varnashram dharma*, and so on. At places, his understanding of Hindu Dharma is pretty deep as, for instance, when he says that whatever is of substance in other religions is included in Hindu Dharma, and what has been excluded has no merit. He places the Gita above all other scriptures, though he may be much mistaken in his interpretation of Sri Krishna's message. There is no doubt that he is infatuated with Jesus Christ, whom he identifies with the Sermon on the Mount, ignoring the rest of Jesus' sayings and doings in the Gospels. But, when he compares Jesus with the Buddha, the latter scores over the former. He is rather tough with Christian missions and accuses them of spreading poison. On one occasion, he goes to the extent of saying that

Christianity became an imperialist creed when it captured the Roman Empire, and has stayed so ever since.

It is only in his encounter with Islam that we find him faltering and making terrible mistakes. The first seeds of his crawling at the sect of Islam can be seen during his days in South Africa. He had made a Gujarati translation of Washington's Irvine's *Life of Mahomet* and started serializing it in his weekly. The Muslims snarled and ordered him to stop the series. He surrendered without going through even the motions of a protest. He had asked Hindus to be very hospitable to Professor (Bhai) Parmanand who was on a visit to South Africa. But the moment the professor uttered a few words in criticism of Islam, the Mahatma turned his back on him and advised Hindus to have nothing to do with him. The Muslims in South Africa criticized him for 'sacrificing' their interests when he signed an agreement with General Smuts and called off his satyagrah. A Pathan attacked and almost killed him. He kept quiet when Muslims accused him of not giving an account of the money they had contributed to his campaign fund. Again, he kept quiet.

The acme of his surrender to Islam was reached when he came out in support of the Khilafat agitation, and persuaded the Indian National Congress to launch the first all-India Non-Cooperation Movement in cooperation with the mullahs. The encomiums he heaped on the 'noble faith of Islam' sound like a mad man's ravings. The mullahs were mighty pleased with him. But as soon as he withdrew the Non-Cooperation Movement in the aftermath of Chauri Chaura, the same mullahs came out in their true colours and accused him of stabbing them in the back! He never came out with a rejoinder, and kept mum even when foul abuse was hurled at him. Soon after, he did something much worse; he praised the 'brave'

Moplah butchers of Hindus in Malabar for "being true to their religion as they understood it", and denounced the British Government of India for putting down the gangsters. (Moplahs who got killed by the British are now being hailed as freedom fighters!) When his attention was drawn to the fact that mullahs were inviting the Amir of Afghanistan to invade India, his only comment was, "But that is what their religion teaches them." He could never find any fault with any teaching of Islam, howsoever ugly, crude, cruel, and inhuman. On the other hand, he was quite outspoken in criticism of the Arya Samaj, particularly the *Shuddhi* Movement launched by Swami Shraddhanand in response to Hasan Nizami's plan to convert Hindus, particularly the untouchables, by means of fraud and inducements with a view to achieve parity of Muslim population with that of the Hindus.

The record of the Mahatma's sins against Hindu society is long and goes on piling up till the time of his tragic death. I have given only a few instances of how it all started. The explanations for his pervert behaviour can be many. It can be attributed to his deep seated cowardice which he transmuted into a religious principle. It can be attributed to his ambition to pass as a leader of all communities including Muslims. It can be attributed to his political opportunism which sought Muslim cooperation against the British Raj - at any cost. Whatever be the explanation, the fact remains that he bound the Hindus' hands and feet with the shackles of his *sarva-dharma-sambhav*, and made them helpless in the face of Islamic gangsterism. At the same time, he gave full freedom to Muslims to deal with Hindus as they pleased. The record of what Muslim did under the leadership of the mullahs and the Muslim League exists in cold print. It never occurred to him to appeal to Muslims *even once* to practise *sarva-dharma-sambhav* vis-à-vis Hinduism. That

he thought was against their religion with which he could not interfere. The dope was meant only for Hindus.

The Mahatma had claimed all along that he had studied all religions including Islam, and found them equally imperfect. He never hesitated to point out imperfections in Hindu Dharma, once in a while even in Christianity. But nowhere in his voluminous writings and sayings do we find a single word pointing out the imperfections in Islam. On the contrary, we find him picking and choosing whatever fascinated him in the scriptures and history of this creed, and identifying the whole of Islam with those lollipops. It was the same exercise as the one undertaken by Dr. Bhagwan Das. The temptation to become the spokesman of all religions was irresistible for him, as for many Hindu gurus before and after. He ended by being the spokesmen of none, and made a mess of whatever religion he touched. He never evolved a criterion for distinguishing *dharma* from *adharma*.

It is, however, not only the Mahatma's behaviour vis-à-vis Islam which needs an explanation. A larger question which needs to be answered is the behaviour of Hindus at large vis-à-vis the Mahatma. Why did Hindus ignore the voices of sanity raised about the Mahatma's leadership by Sri Aurobindo, Swami Shraddhanand, Veer Savarkar, Bhai Parmanand, K.B. Hedgewar, M.S. Golwalkar - to cite the names of the most-notable? Why did Hindus permit the Mahatma to barter away their most cherished interests for nothing in exchange? In fact, why did Hindus raise him to the status of a Mahatma, and sole spokesman on their behalf in spite of his oft-repeated disclaimer that he was not only a Hindu leader? Why did Hindus hail as 'nationalist Muslims' the likes of Maulana Azad and the Deoband flock who wanted the whole of India as *Darul-Islam* instead of being satisfied with a part as in the case

of the Muslim League, simply because the Mahatma conferred that counterfeit certificate on them? Why did Hindus at large fall silent whenever the Mahatma unleashed his pet hounds - the Congress Socialists led by Pandit Nehru and Jayprakash Narayan - on those rare Hindus who could muster the courage to object to Muslim behaviour? How come the Arya Samajists lost their teeth vis-à-vis Islam and got tamed as soon as they joined the Indian National Congress led by the Mahatma? Why did Hindus accept an inveterate Hindu-hater like Pandit Nehru as their supreme commander as soon as the Mahatma proclaimed "*this boneless wonder of the East*" (Motilal's words) as his heir? How come Hindus indulged in breast beating en masse, and hailed the Father of Pakistan as the Father of the Nation as soon as he was consumed by the flames he had himself lit, in spite of the fad that he was the man most hated by Hindus in the aftermath of Partition? Why has the RSS, which has been trounced and tormented by the followers of the Mahatma ever since its birth, started falling back on the path blazed by the Mahatma? How come the BJS and the BJP, the political platforms manned by the RSS, embraced the mindless slogan of *sarva-dharma-sambhav*, and placed the Hindu nation again in a *cul-de-sac*?

There are many other questions which can be asked in the context of Mahatma Gandhi vis-à-vis Islam on the one hand and the Hindu nation on the other. Hindus have to find honest answers for all of them if they want to put their act together and survive. The only answer that occurs to me as a student of prolonged Islamic terrorism in India is that **Hindus are a terrorized society which has internalized and made a virtue out of a cowardly habit - the habit of surviving by flattering Islam and Muslims acquired during the long spell of Islamic invasions and rule. Mahatma Gandhi was the best**

representative of this damaged Hindu psyche. I can also say with confidence that the Sangh Parivar today has come to subscribe to *sarva-dharma-sambhav* by internalizing the terror let loose on it by the 'secularist' State, particularly in Maharashtra in the aftermath of the Mahatma's murder.

III

Finally, I want to give a firsthand account of my experience with the police and the courts and the Delhi Administration.

When I started writing in the *Organiser* my series on Islam, friends and well-wishers had warned me not to touch Islam because they thought the consequences could be terrible. They had in mind the crimes committed by Muslims against critics of their creed in recent times. A similar advice had been tendered to me when I started writing a critique of Communism in 1949 in that communist den - the great city of Calcutta. Tarashankar Bandopadhyay, the noted Bengali novelist, had advised me to keep on armed guard! I had thanked them but ignored their advice. I did the same this time also. I received no threat from Muslims. A few postcards came several years later. They abused me in obscene language for presenting some facts in a Hindi daily about Muinuddin Chishti of Ajmer. I had only quoted from the orthodox biographies of the Sufi. All these missives were anonymous.

It may sound surprising but it is true that the first attack on me was mounted by RSS leaders. I had been writing in the *Organiser* for a year or so (1981-82) when an RSS member quoted some Urdu poetry to counter my reading of Islam. He did not seem to know that Urdu poetry has been a revolt against the closed creed of Islam, most of the time. A more serious development was a meeting of some RSS top brass in which it was said, "Goel is not Gandhi, and the *Organiser* is not

the *Harijan* so that he should write every week." As a result, K.R. Malkani who had nursed the weekly for more than a score of years, through thick and thin, was sacked all of a sudden, V.P. Bhatia, who took over, told me point blank, "Our people do not look favourably on your writing about Islam". I stopped writing in the *Organiser*.

The fact about the meeting and what was said about me in it became known to me much later. Immediately, I felt mystified because my articles had been acclaimed widely by the readers in India and abroad, from whom I had received several hundred laudatory letters. The cat came out of the bag when I chanced to meet H.V. Seshadri, and asked him why my series in the *Organiser* had been stopped. He barked back, "You...you go and attack Islam. Then how will any Muslim come to us." I said, "Do you want Muslims to come to you?" He replied, "As a strategy...." I walked out of his room before he could complete the sentence. This word 'strategy' makes me feel sick when it is used as a substitute for truthfulness. Later on, I learnt that Seshadri was voicing the BJP view that my articles were "costing the party all its Muslim votes"!

So I went ahead on my own and joined Ram Swarup's *Voice of India* to present our case to the Hindu society at large. The response was rewarding and, in due course, we were able to mobilize a lot of first rate scholarship.

But it was not before long that hints of trouble from the Delhi Administration came. I had reprinted in 1983 Ram Swarup's *Understanding Islam through Hadis*, which A. Ghosh (Houston, Texas) had got published in the U.S.A. in 1982. A bookseller informed me that he had seen this book among those which were being examined by the Home Department of the Delhi Administration, and may be banned. I sought an interview with the concerned Deputy Secretary in the Home

Department. He was a Hindu by accident of birth as I soon discovered. His Press Adviser, a Muslim gentleman, was present. I told them, "This book is a summary of the *Sahih Muslim*, chapter by chapter. The author has only added some comments, here and there, to elucidate some theological terms or episodes in the life of the Prophet. Tell me if Ram Swarup has added anything which is not in the *Sahih Muslim*, or suppressed some material which goes in favour of Islam or the Prophet." The Press Adviser did not reply to my question, and turned me over to the Deputy Secretary. This worthy had kept on looking grim all along, and did not relax even after my explanation. He dismissed me without saying a word, with his lips pressed in a pout of utter contempt as if I had uttered some obscenity.

I waited for four years to see if the book invited a ban. Nothing happened. So I brought out a second reprint in 1987 as the first reprint had been sold out fast. At the same time, I commissioned Rameshwar Shukla 'Pankaj' to translate the book in Hindi. Two thousand printed copies of the Hindi translation were sent to the binder in early December 1987.

It was Saturday the 19th of December. I was at my home when I received a phone call from my office that the SHO of Hauz Kazi Police Station in Old Delhi had arrested the binder, and taken away the whole lot of translation copies which were still unbound. I rushed to the office, and tried to contact my lawyer, Alok Kumar. But before I could locate him, policemen wielding lathis surrounded the office, and asked me to accompany them to an Assistant Police Commissioner (ACP) to explain matters. They assured me that I was not being arrested. But the ACP uttered obscenities as soon as I opened my mouth, and told me that he had nothing to do with the case. And as I came out of his room, I found the SHO Hauz

Kazi waiting for me. He shouted at me and ordered me to get into his jeep which had its engine running.

Soon after we reached the Police Station, he shouted at me, "*tu kaun hai? yeh kya kiya? bahut badi riot hote hote ruki hai* (who art thou? what hast thou done? A big riot was about to break out)." I told him that I was nobody, and did not understand the accusation. He barked, "*Musalman ubal rahen hain. unke gharon ki chhaton par behisab int patthar rakkha hai, gharon ke bhitari gola barud: we jab chahen shahar men ag laga sakte hain* (Muslims are excited. They have heaps of bricks and stones piled up on the roofs of their houses, and firearms within. They can set the city on fire whenever they want). I asked him why the police had allowed them to collect and keep the arsenal. He snarled, "*yeh bat to apne netaon se pucho, men to ek garib policeman hun, bacchon ka pet pal raha hun* (put this question to your leaders, I am only a poor policeman trying to feed my family). I kept quite.

Meanwhile, the news that I had been picked up by the police had spread. A score of Hindu young men rushed into the SHO's office, and demanded my release unless the SHO wanted them to organize a demonstration outside his Police Station. The SHO was taken aback. Suddenly he became very polite, and said, "*I assure you that I will not arrest him. Muslims in the area are holding a meeting, and happen to be very much excited. Let them calm down and I will set him free.*" At the same time, he asked the binder to go home.

The young men went away, believing in his assurance. Now he turned towards me with his face softened for the first time. He asked me, "*ap kya hain?* (What are you?)" I repeated my earlier reply that I was nobody. He smiled and said, "*ap zarur koi important admi hain. itminan rakhiye men apko giraftar nahin karunga. musalmanon ki meeting khatam ho jaye to ap ghar ja sakte hain* (you are surely some important man. I assure you I

will not arrest you. Let the meeting the Muslims are holding be over, and you can go home).

By this time, the husband of the printer, who happened to be a lady and lived across the Jamuna, had also been brought to the Police Station. Fortunately, the constables the SHO had sent to the press were in a hurry, and did not try to find out who owned the press. They just picked up her husband who had come out to talk to them. Thus the lady escaped the disgrace by a hair's breadth.

The SHO was now fully relaxed, and became jolly. He started speaking in English. He tried to get from me the addresses of Ram Swarup and 'Pankaj'. I kept quite. He laughed and said, "*I am not the man to be fooled so easily. I know you have written the book, and also translated it. You are functioning under three different names.*" I heaved a sigh of relief. I was praying that the author and the translator do not get into trouble.

An hour passed. It was nine o'clock in the evening. A peon came, and requested the SHO to take a telephone call on an extension in another room. The SHO went, and came back after a few minutes. He pulled a long face and said, "*I am sorry, Mr. Goel. I have to arrest you.*" He asked us to empty all our pockets, and made inventories of whatever cash etc. we had. We were given the receipts. But we were treated very well. My sons who were present all along were asked to get our bedding and food from home. We were allowed to sleep in a normal room, and not in the lock-up. It remains a mystery who had pulled the strings at nine o'clock.

My lawyers came next morning, a Sunday, and assured us that we would be granted bail by the duty magistrate. We had a change of clothes and took our lunch brought from home. It was 2 p.m. when we were driven to the Tis Hazari Courts, and

presented to the magistrate. The police lawyer asked that we be kept in police custody, at least for another week. Our lawyers argued for immediate bail. The magistrate refused to oblige the police, and bailed us out.

As we emerged out of the court, there were a number of friends, relatives, and sympathisers waiting outside. One of them, a rich man, asked me, "What was the matter?" I told him that I had published a book which Muslims thought offensive. He observed, "*Why do you do such things? There is no problem. If Muslims take power, we shall become Muslims. It is as simple as that. Why should you invite trouble on a minor matter (chhoti si bat par)?*" What could I say? Hindu psyche had suffered a serious damage.

I learnt that Professor Balraj Madhok and some other leaders belonging to the Hindu Manch had held a meeting on Saturday night and registered a protest against police highhandedness. But there was not a word from anyone in the RSS or the BJP. I wonder if anyone in their ranks had even noticed the event. Or maybe they did not want to offend their Muslim voters. It was after a month that I received a telephone call from Bhai Mahavir, a BJP leader out of favour with the big ones. As I told him the story, he asked me, "And none of our people protested?" I told him that they had not even noticed the event. He said he was sorry that things had reached such a pass.

Three years rolled by. The Delhi Administration made its Screening Committee examine the English original of the book as well as its Hindi translation. They could find nothing objectionable and ordered the court to close the case. It was closed on 28 September 1990. Our lawyers applied for release of the two thousand copies lying in the Police Station. But what we received was a letter from the Home Department of the Delhi Administration stating that the Hindi translation stood

banned whenever published. That was in November 1990. In March 1991 we received another letter proclaiming that the English original had been banned as well. Both the letters were signed by M.U. Siddiqui, who had taken over as the Deputy Secretary.

In the meantime, the earlier Deputy Secretary whom I had met in connection with *Understanding Islam through Hadis*, had succeeded in involving me and the lady printer in another criminal case in the middle of 1986

A friend in the Hindu Mahasabha had sold to me in 1985 a few hundred copies of a booklet, *The Dead Hand of Islam* by Colin Maine, published in 1982 by the Rationalist Association of Australia. It was reprint of an article which had been published earlier in *The Truth Seeker*, organ of the Rationalist Association of the U.S.A. It was a 16-pages booklet with as many as ninety quotations from the Quran, the Hadis, and the writings of well-known Islamologists from the West. I put the title on my next catalogue and the entire stock of the small priced publication got sold in a few months. So I published a reprint in 1986 from *Voice of India*.

Some Muslim gentleman seems to have lodged a complaint against it with the Delhi Administration. I came to know of it when a policeman from the Daryaganj Police Station in New Delhi was reported to be in search of 'Wife of India' who had published *Islam Ka Murdar Hath*. Obviously, the complaint was written in Urdu and the word 'voice' had become 'wife' due to the peculiarity of the Urdu script. He had also missed the metaphor in 'dead hand' and translated it literally as '*murdar hath*', which certainly sounded offensive. Finally, the policeman stumbled on our office, and took away a copy of our catalogue. Some days later, *Voice of India* received a letter from the Home Department, Delhi Administration, citing a number of

passages from the booklet as falling under Sections 153A and 295A of the Indian Penal Code, and informing me that a criminal case had been instituted against me and the printer. The letter had been signed by the above mentioned Hindu Deputy Secretary.

The policeman from the Daryaganj Police Station came again, and asked me to go and see a certain officer in the Crime Branch at Police Headquarters. I met the officer on the appointed date and time. He was a perfect gentleman. He made me sign some papers, and granted bail within a few minutes. Next day, he went all the way to the press, and bailed out the lady printer on the spot. I felt rather good about the Delhi police. I had yet to have the experience related earlier.

But the ordeal that followed in the Tis Hazari Courts in Delhi taxed my patience to the limit. The case dragged on for eleven long years. The lady printer and I had to spend long hours in crowded corridors outside many a magistrate's room, once every one or two months. The sprawling court building had no drinking water or toilet facilities worth the name. What was more taxing, the concerned court had no magistrate for long intervals, and we had to wait till the court clerk thought it fit to take us to some other magistrate for assigning the next date. Many a time, the court was closed on the assigned date because some holiday had been declared suddenly, or the lawyers went on a strike on one pretext or the other, which was quite frequent. We had to present ourselves again the very next day for getting another date, which became more difficult because the court had to deal with persons called on that day as well as the previous day. All we could get was the next date after a day-long wait.

We had put ourselves in the hands of Alok Kumar (now a BJP Member of the Delhi Legislative Assembly) who all along

tried to do his best. He had specialized in cases under Sections 153A and 295A, and succeeded every time in arguing so well that all cases he handled fell through without charges being framed. He argued our case before the first two magistrates, but both of them got transferred before they could write a judgement. The third magistrate pleaded lack of time for hearing argument after assigning a date and time. She was also transferred soon after. The next magistrate looked at me from head to foot (I am always poorly dressed), and asked me how old I was. Then he said, "*Your lawyer has been dragging the case in the hope that you will die soon, and he will be spared the trouble of arguing the case.*" His speech was in Hindi and had an unmistakable tinge of contempt. But he was taken aback when I addressed His Honour in English, and told him how the case had remained undecided in spite of being argued twice. Alok Kumar had been delayed, so that he had not accompanied me when the call for us came. He appeared soon after, and lodged a strong protest when I told him what the magistrate had said. Now the magistrate was all smiles, but not at all apologetic. He observed, "*You may argue before me as well if you like. But I will also not be able to write a judgement. Who would like to decide such delicate cases?*" Fortunately for us, he was transferred soon after.

The next magistrate was reluctant to fix time for argument because he said he had too much on his hands. But after assigning several postponements, he finally agreed to hear the argument. When we presented ourselves on the time fixed, we learnt that the magistrate had been dismissed from service for some reason.

Another magistrate took up our case after a delay of several months. He showed surprise, assured us that he will deliver a judgement, and gave us the next date. But the lawyers went on strike on that day. Alok Kumar could not appear. On the next

date, Alok Kumar came but the magistrate could not attend due to some unavoidable reason. What we heard next was that he too had been transferred.

Our luck took a turn when Shri S.K. Kaushik came to preside over the concerned court. He dismissed the case on 5 April 1997, the very first day we appeared before him, on the basis of a new Supreme Court ruling (known as Common Cause judgement) that cases which had lingered for more than two years without charges being framed, could be dismissed straight away. We heaved a big sigh of relief that the eleven year long ordeal was over. But in the next few days we received summons to appear again in the same case on 26 April. The prosecution had complained that the Supreme Court judgement did not cover cases involving public tranquility. Sri Kaushik, however, was determined to decide the case one way or the other. He heard the argument from both sides on that very day. The public prosecutor did not have much to say except presenting a copy of the Supreme Court ruling, and pointing out that the booklet was indeed a serious threat to public tranquility. Alok Kumar, however, put up a brilliant performance, citing the relevant case law, and pointing out very forcefully that if the Indian Constitution gave freedom to missionary religions to seek converts by presenting their creeds in luminous colours, the other side had not only the *right* but was also under *obligation* to examine the creeds and inform the public about their shortcomings. His argument was heard by the magistrate, the public prosecutor, and by us in pin-drop silence, such was his build up of facts and logic. Even so, we came out of the court without fingers crossed. Shri Kaushik delivered his judgement on 5 May 1997. He dismissed the case. Our ordeal was over at last.

I may add that though the criminal cases against the publisher and printer of both publications were dismissed, the publications themselves remain banned. I am told that lifting of ban on publications comes under another procedure. I do not have the heart or the health or the means to pursue the matter.

In 1993, the Daryaganj Police Station was out to repeat the performance by the Hauz Kazi Police Station when Syed Shahabuddin wrote a letter to P.M. Sayeed, Minister of State, Government of India requiring a ban on Ram Swarup's *Hindu View of Christianity and Islam*. A policeman came to our office and took away a copy of the book. He returned next day, and said, "The police cannot judge the book on its own. There should be some government department which performs the duty." Our office informed him about the Press Advisor of the Delhi Administration. In fact, our office telephoned the Press Advisor's office in the policeman's presence. The office said that the book may be sent to them by the Police Station. The policeman went away. He, however returned again next day, and said, "Our SHO wants to see either Ram Swarup or Sita Ram Goel. One of them should go and meet him at 4 o'clock in the afternoon tomorrow." I could smell the mischief immediately. I went into hiding, advised Ram Swarup to do the same, and asked Alok Kumar to get us anticipatory bail. Due to the persuasive powers of Alok Kumar, the Court granted the bail in the next few days, and we came out of hiding. Then came Arun Shourie's piece 'How should we respond?' in his syndicated column appealing to Hindus to defy the ban if imposed. The police took no further step.

IV

Section II of this book reproduces twelve reviews⁶ of the book, 'Why I Am Not a Muslim' by Ibn Warraq, published in the U.S.A. in 1995, and an article by Shabir Akhtar spelling out

what Islam means vis-à-vis freedom of expression. Eleven of them have been sent to us by Hindu residents in the U.S.A. and England. They show how the press functions freely in Western democracies which practise Secularism in its original sense. There is only one review from India which appeared in a Telugu monthly. That is why I have named this Section as *Liberal Democracy*.

It is true that there is no dearth of apologists for Islam in the Western democracies.⁷ Some of them are hired scribes, others inhibited because **Islam is after all a sister creed of Christianity** to which they subscribe. Moreover, a new cult called 'multiculturalism' has also surfaced in the West after the Second World War, particularly after the flow of fabulous Muslim finance from the oil-rich Middle East. The votaries of this cult frown, sometimes in very strong language, on those who examine Islam on rationalist and humanist grounds. Most of the time, they belong to the tribe which had apologized for and heaped laurels on Stalinism and Maoism before the collapse of Communism. Western universities and a large part of the Western media remain their strongholds, as in the case of India. In fact, Multiculturalism in the West has a very close resemblance to Indian Secularism, because the same scholars and scribes throw no end of mud on the religion of the majority - Christianity. Even so, there is Western media which refuses to be dictated by Multiculturalism, or cowed down by Islamic terrorism. I wanted to highlight this fact in this book. Rest is for the readers to judge for themselves.

Sita Ram Goel

New Delhi

20 May 1998

Footnotes:

1 S. Gopal (ed.), *Selected Works of Jawaharlal Nehru*, Second Series, Volume 18, New Delhi, 1996, p. 661.

2 Pandit Nehru's fondness for Islam and Islamic heroes is well-known, particularly in his *Glimpses of World History* and *The Discovery of India*. His commitment to Communism may be seen in Sita Ram Goel, *Genesis and Growth of Nehruism*, Volume I, Voice of India, New Delhi, 1993. His dotting on Christianity can be read in his circular letter to Chief Ministers dated 17 October 1952 (*Selected Works*, Second Series, New Delhi, Volume 19, pp. 733-34) cited in Sita Ram Goel (ed.), *Vindicated By Time: The Niyogi Committee Report on Christian Missionary Activities*, Voice of India, New Delhi, 1998, Introduction, pp. 6-7. See also Sita Ram Goel, *Perversion of India's Political Parlance*, Revised Reprint, Voice of India, New Delhi, 1995.

3 I mean by Sikhism the principles and practices prescribed in the *Adi Granth* and the lives of the Gurus, and not what the latter-day neo-Sikhs have forced it to mean, that is, a monotheistic cult close to Islam and Christianity.

4 Quran 109.6 and 2.256. Harsh Narain has placed both these sentences in their proper context and shown that they mean the opposite of what they have been made to mean by Islamic apologists and 'secularists' in India (*Myths of Composite Culture and Equality of Religions*), Voice of India, New Delhi, 1991, pp. 55-57

5 Constitution and Rules (*as amended by the National Council at Gandhinagar, Gujarat, on 2nd May 1992*) of the *Bharatiya Janata Party*, pp. 3-4 and 19.

6 Six of these reviews have already been included in an earlier publication, *Time for Stock Taking: Whither Sangh Parivar?* Voice of India, New Delhi, 1997

7 See Daniel Pipes, *The Rushdie Affair*, Voice of India, New Delhi, 1998.

SECTION I: SECULAR THEOCRACY

1 - The Case of Inder Sain Sharma

IN THE COURT OF SHRI Z. S. LOHAT
METROPOLITAN
MAGISTRATE, DELHI

State,

Vs.

Inder Sain Sharma s/o Sh. Dewan Chand Sharma r/o
90 Vino-Bha (Vinoba Puri), Lajpat Nagar, New Delhi

2. Raj Kumar s/o Ishwar Prasad c/o H. No. 67-South Ext.,
New Delhi

...Accused

F.I.R. No. 237/83

u/s 295-A I.P.C.

P.S. Hauz Qazi

ORDER

By this order I shall dispose of an objection raised by Ld. Defence Counsel that no charge can be framed against the accused persons because the 'Ayats' were taken by the accused verbatim from the holy book of '*Quran Majeed*' translated in Hindi by a Mohammedan writer Mohd. Farookh Khan and are published in the same form without any addition or subtraction and it was effect which was produced before the public after taking the same from the holy book of Quran Majeed. The Ld. Defence Counsel has admitted that the accused published the disputed posters. The accused reproduced the same before the public not with any malice or bad intention

nor he has given any bad opinion with regard to holy book of Quran Majeed and words

“उपरोक्त आयतों से स्पष्ट है कि इनमें ईर्ष्या, द्वेष, घृणा, छल, कपट, लड़ाई, झगड़ा, लूटमार और हत्या करने के आदेश मिलते हैं। जब तक कुरान से उपरोक्त तरह के आदेश देने वाली आयतें निकाली नहीं जाएंगी तब तक दंगों को रोका नहीं जा सकता।”

[1]

do not in any way tend to create any disharmony or injured the sentiments of any community, therefore no charge can be framed against any of the accused. The Aytes in the posters at serial No. 2, 5, 9, 11, 12 to 19 and 22 are available in the 'Quran Majeed' and are not distorted in any way. The Ld. Defence Counsel has relied upon the following authorities:-

1. 1977 Cr. L.J. 1606 (at page 1607 Para 4)
2. 1976 Cr. L.J. 98 (at page 112 Para 41)
3. A.I.R. 1957 Supreme Court 620 (at page 622)
4. A.I.R. 1964 Madras 258 (at page 259 Para-6)

APP for the State has argued to the contrary and has submitted that truth is no defence and the words:

“इन्हीं कारणों से विश्व के मुस्लिमों और गैर मुस्लिमों के बीच दंगे हुआ करते हैं। जब तक कुरान से उपरोक्त तरह के आदेश देने वाली आयतें निकाली नहीं जाएंगी तब तक दंगों को रोका नहीं जा सकता।”

[2]

have been incorporated in the poster to create the communal disharmony, to injure the sentiments of Mohammedan community and clearly come within the mischief of provisions contained in Section 295-A I.P.C. The intention of the accused persons was to create hatred between the Mohammedan and other community; therefore they cannot be exonerated from liability and at this stage of the case the Court cannot weigh the evidence meticulously and closely. There are strong suspicions

that the accused have committed the offence and there are prima facie evidence which are sufficient to frame the charge against the accused. Hence the arguments advanced by Ld. Defence Counsel are not sustainable and hence merit rejection. The Ld. APP has also argued that 'Ayats' at serial No. 2, 5, 9, 11 to 19 and 22 are not available in the Quran Majeed and if *any of them are available they are published with their distorted version and appear to be malicious with intent to outrage the religious feelings of the persons having faith in Muslim religion which is clear on the face of it.* Ld. APP for the State has relied upon the following authorities:-

1. 1976 Cr. L.J. page 98
2. 1985 Cr. L.J. page 796
3. 1977 Cr. L.J. page 1606
4. 1960 Cr. L.J. page 1528
5. 1986 Cr. L.J. page 186.

I have heard Ld. APP for the State and Counsel of the accused and have gone through the relevant record on the file. The main thrust of the prosecution is that the above words in the disputed posters tend to create communal disharmony and is an act with deliberate and malicious intention of outraging the religious feeling of a particular class of citizens of India and is an attempt to insult the religion or the religious belief of the said class. It is also submitted that the Ayats in the form as published in the poster are not available or are distorted version of the same. The Ld. APP has particularly pointed out the 'Ayats' at serial No. 2, 5, 9, 11 to 19 and 22.

At this stage of the case the Court is required to see whether there is a prima facie case against the accused so as to frame a charge against them. The following observations were made in 1977 Cr. L.J. 1606.

"If the evidence which the prosecutor proposes to adduce to prove the guilt of the accused even if fully accepted before it is challenged in cross-examination or rebutted by defence evidence, if any, cannot hold that the accused committed the offence, then there will be no sufficient ground for proceeding with the trial."

"If the scales of the pan as to the guilt or innocence of the accused are something like even at the conclusion of the trial, then, on the theory of benefit of doubt the case is to end in his acquittal. But if, on the other hand, it is so at the initial stage of making an order u/s 227 or 228, then in such a situation ordinarily and generally the order which has to be made will be one u/s 228 and not u/s 227 Cr. P.C."

The following observations were made in 1976 Cr. L.J. page 98 (page 112 Para-41).

"The fair criticism is different from promoting enmity between classes or outraging religious feelings of any class by insulting its religion etc."

In R. Vs. Boulter (1908)72 J.P. 188, the said Court observed that a man was free to speak and teach what he pleases as to the religious matter. Similarly in (1971) A.C. 406 the principle emerges that the gist of the offence lies not in objection raised but in the manner of attack made upon the substance of the doctrines promulgated of the Christian faith, and that it must be left to the jury to decide whether the terms used amount to such vilification, ridicule or scurrility, outraging public feelings and tend to cause a breach of peace.

IN AIR 1964 Madras 258 what was required to be looked into by the Court was the intention of the writer whether the same tends of outrage religious feelings of a particular community deliberately and maliciously. Similar observations were also made in AIR 1957 S.C. 620.

The essential ingredients of Section 153-A IPC are:

1. The accused promoted or attempted to promote feelings of enmity or hatred between different classes of citizens of India.
2. He did so by words, either spoken or written, or by signs or by visible representation or otherwise.

Malicious is one of the important ingredients of offence u/s 295-A I.P.C. and it is necessary for the prosecution to establish that element by proper evidence. But it being a state of mind is often not capable of direct and tangible proof and in almost all cases has to be inferred from the surrounding circumstances having due regard to the settled background and connected facts in relation to editing or publishing of offending articles.

Coming to the facts and circumstances of the case whether the words

“उपरोक्त आयतों से स्पष्ट है कि इनमें ईर्ष्या, द्वेष, घृणा, छल, कपट, लड़ाई, झगड़ा, लूटमार और हत्या करने के आदेश मिलते हैं। जब तक कुरान से उपरोक्त तरह के आदेश देने वाली आयतें निकाली नहीं जाएंगी तब तक दंगों को रोकना नहीं जा सकता।”

[3]

as argued by the Ld. APP for the State tend to promote the communal disharmony or amount to outrage the religious feelings of the Mohammedan community, there is a dispute that the 24 'Ayats' published in the posters have not been taken from the 'Quran Majeed' translated by the Mohammedan writer. It is found that they are reproduced in the same form as are translated in the said 'Quran Majeed'. In my opinion the writer by writing the above words has expressed his opinion or suggestion and *at the most it can be branded as a fair criticism of what is contained in the holy book of Mohammedans. By no stretch of imagination the opinion expressed by writer that unless these 'Ayats' are removed from holy book of 'Quran Majeed' there will be no hope of stopping the communal disturbances in different parts of India, can be*

said to promote or attempt to promote feeling of enmity or hatred between different classes of citizens of India. In my opinion it is a sort of suggestion to the readers or at the most a fair criticism and by publishing such suggestion or criticism, the writer or publisher has not in any way outraged or attempted to outrage the religious feelings of Mohammedan community, nor it tends to create communal disharmony or hatred between two classes. With due regard to the Holy Book of 'Quran Majeed', a close perusal of the Ayats shows that the same are harmful and teach hatred and are likely to create differences between Mohammedans on one hand and the remaining communities on the other.

I have personally compared the disputed 'Aytes' with 'Quran Majeed' translated in Hindi with notes by one Mohd. Farookh Khan and have found that most of the 'Aytes' have been reproduced in the posters in its original form as is available in the 'Quran Majeed' except following:-

In Ayte No. 2 the word 'Murtipujak'⁴ has been added in column, in Ayte No. 9 the word 'Germuslim',⁵ in Ayte No. 12 and 13 the word 'Loot', has been incorporated, in Ayte No. 14 the word 'Urdhmuslim'⁶ in Ayat No. 17 the word 'Musalmaano' and in Ayat No. 18 & 19 the words 'Urdhmuslim' and 'Musalmaano' respectively have been incorporated. A perusal of English translation in the same book by a English writer shows the words: Murtipujak, Germuslim, Loot, Urdhmuslim are the translation of Urdu words Mushrik, Fitnakar, Ganimat and Munafik etc. The close reading of all the Aytes published in the posters and read from the book do not in any way give different meanings nor suggest anything that the same were published with malicious intention. Therefore, I do not agree with the contention of the Ld. APP that Ayats No. 2, 5, 9, 11 to

19 and 22 are either not available in Quran Majeed or they are distorted version of the said Ayats.

Ld. APP contended that Ayats No. 2, 5, 9, 11 to 19 and 22 do not exist in the holy Quran Sharif in the form in which they have been published nor are available in the Quran Sharif at all and hence the same required comparison with Quran Sharif. Ld. Defence Counsel has produced Quran Majeed from which he has derived all the Ayats and the said book is followed by Muslims and translated by Muslim writer Mohd. Farookh Khan and being not challenged by anybody nor the same has been banned by any authority. Therefore I find no force in the contention of the APP for the State to compare those Ayats with. Quran Sharif.

The authorities cited by the Ld. APP for the State are not applicable in the facts and circumstances of the present case.

In view of the above discussions, I am therefore of the view that there is no prima facie case against the accused as offences alleged against the accused do not fall prima facie within the four corners of Sections 153-A/295-A and hence both of the accused are discharged.

ANNOUNCED IN THE OPEN COURT TODAY

Dated: 31st July, 1986

Sd/-Z.S. LOHAT

METROPOLITAN MAGISTRATE, DELHI.

31/7/86.

Footnotes:

1 Translation: *It is clear from the above mentioned verses that they carry commands for hostility, malice, hatred, deceit, back-stabbing, war, conflict, plunder and murder. Unless the verses carrying this sort of commands are removed from the Quran, riots cannot be stopped.*

2 Translation: *These are the reasons for conflicts between Muslims and non-Muslims all over the world. Unless verses carrying this sort of commands are removed from the Quran, riots cannot be stopped.*

3 See footnote 1 for translation.

4 Idol worshipper

5 Non-Muslim

6 Hypocrite

CH. 2: The Case of Sita Ram Goel

IN THE COURT OF SH. S. K. KAUSHIK: ADDL.
CHIEF METROPOLITAN MAGISTRATE: DELHI

State

Vs

Sita Ram etc.

FIR No. 72/86

P.S. Darya Ganj

U/S 153A/295A IPC

ORDER

This order shall dispose of the question of charge in this case. The State has sought prosecution of accused Sita Ram Goel as publisher and Smt. Ram Kali as printer of a book published under the name of '*The Dead Hand of Islam*' written by foreign author Colin Main, **u/s 153A and 295A IPC** on the ground that the book contains highly objectionable and sacrilegious material/ references at page from 2 to 15, which tend to hurt the religious sentiments of Muslim community

and may promote disaffection and hatred between Hindus and Muslims.

2. The Ld. defence counsel Sh. Alok Kumar contended that the charge against the accused persons is groundless because it is not the opinion of the accused persons which is contained in the book; that the book was written by a foreign author of Australia; that even the author of the book has not given his opinion, but it is the opinion of several eminent authors compiled by Colin Main in the form of a booklet from the work of eminent authors and the Quran. The Ld defence counsel also contended that the book is in English and contains as many as ninety references and even a layman after going through the book cannot hold the publisher or printer responsible for creating any hatred, ill will, etc. against Muslims. The defence counsel also submitted that the charge against the accused persons in view of the case law on the subject is totally groundless. He referred to the following authorities in support of his contention:

1. AIR 1927 All. 649
2. AIR 1939 Rangoon 199
3. AIR 1943 Patna 382
4. 1957 SCR 860
5. AIR 1964 Madras 258
6. AIR 1971 Bombay 56
7. 1971 CrLJ 1773
8. 1980 CrLJ 448
9. 1983 CrLJ 1446
10. 1985 CrLJ 797
11. 1995(3) SEC 214

12. 1995 CrLJ 1316

3. Now it is to be seen as to what law has been laid in the authorities relied upon by the Ld defence counsel. In AIR 1927 All. 649 it has been held at page 652 that it must of course be recognized that in countries where there is religious freedom a certain latitude must of necessity be conceded in respect of the free expression of religious opinions together with a certain measure of liberty to criticise the religious beliefs of others, but it is contrary to all reason to imagine that liberty to criticise includes a license to resort to the vile and abusive language.

4. In AIR 1939 Rangoon 649 it was held at page 200 that: u/s 295A, however, the prosecution must prove more than u/s 298 IPC, they must show insult for the sake of insulting and with an intention which springs from malice and malice alone. To a charge under this section, therefore, it would be a defence to say that I had no malicious intention towards a class, but I did intend to wound or shock the feelings of an individual so that attention might, however rudely, be called to the reform which I had in view.

5. In AIR 1943 Patna 382 it has been held at page 385 that: the essence of an offence u/s 153A, is malicious intention. I do not think this section was ever intended to apply to the case of the honest agitator, whose primary object is to secure redress of certain wrongs, rules or fancies, and who is not actuated by the base mentality of a mere mischief monger. If the writer is expressing views which he holds only, however wrong they may be, and has no malicious intention, I do not think he can be brought within the mischief of this section.

6. In 1957 SCR 860, the question for consideration by the Supreme Court was whether Section 295A IPC is ultra vires

and unconstitutional. Das CJ, while holding Section 295A as constitutional, held at page 867 as under:

“Section 295A does not penalise any and every act of insult to or attempt to insult the religion or the religious beliefs of a class of citizens, but it penalises only those acts of insults to or those varieties of attempts to insult the religion or the religious beliefs of a class of citizens which are perpetrated with the deliberate and malicious intention of outraging the religious feelings of that class. Insults to religion offered unwittingly or carelessly or without any deliberate or malicious intention of outraging the religious feelings of that class do not come within the section. It only punishes the aggravated form of insult to religion when it is perpetrated with the deliberate and malicious intention of outraging the religious feelings of that class”.

7. In AIR 1964 Madras 258, the matter for consideration before the court were three articles published in the paper '*Nathikam*' on 16.12.1960, 6.1.1961 and 13.1.1961. The first article dealt with the punishment of stoning to death prescribed in Koran to persons found guilty of adultery. The second article was about the punishment prescribed in Koran for theft. The court did not consider the third article as it found it unnecessary for the purpose. In this case, the court laid down the following law while discussing Section 295A:

”The right of freedom of speech and expression guaranteed under Art. 19(1)(a) of the Constitution will no doubt enable a citizen to criticise the religion and the religious beliefs of a class of persons. Article 25 of the Constitution confers a right on all persons to freedom of conscience and a right freely to profess, practice, propagate religion subject to certain conditions and a person is entitled to express and propagate his views so long as he does not affect the public order, morality and health or

offend any of the provisions of the Constitution or laws of the land”.

8. In AIR 1971 Bombay 56, the matter for consideration before the court was whether the book called "*Gandhi Hatya Ani Mee*" (Gandhi-assassination and I) written by Gopal Vinayak Godse was liable to be forfeited because it contained objectionable material. The court, while holding that this book did not contain anything objectionable, laid down the following principles in para 64 of the judgement:

“While inquiring whether such a charge can be sustained on the data disclosed in the order of forfeiture, namely, the offending passages read in the context of the book as a whole, it is important to remember that: (1) under Section 153A it is not necessary to prove that as a result of the objectionable matter, enmity or hatred was in fact caused between the different classes. (2) Intention to promote enmity or hatred, apart from what appears from the writing itself, is not a necessary ingredient of the offence. It is enough to show that the language of the writing is of a nature calculated to promote feelings of enmity or hatred, for a person must be presumed to intend the natural consequences of his act. (3) The matter charged as being within the mischief of **Section 153A** must be read as a whole. One cannot rely on stray, isolated passages for proving the charge, nor indeed can one take a sentence here and a sentence there and connect them by a meticulous process of inferential reasoning. (4) For judging what are the natural or probable consequences of the writing, it is permissible to take into consideration the class of readers for whom the book is primarily meant as also the state of feelings between the different classes or communities at the relevant time. (5) If the writing is calculated to promote feelings of enmity or hatred, it is no defence to a charge under Sections 153A that the writing

contains a truthful account of past events or is otherwise supported by good authority. If a writer is disloyal to history, it might be easier to prove that history was distorted in order to achieve a particular end as e.g. to promote feelings of enmity or hatred between different classes or communities. But adherence to the strict path of history is not by itself a complete defence to a charge under Section 153A. In fact, greater the truth, greater the impact of the writing on the minds of its readers, if the writing is otherwise calculated to produce mischief’.

Ld. defence counsel also referred to para 253 of the judgement which reads as under:-

“We have a fair acquaintance with the Marathi language, but we must frankly confess that many a passage had to be read with more than ordinary care in order to appreciate why it is said to be of an objectionable nature. A common reader has, we suppose, neither the leisure nor the learning to digest the wealth of words which the book contains. He shall have to resurrect some stray incendiary material”.

9. In the case reported as 1971 Cr. LJ 1973, the matter for consideration before the court was whether the book entitled "*Samman Ke liye Dharm Parivartan Karen*" contained objectionable material causing insult to Hinduism or to promote disharmony and hatred between different castes so as to be punishable u/s 153A or u/s 295A IPC. It was contended before the court that this book promoted hatred between Sudras and Harijans on the one hand and members of the higher Hindu castes on the other hand. The court after considering the objectionable passages of the book held that a rational criticism of religious tenets, couched in restrained language, cannot amount to an offence either u/s 153A or Section 295A IPC. The court did not find anything

objectionable in the passages which stated that the Hindu religion is blemished; that Hindus lack sympathy, equality and independence; that in Hinduism there is no room for feeling of humanity and that in Hinduism progress for the individual is impossible. The court also did not find anything objectionable in passages 13 to 19 because they commented adversely on Hindu scriptures viz the Vedas and the Bhagvad Geeta. In this book the author asserted that the hymns of Vedas were composed by hundreds of people who were undeveloped and uncultivated. The court did not find it objectionable because this criticism was in the context of refuting the orthodox view that the Vedas are of divine origin. The court also held that there was nothing to take offence if the author of the book cited a certain Shabarswami as saying that the persons who composed the Vedas were fools or mad men. Regarding the comments on the Geeta in some of the passage in the book describing it as a 'song of shepherds' or as a 'political book' the court held that these comments were innocuous. The court also did not find anything objectionable in the book because it referred to Hanuman as unchaste. The court, therefore, held that after reading the book as a whole and bearing in mind its avowed purpose, none of the passages complained of could be said to be punishable u/s 153A or 295A IPC.

10. In the case reported as 1980 CrLJ 448, the matter under consideration before the court was whether the book entitled "*Munaqib-e-Ahle Bait*" written by Maulana Azizul Haq Kusar, which criticised the role of Amir Moavia who was held in high esteem by the Sunni Muslims, was likely to hurt the feelings of Sunni Muslims. The court held that:

“The criminality u/s 153A of the Penal Code does not attach to the things said or done but to the manner in which it is said or done. If the words spoken or written are couched in

temperate, dignified and mild language and do not have the tendency to insult the feelings or the deepest religious convictions of any section of the people, penal consequences do not follow”.

ii. In the case reported as 1983 CrLJ 1446, the matter for consideration before the court was whether the two articles published in the Marathi Weekly known as 'SHREE' were containing objectionable material so as to attract Section 153A IPC. In these two articles the author tried to show that in pre-Islamic times, the ancient Indian culture and Hindu religion were in vogue in Arabia and that the Islamic religion, culture and art were greatly influenced by the Indian culture and religion. Their Lordships after going through the articles found nothing objectionable and held that:-

“It is true that sometimes in a given case even a truthful account may come within the mischief of S-153A of the Penal Code. But, this will be too broad a proposition. Different considerations will prevail when we are to consider a scholarly article on history and religion based upon research with the help of a number of reference books. It will be very difficult for the State to contend that a narration of history would promote violence, enmity or hatred. If such a contention is accepted, a day will come when that part of history which is unpalatable to a particular religion will have to be kept in cold storage on the pretext that the publication of such history would constitute an offence punishable under Sec. 153A of the Penal Code. The scope of S-153A cannot be enlarged to such an extent with a view to thwart history. For obvious reasons, history and historical events cannot be allowed to be looked as a secret on a specious plea that if the history is made known to a person who is interested to know the history, there is likelihood of someone else being hurt. Similarly, an article containing a historical

research cannot be allowed to be thwarted on such a plea that the publication of such a material would be hit by S. 153A. Otherwise, the position will be very precarious. A nation will have to forget its own history and in due course the nation will have no history at all. This result cannot be said to have been intended by the Legislature when S. 153A of the Penal Code and S. 95 of the CRPC were enacted. If anybody intends to extinguish the history (by prohibiting its publication) of the nation on the pretext of taking action under the above sections, his act will have to be treated as *malafide* one”.

12. In 1985 CrLJ 797, the matter before Patna High Court for consideration was whether the revised edition of the book "*Vishwa Itihhas*"¹² in Hindi written as a Text Book for Inter class of Bhagalpur University and whether the book "*Madhya Kalin Arab*"¹³ were liable for forfeiture u/s 295A IPC. The author of "*Vishwa Itihhas*" in writing about Islam religion had relied on the authoritative Historical works like the "*Outline of History*" by H.G. Wells, the "*Muhammad at Madina*" by W.M.G. Watt and the "*Middle East*" by S.N. Fisher, etc. In discussing the Muhammadan religion he had used his dispassionate expertise as a teacher of history and in fact had praised Prophet Hazrat Mohammad when there was occasion to do so. The court did not find anything objectionable in the book titled as "*Vishwa Itihhas*" because the views expressed in the offending portion of the book were not his own. Rather the author disagreed with the critical assessment and according to his own views Mohammad Sahib was not only the reformer but also a statesman. However, the court held that the offensive paragraphs of the book "*Madhya Kalin Arab*" were offensive in the extreme because the author projected the personal and private life of the Prophet in his own personal assessment in terms patently derogatory and denigratory. The court also held

that the offending publication is to be viewed as a whole and the intent of the author has to be gathered from the broader prospective and not merely from a few solitary lines or quotations.

13. In 1955 (3) Supreme Court Cases, 214, the appellants were convicted under Sec. 124A and 153A IPC, for raising following slogans, on 31.10.83 the day when Mrs. Indira Gandhi was assassinated, in a crowded place in front of Neelam Cinema in Chandigarh:

(a) KHALISTAN ZINDABAD

(b) RAJ KAREGA KHALSA, and

(c) HINDUAN NUU PUNJAB CHON KHAD KE CHHADANGE, HUN MAUKA AYA HAI RAJ KAYAM KARAN DA.⁴

Regarding the charge under Sec. 124A IPC, it was held that the casual raising of slogans once or twice by two individuals alone cannot be said to be aimed at exciting or attempting to excite hatred or disaffection towards the government. Regarding the offence under Sec. 153A IPC it was held:

"In our opinion only where the written or spoken words have the tendency or intention of creating public disorder or disturbance of law and order or affect public tranquility, the law needs to step in to prevent such an activity. The facts and circumstances of this case unmistakably show that there was no disturbance or semblance of disturbance of law and order or of public order or peace and tranquillity in the area from where the appellants were apprehended while raising slogans on account of the activities of the appellants. The intention to cause disorder or incite people to violence is *the sine qua non* of the offence under Section 153A IPC and the prosecution has to prove the existence of *mens rea* in order to succeed. In this case,

the prosecution has not been able to establish any *mens rea* on the part of the appellants, as envisaged by the provisions of Section 153A IPC, by their raising casually the three slogans a couple of times. The offence under Section 153A IPC is, therefore not, made out."

Their Lordships also observed in para 12 of the judgement:

"The police officials exhibited lack of maturity and more of sensitivity in arresting the appellants for raising the slogans which arrest - and not the casual raising of one or two slogans - could have created a law and order situation, keeping in view the tense situation prevailing on the date of assassination of Smt. Indira Gandhi. In situations like this, oversensitivity sometimes is counter-productive and can result in inviting trouble".

14. In 1995 CrLJ 1316, the matter under consideration was, whether the editorials published in the newspaper 'Samana' after riots took place in Bombay, as an aftermath of demolition of Babri Masjid contained objectionable material so as to attract provisions of Section 153A and 153B IPC. The petitioner moved Bombay High Court for a writ of Mandamus to the State to register cases u/s 153A and 153B IPC. Some of the offending portions of the editorials under consideration before the court were as under:-

i) "Samana 2nd December 1992. Municipal Deputy Commissioner Mr. Khairnar risked his life to use bulldozer in Bhendi Bazar, which has become a heaven of Pakistani infiltrators and anti-national Muslims, Moulvis and Mullahs have corrupted Bhendi Bazar. The position of treachery (anti-nationalism) is flowing through every vein (lane) of Bhendi Bazar. Is Bhendi Bazar a part of India (let alone Bombay) at all?"

ii) "And which is this minority community? The Muslim traitors who have partitioned this country and have not even allowed us to breathe ever since then"

iii) "*Crush the traitors.* Muslims should draw a lesson from this fact (the demolition of the Babri Masjid) otherwise they will meet the same fate as the Babri Masjid. The 'Mini Pakistan' of Bombay inhabited by Muslims.....

Those Muslims who are indulging in the act of violence on the streets and are desecrating deities and temples are traitors. They have no religion, no country, no God, no culture."

iv) "Streams of treason and poison have been flowing through the cities and Mohallas of this country. These Mohallas are inhabited by fanatical Muslims. They are loyal to Pakistan. Riots occur only in those cities and Mohallas with a growing Muslim population. It is clear from this fact that the root cause of riots lies in the Muslim community and its attitude. There are 30% Muslims spread all over Delhi. But they are concentrated in Old Delhi in areas surrounding Jama Masjid. Therefore, riots occur in this area. They also take place in Bhendi Bazar. Musafirkhana, Bhiwandi, Malegaon and Muslim majority areas of Bhopal. Riots break out wherever Muslims enjoy domination. They stop as soon as the Muslims are at the receiving end. A similar thing is happening today. Muslims revolt in their own areas. They beat Hindus, demolish temples and attack the police. The Government is appeasing these traitors. It is learnt that Pakistan has manufactured seven bombs. But the bomb that has been made in India with the blessings of Pakistan is more dangerous. Now Pakistan need not cross the borders for launching an attack on India. Twenty-five crore Muslims loyal to Pakistan will stage an insurrection. One of those seven bombs made by Pakistan lies hidden in Hindustan."

(v) "The fanatical traitors have launched an ugly dance of death. Loyal citizens of India have sacrificed their lives in this fire which has been spreading fast. In the Mohallas inhabited by fanatics which we call 'Mini Pakistan' were the centres where the cruelty and treachery of traitors caused havoc."

(vi) "How to solve the question? The country was partitioned on 15th August 1947 on the basis of religion. That part of the country which has come to be known as Hindustan is the country of Hindus which should be conceded by all. No objections need be raised about the presence of Muslims, Sikhs, Christians and people of other faiths. But if they indulge in the name of religion in anti-national activities, such activities should be completely defeated. Muslims have been able to hold Hindus to ransom because the Central Govt. has not adopted a firm policy."

(vii) "The areas where the fires of riots are still smouldering are Deonar, Govandi, Nirmal Nagar, Dharavi and Behrampada. They have become heavens for traitors.

They ignited fires in Bombay and they are still itching for a fight. Is the police going to protect them? Why do V.P. Singh, Chandra Shekhar and Shabana Azmi keep visiting the Mohallas of traitors? Many Hindu habitations have been reduced to ashes due to the assaults launched by anti-national Muslims."

(viii) "That midnight violence erupted in Bombay. The Muslims of Bhendi Bazar, Null Bazar, Dongri and Pydhoni, the areas which we call 'Mini Pakistan' that are determined to uproot Hindustan took out their weapons.

Stop the armed bands of traitors before it is too late. Hand over the 'Mini Pakistan' of Bombay to the army. Unless the

rioting traitors are not on the spot, the normalcy which the police refer to would not be restored."

(ix) "The ugly and violent form of Muslim traitors was witnessed by the city yesterday. During the twenty-six year tenure of M.K. Gandhi, Muslims from Malabar to Noakhali grew progressively violent and Hindus became non-violent.

Our prophecy has come true. A Muslim whichever country he belongs to, whichever position he occupies is first a Muslim. To him his religion is the first concern. Nation is of secondary importance to him. In the last two days patriotic people have been subjected to attacks. These attacks constitute attacks on the nation."

(x) "A special column appeared in daily Samna of 9.4.1993 under the caption Question to Chief Minister, Home Minister and Police Commissioner by Shivsena Chief.

Hindus will not be crushed to death by the politics or pressure tactics and Muslims terrorism. The killing of Hindus in Bombay is the result of inaction on your part. If you cannot stop the way in which Muslims and in your language minorities are slaughtering us then we have to follow their ways for self-defence. This is not the instigation but indignation in my mind."

15. Their Lordships held that all the above offending portions of the editorials did not contain any material so as to fall within the purview of Sections 153A and 153B of IPC because the offending paragraphs, when read in the context and as a whole, do not refer to the Muslims as a whole but only to Pakistani infiltrators and anti-national Muslims. It was also held that the article criticising the tendency of those Muslims who treat religion as first and nation as secondary does not attract the provisions of Sec. 153A and 153B.

16. The law on the subject as appearing from the above authorities is that the offending material has to be read as a whole. One cannot rely on stray, isolated passages for proving a charge, nor indeed can one take a sentence here and a sentence there for forming any inferential reasoning. For judging the offending writing it is important to consider the class of readers for whom the book is primarily meant as also the state of feelings between the different classes of communities at the relevant time. If the offending material is a scholarly article of history and religion based upon research with the help of a number of reference books, then such material does not come under the purview of Sec. 153A and 295A. According to the verdict of Supreme Court the intention to cause disorder or incite people to violence is the *sine qua non* of the offence u/s 153A IPC and the prosecution has to prove the existence of *mens rea* in order to succeed.

Insult to religion offered unwittingly or carelessly or without any deliberate or malicious intention to outrage the religious feelings of that class do not come within Section 295A IPC. It is also important to bear in mind the language of the book. It is also important to consider while judging the offending material as to whether the views expressed in the offending writing were of the author or somebody else whom the author is using as a reference. Lastly it is also important to bear in mind as to whether the offending portion refers to the Muslims as a whole or to anti-national Muslims. With this case law on the subject now what has to be seen is whether the accused prima facie appear to have committed the offence u/s 153A and 295A IPC.

17. The offending passage in para 4 at page 2 of the book is: "It is undemocratic; it is puritanical; it is barbarously punitive; it oppresses women; its laws are cruel to animals; it is intolerant

towards other religions; it is anti-intellectual; it places restrictions upon art." These lines cannot be viewed in isolation. These lines have to be read in the context. In fact, what is told in these lines is, according to the writer, what Hadith and Koran contain therein. The writer tries to prove his viewpoint in the succeeding paragraphs by referring to 'The Kuran' translated into English by Yusuf Ali, 'Islam' by J.A. Williams, 'Dictionary of Islam' by T.P. Hughes, 'The Quran' and the book 'The Life and Times of Mohammad' New York 1970. Thus it is clear that writer wants to convey about what is written in these books. These lines, when read in the context, in my considered view, do not contain any offending material so as to attract Section 153A and 295A IPC.

18. The next offending writing in the book is in para 3 at page 3 running from "The *Koran* seems to regard sexual misdemeanors as being more reprehensible than murder. For killing another human being, one has only to make a compensation to the relatives of the person killed. These are the only references I could find in the *Koran* to punishment, so for most crimes we have to rely on the *Hadith*." This alleged offending writing is nothing but a reference to 'The Kuran' translated into English by Yusuf Ali. The other alleged offending lines are on page 4 of the book. These lines are: "*The Dictionary of Islam* says that stoning 'has become almost obsolete in modern times.' So this religion is becoming more repressive, not less. The victims will be happy to know that they will get full funeral rites." "So a man can have sex with one of his wives at any time, and in any way that he wants" and "As Ramon Lull said of it, 'What will their paradise be but a tavern of unwearied gorging, and a brothel of perpetual turpitude?'" I have gone through these portions at page 4 of the book. There is nothing in these lines to show that it is the

opinion of the author, printer or publisher. Rather the author has given in these lines what 'The Dictionary of Islam' 'The Kuran' and one Ramon Lull say on the subject.

19. The other offending material is on page 5 which runs from the lines:

"The Muslim Religion is completely hypocritical on sexual matters and it is all in favour of the men. The mere performance of ceremony permits a man to have sex with any of his four wives in any manner and at any time.

"Also the *Koran* permits men to use women captured in war for their sexual amusement. They can also be bought. Mohammed himself received two slave girls as a present from the governor of Egypt. One he gave to a man called Hassan, and the other he kept for himself, and she subsequently had a son by him. The *Koran* allows a Moslem to have as many concubines as he wants" and "Though he placed such severe restrictions on women, Mohammed himself had as much sex as he wanted. His wife Ayesha, who he married when she was 10 and he was 53, said of Mohammed: 'He loved three things, women, perfume and food, and of the first two he had his heart's desire'."

This alleged offending material in these lines on page 5 is in fact not the opinion of the author but only the reference to 'The *Kuran*' and '*Dictionary of Islam*' by T.A. Hughes. Next under consideration is the paragraph on page 6 running from "Woman are also oppressed in other ways, and are regarded as being very much inferior beings. The *Koran* says that men are a degree above them and that they should be obedient to their husbands, and that for disloyalty they can be beaten." This offending portion has been taken from scripture No. 2,228 and

4.34 of 'The Quran'. Thus again it is not the opinion of the writer.

20. The other offending writing, according to prosecution is at page 7 of the book running from:

"The Islamic law says this of circumcision and clitorrectomy: 'It is an obligation for men and women to do it for themselves and their children, and if they neglect it, the Imam may force them to it for it is right and necessary.'

"In *The Sydney Morning Herald* of January 16, 1979 there was an article on clitorrectomy (female circumcision) in Egypt. Nawal Alsa'adwi, the Egyptian gynecologist and psychiatrist, was reported to have said: 'You can't separate sexual oppression from political and religious oppression.'"

I have gone through this writing appearing at page 7 of the book. This writing is not the opinion of the author but it is what has been said by author J.A. Williams in his book, 'Islam' and the article appearing in '*The Sydney Morning Herald*' of January 16, 1979 which have been referred by the author in this offending portion. In my considered view there is nothing in this paragraph to attract the provisions of Section 153A and 295A IPC.

21. The next offending portion under consideration is as given on page 8 of the book from "Islam is the only religion in the world which teaches that converts can be won at the point of a sword." I have considered these lines. These lines cannot be considered in isolation from the succeeding paragraphs appearing under the heading 'Intolerance towards Other Religions'. Whatever has been stated by the writer in these lines is with reference to scripture No. 47.4 of 'The Quran' and the book 'The Social Laws of the Quran' written by R. Roberts. Thus, it is not the opinion of the author but what has been

stated on the subject in 'The Quran' and in the book referred by the author.

22. The other offending portion of the book is on page 9 which runs from "It should be remembered that the Moslems delivered an entirely unprovoked attack on many Christian countries" and "This is sometimes considered to be justified, as most people are ignorant of the nature of the religion of Arabia before Islam. The image conjured up is of hideous idols, and human sacrifices, and corrupt priesthood. This is not borne out by the facts." I have gone through these lines as well. The author has written these lines by referring to the book 'The Rise of Islam' written by A. Bullock and the book 'The Life and Times of Mohammed' written by John Bagot Glubb. These lines, when considered in the context and the reference book, in my considered view do not attract any provision of Section 153A and 295A IPC.

23. The state has also relied upon the material appearing on page 10 of the book which runs from: "Also the God concept of Islam can hardly be an improvement on paganism, as even though Allah is called 'the merciful, the beneficent', this is hardly borne out by his action in torturing all non-believers in hell for ever. A description of the Moslem hell will give some idea of the nature of the sort of god they believe in" and "The intolerance of Islam towards polytheism (the worship of more than one god) has drowned the world in blood. This was particularly the case in India. In most parts of the world the pagans found it easier to give in and become Moslems. But the Hindus were prepared to fight."

I have carefully gone through these lines. The lines running from 'Also the God... they believe in' have to be read in the context and that context is in the succeeding paragraph given in the book about 'The Moslem Hell'. The author has described

the 'Moslem Hell' by referring to scripture No. 4.56, 22.19, 37.65 to 67, 22.19, 14.17, 43.74, 43.75, 43.77 and 22.21. Thus the description of the hell is not of the author but what is appearing in 'The Quran' itself. The other offending portion which runs from 'The intolerance... were prepared to fight' is also to be considered in the context of the succeeding paragraphs which are based on the book 'A Short History of India' by S. Wolpert. These offending lines cannot be viewed in isolation from the succeeding paragraphs and when these lines are viewed in the context, I do not find anything which may bring these lines under the purview of Section 153A and 295A IPC. In my considered view, there is nothing offensive in the writing as appearing on page 10 of the book.

24. The next writing under consideration is on page 11 which runs from "One myth that is widely believed is that Islam promoted knowledge, but this is not the case. In later centuries a high civilisation did develop in Moslem countries, but this was despite Islam, not because of it." These lines have to be read in the context of what the author has stated in the succeeding five paragraphs on page 12 of the book. In these five paragraphs, the author has referred to the book 'Mohammedanism' written by H.R. Gibb, 'The Arab' written by A. Nutting, 'The Life and Times of Mohammed' written by John Bagot Glubb and the book 'Mohammed' written by Pike & Royston. Thus, the author has not given his opinion in these lines on page 11 of the book but this is the opinion of the various authors referred by the author of these lines in the succeeding five paragraphs on page 12. In my considered view, there is nothing offensive in these lines.

25. The next paragraph under consideration is as given on page 12 and 13 of the book running from:

"The Islamic world has sunk back into ignorance again, and even in such great universities as Al-Azhar at Cairo - the largest Moslem university in the world - the Koran is the basis of education. In many schools the children learn nothing else. The Koran remains the basis of Law, and the foundation of the Moslem legal, judicial, and political system, and the guide to every aspect of life.

"Another myth about Islam is that it promoted equality. In reality Islam permitted the ultimate inequality - slavery. As Muir says of Mohammed, 'He rivetted the fetter.' 'There is no obligation whatever on a Moslem to release his slaves.' Mohammed himself had slaves - seventeen men and eleven women."

In fact, these lines are not of the author but these lines have been taken from the book 'Mohammed' written by Pike & Royston and 'The Social Laws of the Quran' written by R. Roberts. I have carefully considered these lines. In my considered view there is nothing in these lines which attracts the provision of Section 153A or 295A IPC.

26. The next offending lines are as given on page 14 of the book from: "The example of the life of Mohammed is taken, with the *Koran* as a guide to how life should be lived. It is therefore very important to consider his character and acts. When I began writing this pamphlet, I did not think that I would like Mohammed. But the more I read about him, the less attractive did I find him."

These lines again have to be read in the context and the context is provided by the succeeding paragraphs appearing on page 15 and 16 of the book. Here, the other offending portion of the book appearing on page 15-16 can also be considered which runs from:

"Mohammed had people killed for the most trivial reasons. A man called Kinana ibn Ali al-Huquiq, who was the leader of a Jewish tribe whose fort was captured by the Moslems, tried to conceal the fact that he had gold. When an informer told Mohammed of this he had Kinana tortured by having hot coals put on his chest till he was nearly dead, and then he was killed.

"A man called Al Nadhr, who was a teller of tales, used to say of Mohammed to his audiences: 'Are not my stories as good as his?' For this Mohammed ordered that his head be struck off. After the battle of Badr a man called Uqba was taken prisoner. When he was being taken away to be executed, he said to Mohammed: 'What will become of my little children.' Mohammed replied: 'Hell-fire.'

"It might be thought that I am quoting from books which are hostile to Mohammed. This is not so. Only Muir's book is slightly hostile to him. All the others go out of their way to portray him in a favourable light. We have enough evidence in the Koran of Mohammed's cruel nature, in the punishments he ordered, in his descriptions of hell, and in his incitements to his followers to kill people.

"Karl Brockelmann, in his book, *History of the Islamic Peoples*, says that Mohammed's death was brought on by 'an excess of pleasure-taking in the harem.'

"The only thing that can be said in his favour was that he did on occasion refrain from killing people. I can't myself see that that is a particularly exceptional virtue.

"It might be wondered how a man with this sort of character could become so admired, and could attain the position he did. What is not realised is that many people of the time detested him.

"After ten years of preaching in Mecca he had acquired only 70 followers. When he secured a base at Medina, he used force to establish his religion. All the accounts that tell us of him are biased in his favour, as death or evil awaited anyone who criticised Mohammed or the *Koran* when Islam became the state religion of Arabia.

"It might be said that Mohammed was a man of his time. But we must judge him according to the standards of today, not those of 1200 years ago because Moslems claim that Islam is a religion for our time. Therefore it is by the ideals of this century that we should measure it, not by those of the 7th century.

"According to these standards Mohammed was merciless and fanatical. He introduced religious hatred into large parts of the world that before were tolerant on such matters. He curtailed the freedom of women. He endorsed slavery. He broke up families. He ordered cruel punishments. The world would have been a better place if he had not succeeded in spreading his 'religion'."

When the offending lines on page 14 are considered in the context, it becomes clear that whatever the writer wants to convey in these lines is with reference to the explanation appearing in succeeding paragraphs on page 15 and 16 of the book and by referring to the books of various authors discussed in the foregoing paragraphs of the order.

27. The alleged offending portion on page 15 is nothing but a reference to the book 'The Life and Times of Mohammed' and 'Life of Mahomed'. The author has explained that all the books except one by Muir have praised Mohammed and he has quoted these lines from the books which portray Mohammed in a favourable light. Thus, the author is not giving his opinion but he has given the opinion of various authors and the books

mentioned in the foregoing paragraphs of this order. The offending portion of the page 16 is again a reference to the book 'History of Islamic People' written by Karl Brockelmann. The other book referred by author is 'The Arabs' written by A. Nutting. Thus, it is not the opinion of the author but it is opinion of Karl Brockelmann and A. Nutting. Ld. Prosecutor Sh. Vipin Sanduja submitted that the last line of the book which reads: 'The world would have been a better place if he had not succeeded in spreading his religion' is offending and attracts the provision of Section 153A and 295A IPC. I have carefully considered this submission of Ld APP Sh. Vipin Sanduja. The author has not stated in these lines that India would have been a better place if he (Prophet) had not succeeded in spreading his religion. In fact the author is talking about the world. However, the author has drawn his conclusion by referring ninety references from various books including 'The Quran'. The author has said in para 3 of page 15 of the book: *'It might be thought that I am quoting from books which are hostile to Mohammed. It is not so. Only Muir's book is slightly hostile to him. All other go out of their way to portray him in a favourable light.'* In my view there is no merit in the submission of Ld. APP.

28. The above discussion shows that the alleged offending portions of the book, when read as a whole, do not lead to the inference that it promotes enmity or hatred between different classes. The nature of the writing is not of a nature calculated to promote feeling of enmity or hatred. The language of the book is mild, tempered and dignified. The words used have no power to sling or stoke communal violence, hatred, enmity, disharmony or ill-will. The book is based on a number of reference books of history and religion. The conclusions drawn

are not desultory. The book is meant for reading by philanthropists and elite section of the society.

It is hard to believe that the elite would rake up communal violence, after going through this book. The elite have their own way of reacting to socially sensitive issues. It is not a matter of past when the elite of our country, by and large, defended M.F. Hussain, when the latter painted nude painting of Indian Mythological deities. The only purpose of the author is to discourage, in all humility, the growing consciousness of religious identity which is leading to fundamentalist and separatist attitudes in the world.

For the foregoing reasons, I hold that the charge against the accused persons is groundless. I hereby discharge both the accused.

ANNOUNCED IN OPEN COURT

On 17 May 1997

Attached two copies

(S.K. KAUSHIK)

ACMM/Delhi

17/5/97

Footnotes:

1 Translation: Doings of the Holy Family.

2 Translation: World History.

3 Translation: Medieval Arabia.

4 Translation: (a) Long live Khalistan; (b) Khalsa will rule; (c) we will see that Hindus are driven out of Punjab, the opportunity to establish our rule has arrived now.

THREE - The Case of Surya Kant Bali

IN THE COURT OF SHRI O.P. GUPTA:

M.M. NEW DELHI:

S/V. Surya Kant Bali etc

U/S. 153-A/295-A of IPC

P.S. Con. Place

FIR No. 691/88

SC

ORDER ON CHARGE

By this common order I shall be disposing of question of charge in two cases arising out of FIR No. 691 of 1988 and 742/86 both of Police Station Con. Place as both the cases pertain to Section 153-A IPC. They raise common question of scope of applicability of Section 153-A IPC.

In FIR No. 691 of 1988 accused No. 1 is alleged to have written article "*Sampradayikta: Ham Chalis Varsh Pichhe Lot Aayen Hai*".¹ The same was published in magazine Weekly Hindustan dt. 21-6-87 to 27-6-87 of which accused No. 2 and 3 are printers and publishers. The said article is alleged to contain material which is likely to promote religious enmity. In FIR 742 of 1986 accused No. 3 is alleged to have written an article titled "Hindu Backlash" which is published in Magazine Weekend Review dt. 22-6-86 to 28-6-88. Accused No. 1 and 2 are Editor and Publisher of the said magazine. The said article is likely to promote religious enmity.

2) I have heard arguments at length for the purpose of charge. The first and foremost contention of the Ld. defence counsel is that articles have to be read as a whole and not in

piecemeal. The prosecution cannot be allowed to pick up few lines from here and there and make out the desired objectionable material from it. They further submitted that the article should be one which aims at or is intended at promoting hatredness between the two religions. In support of the submission reliance has been placed on AIR 1943 Patna 382 in which it was held that Section 153-A is not intended to apply to the case of honest agitator. If the writer is expressing views which he holds honestly, however wrong they may be, and has no malicious intention, he cannot be brought within the mischief of Section 153-A. In AIR 1927 Allahabad 649 Full Bench, it was held that in countries where there is religious freedom certain latitude must of necessity be conceded in respect of free expression of religious opinion together with a certain measure of liberty to criticise religious belief of others. In 1957 SCR 860 it was held that insults to religion offered unwittingly or carelessly or without any deliberate or malicious intention to outrage religious feelings of that class do not come within the ambit of Section 153-A. In 1983 CRLJ 1446 full bench, it was held that it will be very difficult for the State to contend that narration of history would promote violence, enmity or hatred. If such contention is accepted, a day will come when that part of history which is unpalatable to a particular religion will have to be kept in cold storage on the pretext that the publication of such history would constitute an offence punishable U/S. 153-A IPC. In AIR 1939 Rangoon 199, it was held that U/S. 295-A IPC the prosecution must prove more than U/S. 298 IPC. They must show insult for the sake of insulting and with intention which springs from malice and malice alone. Similar view was taken in 1971 Criminal Law journal 1773 Allahabad full bench, AIR 1971 Bombay 56 special

bench, AIR 1980 Allahabad 149 full bench and AIR 1965 Patna 393.

3) I have perused both the articles in the light of the law laid down in the aforesaid judgments and do not find that in either case the writer had any malicious intention. In the first case the writer has narrated the history of past events and in the second case the writer has expressed his opinion.

4) For the foregoing reasons, the accused persons are discharged. File be consigned to the record room.

ANNOUNCED:

Dated: 5/5/90

(O.P. Gupta)

Metropolitan Magistrate:

New Delhi.

Footnotes:

1 Translation: *Communalism: We have relapsed to forty years ago.*

FOUR - The Case of Sachchidanand Sakshi

IN THE COURT OF SHRI ALOK AGARWAL,

M M KARKARDUMA COURTS: DELHI

FIR No. 129/91

U/Sec 153-A IPC

ORDER

2.7.96

This order is being passed after hearing arguments on charge from both sides.

The accused Dr. Sachchidanand Sakshi has been charge-sheeted U/Sec 153-A IPC on the allegations of having promoted or attempted to promote disharmony, feelings of enmity or ill-will between the different religions by way of his speech delivered on 19.3.91 at a meeting of the Hindu Jagran Samiti held at District Centre, Vikas Marg, Delhi.

The proceedings have been initiated by a confidential letter dated 11.7.91 from one Shri M.U. Siddiqui, Dy. Secretary (Home), Delhi Administration, addressed to the D.C.P. (Spl. Branch). A copy of the letter was also endorsed to the D.C.P. East along with the copy of the speech/slogans allegedly raised by the leaders/workers of Hindu Jagran Samiti in the aforesaid meeting, for registration of case and necessary investigation. The present case was accordingly registered at Police Station Preet Vihar on 6.8.91.

I have heard the Ld. APP and the Ld. Defence Counsel on the point of charge and have carefully gone through the police report u/sec 173 Cr. P.C., and the documents filed along with it. One peculiarity of the matter is *that it is not clear as to who is the first informant in the case. Two eye-witnesses i.e. two of the police officials, who were present on arrangement duty, have been cited as witnesses but they have only been examined u/sec 161 Cr. P. C, after the registration of the case. The case is stated to have been registered on receipt of the afore-mentioned letter dated 11.7.91 from Sh. M. U. Siddiqui, Dy. Secretary (Home). However the letter itself mentions that it is based upon some transcripts of speeches/slogans sent to him by the D.C.P. (Spl. Branch) for opinion. One carbon copy typed on plain sheets of paper purported to be of the speeches made by various leaders at the said meeting has been filed on record, along with documents, but the same is neither signed by anybody nor does it mentions its author. Sh. M.U. Siddiqui is admittedly not an eye-witness. There is*

nothing on record to show as to who took down the said speeches and slogans and informed the police. *There is no Audio/Video recording of the speech.*

So far as the *alleged eye-witnesses SI Krishan Chand and SI Om Prakash* are concerned, *their statements have been recorded five months after the incident and even after the registration of the FIR.* Further in their statements the speech allegedly made by the accused has been copied down verbatim. Obviously the said speech was already available with the police since the case had been registered on that basis. The only witnesses cited on behalf of the prosecution are SI Krishan Chand, SI Om Prakash, Duty Officer and the SI Ram Phal. None of them, therefore, can prove the FIR. As already mentioned above, no Audio or Video recording or even the original transcript of the said speech has been produced on record. In these circumstances I am unable to locate on record, any material to connect the accused with the alleged inflammatory speech.

As the inevitable consequence of the above discussion, the accused Dr. Sachchidanand Sakshi is hereby discharged. His PB/SB stands cancelled and his surety discharged. File be consigned to Record Room.

(Alok Agarwal)

Metropolitan Magistrate

Karkarduma Courts, Delhi

FIVE - The Case of Sadhvi Ritambhara

IN THE COURT OF SANJAY KUMAR
AGGARWAL

METROPOLITAN MAGISTRATE, DELHI

State FIR no.19/91

Vs PS: Vivek Vihar

Sadhvi Ritambara¹ U/S: 153- A IPC

ORDER ON CHARGE

Vide this order, this court shall decide as to whether Prima facie case u/s 153-A IPC or any other offence is made out against the accused or not.

Briefly stated the facts of the case are that on 29/11/90 at Chowk Vishwas Nagar, Delhi, the accused Sadhvi Ritambhara delivered a speech which was considered objectionable and actionable u/s 153-A IPC on the ground of inciting the Hindus in the context of construction of Shri Ram Temple at Ayodhya and attempting to spread feelings of animosity against the Muslims. After the delivery of the said speech a letter Dtd. 11/1/91 was written by the then Deputy Secretary (Home) to the DCP Special Branch. The contents of letter are of great importance and hence reproduced in this order.

“Dear Shri Singh

Kindly refer to your office letter no. 37340/Come (C-3/H) Dtd. 30/11/90 regarding the speech made by Sadhvi Ritambhara at Chowk Vishwas Nagar, East Delhi on 29/11/90. I would like to inform you that screening committee at its meeting held on 3/1/91 has adjudged the speech actionable under 153-A of Indian Penal Code on the ground of inciting the Hindus in the context of construction of Shri Ram Temple at Ayodhya and attempting to spread feelings of animosity against the Muslims. The following extracts of her speech were considered to be actionable, objectionable.

"The Hindus have been so much humiliated and insulted since 1947 that sometimes it seems doubtful whether they are living in their own country adding that in Kashmir & Punjab Hindu blood is being shed so much so that even in Ayodhya unarmed Kar Sevaks including the Sadhus were brutally killed."

She gave a call to Hindus to unite and fight bravely against injustice and atrocities being perpetrated on them like the brave Kar Sevaks who martyred themselves at Ayodhya in connection with construction of Shri Ram Temple.

You are therefore kindly to initiate criminal proceedings against Sadhvi Ritambhara under S. 153-A of Indian Penal Code immediately.

Yours sincerely
(M.U. Siddique)

This was the letter written by the Deputy Secretary (Home) to the D.C.P. Special Branch for registration of case. On the basis of the letter FIR no. 19/91 was registered. This letter will be read as Mark A. Thereafter order was passed by Deputy Secretary (Home), Mr. M.U. Siddiqui, granting sanction to initiate criminal proceedings in the court of competent jurisdiction. After investigation, chargesheet was filed in the Court.

I have heard the Ld APP along with the chief prosecutor Shahdara Court. I have also heard the accused and her defence counsel Sh. Alok Kumar Advocate and Sh. K.L. Sabharwal Advocate. I have perused the record with care.

The Ld APP submitted that taking into account all the factors and the speech made by accused, prima facie case u/s 153-A IPC is made out against the accused and prays framing of charge.

The Ld Defence Counsel Sh. Alok Kumar who argued the case on the point of charge at length submitted that case not be proceeded further due to the fact that even at this stage the prosecution is not having sufficient evidence against the accused which may warrant framing of charge u/s 153-A IPC or any other offence against the accused. The Ld defence

counsel submitted that he could not understand as to how the prosecution is going to prove the "spoken words" in the absence of witnesses and other evidence on record because the dispute in this case related to spoken words u/s 153-A (a) of IPC. The Ld defence counsel submitted that the prosecution is not having any video or audio tapes of speech and it is only on the basis of hearsay evidence that the present case is being registered.

The Ld defence counsel has drawn the attention of this court towards letter Dtd. 15/6/92 titled 'legal' opinion on the speeches/slogans delivered in Jan Sabha written by DCP East District which elaborates about the fashion of recording of speeches. The main contents of letter are:

"According to the instructions mentioned in the CID manual, the secret information i.e. how to record and who has recorded speeches and collected information cannot be disclosed. The officer of (SB) branch cannot be a P.W. in any case."

The Ld defence counsel submitted that when a witness who has recorded the speeches cannot be a prosecution witness as per CID manual then how it is possible for the prosecution to prove the spoken words. The prosecution was asked regarding this query wherein the Chief Prosecutor after perusal of police file submitted that the prosecution had asked the police department regarding this fact where the prosecution received reply vide query no. 3 in police file that some unknown person had recorded the speeches.

Secondly the Ld defence counsel submitted that there is only one eyewitness and that too a Pujari of nearby temple whose statement was recorded after lapse of four months of delivery of speech.

The Pujari in his statement u/s 161 CrPC simply stated that the accused had given speech. The contents of speech were not put to him. Hence the Ld defence counsel submitted that Pujari may only prove the factum of delivery of speech but not the contents of speech in order to bring it within the preview of 153-A IPC.

Thereafter the Ld Defence Counsel contended about the portion cited as "Mark A" in this order. He submitted that only the portion "Mark A" was considered to be objectionable by the sanctioning authority and not the entire speech. He explained that even the portion "Mark A" of this order does not have such impact as to bring it within the preview of S. 153-A IPC. He submitted that the accused has not spoken anything against any community or to hurt the feelings of any particular community. He submitted that neither this speech was made for inciting the Hindus in the context of construction of Sri Ram Temple at Ayodhya nor attempting to spread the feelings of animosity against the Muslims. The Ld Defence Counsel submitted that he could not understand as to how the prosecution has brought Muslims in this affair as nowhere in the alleged objectionable portion, the accused has said anything against the Muslims.

The words that in the Punjab & Kashmir, Hindu blood is being shed pertain to the hostilities between Indian Troops and Public with the ISI of Pakistan. Regarding the words 'Even in Ayodhya, unarmed Kar Sevaks including Sadhus were brutally killed' she described it as atrocities committed by the then Chief Minister Mulayam Singh Yadav. Regarding the wordings "she gave a call to Hindus to unite and fight bravely against injustice and atrocities being perpetrated on them like the brave Kar Sevaks who martyred themselves at Ayodhya in connection with the construction of Sri Ram Temple" the Ld Defence

Counsel submitted that it was covered under right to freely profess and propagation of religion and if call is given for construction of temple, then there is nothing wrong in it. The Ld defence counsel further submitted that in these words even the accused has not said anything against any other community for destruction of any religious place. The Ld Defence Counsel further contended that no witness has stated that he felt bad after hearing the speech or he was disturbed neither any riots or any disturbance took place. In the last Ld Defence Counsel submitted that sanction letter dtd 3/9/91 issued by Deputy Secretary (Home) is not signed by any one and moreover it is merely a photocopy.

The senior prosecutor Mr. Ahluwalia and the Ld APP again conducted their arguments in response to arguments advanced by Ld Defence Counsel and that at the time the speech was being delivered by the accused, there a dispute was going on regarding the construction of Ram Temple at Ayodhya which could have incited the feelings of different communities. The chief prosecutor was asked by the Court as to whether the prosecutor is having any video or audio cassettes for the speeches. The prosecutor said no to this question.

Section 153-A IPC states:

“Whoever

(a) by words, either spoken or written or by signs or by visible representations or otherwise promotes or attempts to promote on ground of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities shall be punished with imprisonment...”

To my mind it appears that Ld Defence Counsel is clear on the point regarding "spoken words". He had already submitted that the prosecution is not having sufficient material on record to prove spoken words. The prosecution is not having any audio or video cassettes of speeches.

The most important thing is that there is not even a single witness on record who can be able to say that he had heard the speeches and speeches were inflammating so as to cover it under S. 153-A IPC. There is only one eyewitness Pujari. His statement u/s 161 CRPC becomes open to suspicion because it is recorded after four months of the delivery of the alleged speech. Moreover the witness Pujari has stated nothing about inflammatory language used by the accused but simply stated that he had heard the speech. Hence it is clear that even if Pujari is called as prosecution witness, he can prove the factum of delivery of speech but not its contents so as to bring it within the preview of S. 153-A IPC.

The prosecution is also weak on the point regarding the recording of speeches. In a letter which is on record, the DCP has stated to prosecution that the speeches were recorded by a person of CID (S. Branch) and he cannot be prosecution witness but the Ld APP had stated that in the police file, when the queries were made regarding the factum of recording of speeches they had received information vide query no. 3 that some unknown person had recorded the speeches. Hence it is clear that when the prosecution does not know as to who has recorded the speeches how it is possible for the prosecution to prove the alleged speeches. As regards the extracts of the speech which were considered to be objectionable by the Deputy Secretary (Home), I find force in the arguments advanced by Ld Defence Counsel as discussed earlier. The accused has stated nothing against any particular community so as to insult

the feelings of any other community but it appears after perusal of alleged objectionable part that accused has stated the same in propagation of her own religion.

The Deputy Secretary (Home) had stated in his letter dtd. 11/1/96 that objectionable portion of speech as mentioned in the said letter was likely to spread the feeling of animosity against the Muslims.

The Court would like to mention a Quotation of Gandhiji who said, "India cannot cease to be one nation because people belonging to different religions live in it... In no part of the world are one nationality and one religion synonymous terms, nor has it ever been so in India."

I have also perused the objectionable extracts of speech of accused. Keeping in view the above words of Gandhiji and keeping in view the fact that India should remain united despite existence of so many religions, the Home Secretary should have taken wider interpretation of the terms of speeches made by the accused. The Home Secretary had taken a very narrow interpretation. In India one is free to profess and propagate his religion because it is his fundamental right enshrined in the Constitution of India. This Court finds nothing objectionable in the alleged objectionable portion of speech as mentioned in letter "Mark A". There is nothing in the said objectionable extracts of alleged speech which may attract the provisions of S. 153-A IPC or any other offence.

This court has found force in the arguments advanced by Ld Defence Counsel Sri Alok Kumar & Sh K.L. Sabharwal.

Lastly there is no evidence on record which may suggest that feelings of any particular community, person were hurt after hearing of the alleged speech.

Hence after going through the records and above noted discussion and after hearing the prosecution as well as the defence, this Court is of opinion that registration of present case against the accused appears to be influenced by political forces. The case has been registered in a haphazard manner and chargesheet has been filed without proper scrutiny and without proper investigation.

Hence I have no option but to discharge the accused Sadhvi Ritambhara of the offence u/s 153-A IPC as prima facie no case u/s 153-A IPC or any other offence against the accused is made out.

The accused Sadhvi Ritambhara is discharged u/s 153-A IPC.

Announced in open court on 13/2/96

Footnotes:

¹ The name is spelled wrongly. The correct name is given in the chapter heading.

Ch 6: Islam Imposes an Emergency on India

– by Sita Ram Goel

[This article was written for a periodical published from Washington by a group of Indian residents in the U.S.A., but was not sent because the periodical closed down.]

No newspaper or periodical worth its name in India will publish what I write in the lines that follow, not because the subject matter is seditious or sacrilegious or obscene, or even controversial, but simply because it defies the Emergency imposed on this country by Muslim theologians and politicians backed by 'secularist' intellectuals and politicians and riotous Muslim mobs and plain terrorists.

The Indian intelligentsia, by and large, is very well aware of what Emergency means. It had a firsthand experience during 1975-77 when Prime Minister Indira Gandhi extended to everyone the fullest "freedom" to extol her, but put in jail all those who asked inconvenient questions about her doings. If any member of this intelligentsia is asked what he thinks of that Emergency, the answer is always a loud disapproval. But the same intelligentsia is not even aware that Islam has imposed an Emergency on India, so that everyone has the perfect "liberty" to praise its Allah, its prophet, its scriptures, its history, and its heroes but gets into trouble if he so much as says that Islam should answer some questions.

Muslims have a popular saying: *ba khuda diwana bash o ba Muhammad hoshiyar* (have fun about Allah but be careful when it comes to Muhammad). This seems to be a very apt warning because in the belief system that is Islam, Allah has been replaced by his prophet. One cannot be a Muslim merely by believing in Allah as the only God; one has to believe in Muhammad also as the Last Prophet. In fact, Allah is not and cannot be known or even approached except through Muhammad. Allah has spoken through Muhammad in the Quran and acted through him in the Hadis.

The Hadis, collected labouriously and preserved meticulously, has been the source for the life story -Sirat- of the Prophet. We have as many as six life stories which the orthodox theology of Islam regards as sacred literature in which a "divine pattern of human conduct" is supposed to have been unfolded.

So far so good. The trouble arises when persons other than pious Muslims examine these life stories. There is a lot in them which offends man's normal moral sense and natural reason. But Islam does not permit anyone to probe that part of the

Prophet's life. The Prophet himself had pronounced and carried out death penalty for all those who asked inconvenient questions about his person and mission. That became a permanent prescription for all Muslims.

There were many incidents in medieval Indian history when Hindus were put to death for making critical remarks about the Prophet. One of these Hindus was a schoolboy who got provoked by remarks which one of his Muslim classmates had made about Hinduism, and said something derogatory about the Prophet. He was put to death. Many such stories in medieval times must have remained unrecorded.

Muslim rule disappeared long ago from large parts of India, but Muslim terrorism continued to prevail. Even the Christian missionaries who heaped vile abuse on all Hindu avatars, saints and sages, were careful when it came to Muhammad. The Arya Samaj was the first Hindu movement to take up a bold stand in this context. Maharshi Dayanand himself had showed up Muhammad for the sort of man he was. Soon after, however, the Arya Samaj was silenced effectively by a series of murders, notably that of Pandit Lekhram and Swami Shraddhanand. The British were inclined to permit fair criticism, particularly that which was based on Islamic sources. But they could not prevent Muslim assassins from taking the law in their own hands.

The movement led by the Indian National Congress made its own characteristic contribution to Muslim self-righteousness. In the hope of winning the Muslims over to the nationalist platform, Congress leaders frowned upon all criticism of Islam and the Muslim rule in medieval India. Till the turn of the nineteenth century, Hindus by and large had never accepted Islam as a religion or Muslim rule as a native dispensation. The Congress leadership whitewashed both and,

by means of sustained propaganda, made them acceptable to the Hindu intelligentsia.

The Communists who appeared on the scene in the twenties went much further. They glorified Islam as a message of social equality and human brotherhood, while they denigrated Hinduism as a system based on class exploitation and caste oppression. M.N. Roy wrote a book, "*Role of Islam in History*", in 1939 in which he hailed the advent of Islam in India as a liberating force. Islam, he said, had come to complete the social revolution which Buddhism had left unfinished but, like Buddhism, was frustrated by 'reactionary' Brahminism.

Meanwhile, Christian missionary propaganda had made Brahminism the arch villain of Indian history. Hindu reform movements had picked up the plank. Brahminism was fast losing ground among the vocal Hindu intelligentsia. People like E.V. Ramaswami Naicker and B.R. Ambedkar identified Hinduism with Brahminism and declared war on both. So did the Sikhs. The Jains also started distancing themselves from Hinduism. Now it is the turn of the Ramakrishna Mission and the Arya Samaj. But that is a different and a long story.

What is relevant here is that Islam continued to gain the lustre which Hinduism was losing fast. In due course, it became a crime called 'communalism' to say anything except laudatory about Islam. The Quran and the Prophet were winning fulsome praise on every public platform. The slogan of *sarva-dharma-sambhav* was becoming the national consensus. It never meant that Hinduism could not be criticized, even maligned and ridiculed. What it meant was that everyone was free to praise Islam as much as he pleased. The Emergency which Islam had imposed after its advent in India and which had caused resentment among Hindus for a long time, now stood fully sanctioned by the Hindu elite. All religions were

equal. But Islam was more equal. Small wonder that Muslims acquired an unprecedented sense of self-righteousness; they had scored a triumph which their sword had failed to win for them in more than a thousand years.

That was the situation when the country was partitioned and drowned in blood by the Muslim League. The event entailed widespread resentment against Muslims. But Islam was hardly mentioned; it escaped unscathed.

The Hindu movements like the Hindu Mahasabha and the Rashtriya Swayamsevak Sangh (RSS) had never showed any understanding of Islam even before partition. Most of their ire had been directed against Muslims. They had failed to see that Muslims were our own people alienated from us by Islam. The only saving feature was that they had not come out in praise of Islam. They had observed a stony silence on the subject.

The scene progressed after the advent of independence, particularly after Pandit Jawaharlal Nehru took command of the Indian National Congress and the country. His animus against Hinduism was derived from his love for Communism. He knew next to nothing about Buddhism; the only reason he hailed it as well as its hero, Ashoka, was that in his perception Buddhism was a 'revolt' against 'reactionary' Brahminism. Had he known the truth about Buddhism, he would have dropped it like a hot potato. The same psychology made him fall for Islam. Otherwise he was equally ignorant of, and equally indifferent to all religions. The Secularism which he espoused was not borrowed from the modern West. For him, it was only a smokescreen for Hindu-baiting. The fashion was picked up fast by a servile intelligentsia and became a national cult. The more one hated Hinduism, the more one prospered. Hindu-baiting became the most profitable profession in politics, the

media and the academia. The word "Hindu" became a dirty word.

The Hindu Mahasabha had declined fast in post-independent India. But it must be said to its credit that it never became ashamed of being Hindu, and never went on the defensive when called communalist. It kept its earlier stand uncompromised, though it had hardly any say in public life any more.

The RSS, however, behaved differently. The ban imposed on it after the murder of Mahatma Gandhi had frightened it out of its wits. It went on the defensive all along the line, and started spending all its time in proving that it was not a communalist organisation. It retained the word "Hindu" in its private verbiage, but eschewed it from its public pronouncements. The word "Bharatiya" defined territorially and not culturally, became its substitute for the word "Hindu". All its fronts including the political party, Jana Sangh, became "Bharatiya".

Meanwhile, Muslim theologians and politicians had acquired a veto on pronouncing who was secular and who was communal. No one questioned that claim, at least not the Hindu leaders and organisations. No organisation, particularly no political party, could call itself secular if it had no Muslim members. The Jana Sangh had aspired for the label of Secularism from its very foundation. It was now shouting *sarva-dharma-sambhav* louder than everyone else. It tried its best to enroll Muslim members. The highest ambition of the Jana Sangh and the RSS now was that they be accepted as secular by the Congress, the Socialists and the Communists. The other parties refused to oblige. The more the RSS and the Jana Sangh swore by Secularism, the louder they were accused of being

communal. The RSS and Jana Sangh started losing fast their own identity without gaining the one for which they aspired.

The custodians of Islam were now ready to apply the litmus test. They staged a riot against a book, 'Muhammad' by Thomas and Thomas, published in the U.S.A. and reprinted by the Bharatiya Vidya Bhavan, Bombay. The book narrated how Muhammad had become frightened when Gabriel came to him with the first revelation from Allah. He wanted to know whether he had been visited by an angel or a Satan. So he rushed to his wife, Khadija, and told her what had happened. She asked him to inform her when Gabriel visited him next. He did so. Khadija bared her right and left thighs turn by turn, asked Muhammad to sit on each, and see if the visitor stayed on or disappeared. Muhammad did so. The visitor stayed on. Next Khadija bared her bosom, made Muhammad sit in her lap and embrace her. Even then the visitor did not leave. Finally, Khadija asked Muhammad to have sexual intercourse with her. The visitor disappeared. Khadija congratulated Muhammad that his visitor was an angel and not a Satan.

This story was based on what can be read in every orthodox biography of Muhammad. Ibn Ishaq, the first biographer, says:

"Ismail b. Abu Hakim, a freedman of the family of al-Zubayr, told me on Khadija's authority that she said to the apostle of God, 'O son of my uncle, are you able to tell me about your visitant, when he comes to you?' He replied that he could, and she asked him to tell her when he came. So when Gabriel came to him, as he was wont, the apostle said to Khadija, 'This is Gabriel who has just come to me.' 'Get up, O son of my uncle, she said, 'and sit by my left thigh.' The apostle did so, and she said 'Can you see him?' 'yes', he said. She said 'Then turn around and sit on my right thigh.' He did so, and she said, 'Can you see him?' When he said that he could, she asked him to move and sit in her lap. When he had done this she again asked if he could see him, and when he said yes,

she disclosed her form and cast aside her veil while the apostle was sitting in her lap. Then she said, 'Can you see him?' And he replied, 'No' she said, 'O son of my uncle, rejoice, and be of good heart; by God he is an angel and not a Satan.'

I told Abdullah b. Hasan this story and he said, 'I heard my mother Fatima, daughter of Husayn, talking about this tradition from Khadija, but as I heard it she made the apostle of God come inside her shift, and thereupon Gabriel departed, and she said to the apostle of God, 'This is really an angel and not a Satan.'"

These two paras can be read by anyone on p. 107 of *'The Life of Muhammad'* published by the prestigious Oxford University Press, Karachi, Pakistan, first time in 1955, and reprinted seven times till 1987. The book is an English translation by A. Guillaume of Ibn Ishaq's *'Sirat Rasul Allah'*.

Moreover, the authors of the book *'Muhammad'* bore no malice towards the Prophet. On the contrary, they were endorsing, after the orthodox Muslim fashion, that the revelations received by Muhammad had a divine source.

No one knows who or what was the target of Muslims going on the rampage, demanding a ban on the book, and confiscation of all copies in print. It is quite possible that Prime Minister Nehru wanted to finish K.M. Munshi, the Kulapati of the *Bharatiya Vidya Bhawan*. Munshi had earned the enmity of Nehru because he took pride in Hinduism. In any case, whatever the motive, the book was banned. Munshi who was the Governor of U.P. at that time not only apologised publicly but also lied with a straight face that he celebrated the birthday of the Prophet every year! He was never known to have any soft corner for anything Islamic. But he was a weak man and a politician who felt uncomfortable if out of office. No one cared

to examine or point out the source on which the authors of 'Muhammad' had drawn.

The average Muslim does not know what is written in his scriptures. He has the normal moral notions of his Hindu neighbours. The Muslim theologians and politicians exploit his ignorance and mobilize him on the streets by ascribing to "enemies of Islam" what is in fact contained in their own sacred books! Even if someone points out the source, he can be accused of quoting out of context!

The same pattern was repeated in the case of the Hindi translation of Ram Swarup's '*Understanding Islam through Hadis*'. The book was published in the U.S.A. in 1982 and reprinted by Voice of India, New Delhi, in 1983 from plates of the original edition. It is a summary, chapter by chapter, of Sahih Muslim, the second most sacred collection of Hadis. It was examined by the Delhi Administration and found unobjectionable. So another reprint was brought out by Voice of India in 1987. A Hindi translation was also printed in the same year. Two thousand printed copies of the Hindi translation were with the binder when they were seized by the police on December 19, 1987. A Muslim neighbour had read the translation and collected a mob which threatened to bum down the binder's establishment. The police intervened, took away all the two thousand copies of the book, and arrested the binder. The publisher, Sita Ram Goel, was arrested the same day along with the printer. They could be bailed out only after spending 18 hours in police custody. The Delhi Administration to which the case was sent up by the police, appointed two screening committees successively to examine the Hindi translation. It was found unobjectionable. Finally, on June 2, 1990, the Delhi Administration recommended to the appropriate court that the case could be closed. But the Muslim complainant stood up in

the court and requested a postponement of the case. He said he would get the decision of the Delhi Administration reversed. The court gave him time, again and again, and on his failing to appear, dismissed the case on September 28, 1990.

Meanwhile, *Radiance*, a weekly published by the Jamat-e-Islami from Delhi, had raised hell in its issue of 17-23 June, 1990. "Most portions of the book are concoctions and distortions as well as defamatory and derogatory to the Holy Prophet", it wrote. It went on to quote passages from the translation without informing the readers that all of them are found in the orthodox collections of Hadis as well as the pious biographies of the Prophet! It depended on the ignorance of the common Muslim and ascribed those passages to the writer, Ram Swarup! Small wonder that some young Muslims visited the office of Voice of India, a few days later, and warned that 'such gimmicks' could cause trouble.

But what happened on 27th November 1990 was the most surprising event in the history of this case. A notification of the Delhi Administration announced that the Hindi translation, '*Hadis ke Madhyam se Islam ka Adhyayan*' had been banned and all its copies stood confiscated as soon as published. There was not the hint of a reference that the same Administration had screened the book not once but twice, over a period of three years, cleared it as unobjectionable, and got dismissed the case registered against the publisher and the printer.

Come March 1991 and the English original of the book was also banned by the same Administration, without taking into account the fact that this book had been in print and circulation in India for eight years and that the Administration itself had found it unobjectionable after having scrutinized it for months soon after it was published. **Strange are the ways of Secularism in India!**

CH. 7:

Statement of Intellectuals and Writers in Protest against the arrest of Sita Ram Goel^I

Sir,

The following statement has been issued by a number of leading intellectuals and writers of the country in protest against the arrest of Shri Sita Ram Goel by the Delhi police on December 19 for printing the Hindi translation of a scholarly study - *Understanding Islam through Hadis* by Ram Swarup - which was published abroad in 1982 and which has since been through two reprints in India. The Hindi translation was seized by the police from the premises of the binder even before it was published. Your cooperation is requested in making it known to our countrymen at large.

Statement

The arrest of Shri Sita Ram Goel, the well-known writer and publisher on 19 December for publishing a Hindi translation of a scholarly study on Islam, *Understanding Islam through Hadis* by Shri Ram Swarup, is a deplorable event which raises grave questions of intellectual freedom in our country. The legal aspects of the action by the Delhi police will be gone into by the appropriate court, but the moral and political issues involved need urgent public consideration.

The book in question - *Understating Islam Through Hadis* by Shri Ram Swarup - was first published abroad five years ago and has since been a subject of scholarly discussion. The author of the book is well-known for his deep philosophical and reflective thought on religion, informed by a concern for man's religious quest. This study of Islam through the *Hadis* is based on sources held in the highest esteem by Muslim scholarship,

viz., the *Hadis* collection by Muslim (the second most authoritative compilation according to Muslim tradition), '*Sirat Rasul Allah*' by Ibn Ishaq (the first authoritative biography of the Prophet), *Tarikh-i-Tabari*, by at-Tabari, and several other works listed in the bibliography appended to the book. The resulting picture of Islam may or may not meet with the approval of all those interested in the subject, but the extent of approval a work enjoys has never been the criterion for determining its scholarly merits, not at least in a free society.

That publication of a Hindi translation of Shri Ram Swarup's book should attract the repressive attention of the Delhi police bodes ill for intellectual freedom in our country. We have rather special problems of intercommunity relations and there is a laudable concern on the part of those in authority to establish a climate of mutual tolerance between communities. It is, in our view, however, very doubtful if such a climate can be built on the foundation of ignorance and suppression of critical thought. Shri Ram Swarup's study on Islam through the *Hadis* seeks to inform his readers on aspects of Islam about which we ought to be far better enlightened than we have been hitherto, and therefore it ought to receive a far greater attention from the media than it has done so far. The book needs to be translated into all the Indian languages and widely disseminated throughout the country. The better we understand the major religious and cultural traditions of India, the better we might be able to pursue the goal of national integration. Those in authority should take a national and a long term perspective on the nation-building process rather than opt for repression of thought and suppression of information because some people find information disagreeable and thought uncomfortable. Without free discussion on

religious doctrines or traditions, we will never achieve national integration.

1. Prof. Daya Krishna, Jaipur.
2. Prof. Gopal Krishna, Centre for the Study of Developing Societies, Delhi.
3. Dharampal, Historian, Madras.
4. Nirmal Varma, Writer, New Delhi.
5. Vimal Prasad Jain, Freedom Fighter, New Delhi.
6. Dr. Nand Kishor Acharya, Professor of History, Bikaner.
7. Sheen Kaaf Nizam, Urdu Poet, Jodhpur.
8. Jagat Ram Sahni, Writer, New Delhi
9. A.C. Sen, Chairman, Association of Voluntary Agencies for Rural Development, New Delhi.
10. Rajiv Vohra, Sociologist, Gandhi Peace Foundation, New Delhi.
11. Ila Dalmia, Secretary, Vatsal Nidhi, New Delhi
12. Ratan Lal Gupta, Trade Unionist, Delhi.
13. Arvind Mohan, Journalist, New Delhi.
14. Hari Mohan, Journalist, New Delhi.
15. Pradip Kumar, Publisher, New Delhi.

New Delhi

26th December, 1987

Footnotes:

¹ This statement was sent to leading English newspapers all over India. We have in our files only two press reports in the leading dailies which are published from several important cities, all over India.

8 - Arrest of Sita Ram Goel resented¹

Express News Service

NEW DELHI, Dec. 26: Several writers and intellectuals have protested against the arrest of Mr. Sita Ram Goel by the Delhi police on December 19 for printing the Hindi translation of the book 'Understanding Islam through Hadis'.

The book written by Ram Swarup was published abroad in 1982 and has been through two reprints in India. The Hindi translation was seized from the premises of the binder before it was published.

In a statement on Saturday, the writers said the police action "raises grave questions of intellectual freedom". They said the author was well known for his philosophical and reflective thought on religion.

They said the study on Islam through the Hadis was based on sources held in the highest esteem by Muslim scholarship. *"The resulting picture of Islam may or may not meet with the approval of all those interested in the subject, but the extent of approval a work enjoys has never been the criterion for determining its scholarly merits, not at least in a free society."*

The writers said there is a laudable concern on the part of those in authority to establish a climate of mutual tolerance between the two communities. But, they said, "It is doubtful if such a climate can be built on the foundation of ignorance and suppression of critical thought."

The statement was signed among others by Prof. Daya Krishna of Jaipur, Prof. Gopal Krishna of the Centre for the Study of Developing Societies, Delhi, Mr. Dharampal, historian, Madras, Mr. Nirmal Verma, writer, Delhi, Mr. A.C. Sen, chairman of the Association of Voluntary Agencies for

Rural Development, Ila Dalmia, secretary of Vatsal Nidhi, and Sheen Kaaf Nizam, an Urdu poet from Jodhpur.

Footnotes:

¹ This news item was published in the *Indian Express*, New Delhi, on 27 December 1987.

NINE - Editor's Arrest over Islamic Study Flayed¹

By A Staff Reporter

NEW DELHI, December 26 - A number of intellectuals and writers have condemned the arrest of the editor of 'Voice of India', Mr. Sita Ram Goel, on December 19 for printing the Hindi version of a study '*Understanding Islam through Hadis.*'

They pointed out, in a statement here today, that the English version of the study was printed abroad in 1982 and it had been reprinted twice in India.

The statement said the seizure of the Hindi version from the premises of the binder even before its distribution raises serious doubts over intellectual freedom in the country.

Among the 15 intellectuals and writers who have issued the statement are Mr. Dharampal, historian, Professors Daya Krishna and Gopal Krishna, Sheen Kaaf Nizam, Urdu poet, Mr. Jagat Ram Sahni, writer, Mr. Pradip Kumar, publisher, Mr. Rajiv Vohra, sociologist and Mr. Arvind Mohan, journalist.

The statement pointed out that the book's author, Mr. Ram Swarup, is well known for his deep philosophical and reflective thought on religion, informed by a concern for man's religious quest.

Moreover, the study on Islam through Hadis is based on sources held in high esteem by Muslim scholars. These sources

are the Hadis collection by Muslim (the second most authoritative compilation according to Muslim tradition), 'Sirat Rasul Allah' by Ibn Ishaq (the first authoritative biography of the prophet), Tarikh-i-Tabari, by at-Tabari, and several other works listed in the bibliography appended to the book, the statement said.

The statement further said: "*The resulting picture of Islam may or may not meet with the approval of all those interested in the subject, but the extent of approval a work enjoys has never been the criterion for determining its scholarly merits, not at least in a free society.*"

Lauding the government's efforts to establish a climate of mutual tolerance between communities, the statement, however, expressed doubts over whether a change could be brought about on the "foundation of ignorance" and "suppression of critical thought."

Also, the book needs to be translated into all the Indian languages and distributed throughout the country as it seeks to inform the readers on the aspects of Islam which ought to be elaborated on, according to the intellectuals.

The statement added: "The better we understand the major religious and cultural traditions of India, the better we might be able to pursue the goal of national integration. Without free discussion on religious doctrines or traditions we will never be able to promote national integration."

Footnotes:

¹ This news item was published in *The Times of India*, New Delhi, on 27 December 1987.

Ch. 10: Fomenting Reaction¹ - Arun Shourie

Ram Swarup, now in his seventies, is a scholar of the first rank. In the 1950s when our intellectuals were singing paeans to

Marxism and to Mao in particular, he wrote critiques of communism and of the actual - that is, dismal performance of communist governments. He showed that the "sacrifices" which the people were being compelled to make had nothing to do with building a new society in which at some future date they would be the heirs to milk and honey. On the contrary, the "sacrifices" were nothing but the results of terrorism, pure and simple - of State terrorism, to use the expression our progressives use for all governments save governments which have used terror most brutally and most extensively. And that this terror was being deployed for one reason alone: to ensure total dominance, and that in perpetuity, for the narrowest of oligarchies. He showed that the claims to efficiency and productivity, to equitable distribution and to high morale which were being made by these governments, and ever more so by their apologists and propagandists in countries such as India were wholly unsustainable, that in fact they were fabrications.

Today, anyone reading those critiques would characterise them as prophetic. But thirty years ago so noxious was the intellectual climate in India that all he got was abuse, and ostracisation.

His work on Hinduism and on Islam and Christianity has been equally scholarly. And what is more pertinent to the point I want to urge, it has been equally prophetic. No one has ever refuted him on facts, but many have sought to smear him and his writing. They have thereby transmuted the work from mere scholarship into warning.

A ban

I mention all this because of one of those announcements - this one by the Delhi Administration - which we do not notice

but which in the end stoke reaction. Newspapers carried a little paragraph a fortnight ago that his book *Hadis ke Madhyam se Islam ka Adhyayan* had been banned, and all its copies forfeited, on the ground that it "deliberately and maliciously" outrages "the religious feelings of the Muslims by insulting their religion and their religious beliefs."

The forfeiture is exactly the sort of thing which had landed us where we are: where intellectual inquiry is shut out; where our traditions are not examined, and reassessed; and where as a consequence there is no dialogue. It is exactly the sort of thing too which foments reaction.

Facts

What has been banned now is the Hindi translation of the book.

The original in English, *Understanding Islam through Hadis*, was published in the United States in 1982. The "Hadis" are "traditions", that is accounts of the life of the Prophet. There are six canonical collections of these traditions - those of Imam Bukhari and Imam Muslim are the most revered.

These devout and scrupulous divines went to great lengths to collect and verify accounts of what the Prophet had said and done. The volumes - nine of Bukhari, four of Muslim - cover the entire gamut of life. Along with what was revealed in the Quran, these compilations have been fundamental guides throughout the ages for all Muslims: the Prophet having been the ideal personage, his conduct has been the ideal to follow and emulate; and these compilations have been taken as the most authentic accounts of that conduct.

Ram Swarup's book is based wholly on what is set out in Imam Muslim's compilation. The scheme itself of the book follows that compilation. Paragraph after paragraph ends with

noting the number of the *hadis* from *Sahih-Muslim* of which it is a summary. Imam Muslim's account of an incident or an expression is put in context where necessary by material derived from other sources.

But these too are wholly the orthodox sources revered by Muslims the world over: the *Sirat Rasul Allah* by Ibn Ishaq (the first authoritative biography of the Prophet), the *Tarikh-i-Tabari*, the works of Waqidi, etc.

Not one incident, not one remark or rule on the matter at hand is derived from anything other than these revered and orthodox sources.

Now, as I noted, the original was published in 1982 in the US.

The Indian publisher procured the plates etc. from the United States and reprinted it in India in 1983.

It went into a second reprint soon.

In 1987 the text was translated into Hindi. The translation was sent to the binder in December 1987.

A Muslim gentleman, who said he lived next door to the binder and therefore got to know of the book, sent a protest to the Delhi Administration.

The publisher, binder etc. were arrested, and then released on bail.

The book was referred by the Delhi Administration to the Screening Committee. The Committee examined the book, found it to be wholly and entirely based on orthodox and revered sources. It noted too that no action had been taken on the English version of the book which had been in circulation by then for five years, and, as no consequence had followed

upon its circulation, the Committee decided that no prosecution was warranted.

The police was so informed, and formal orders to this effect were issued by the Delhi Administration on 5 September 1988.

Even so, in deference to pressure from the same lobbies on, and therefore a request from the police the case was, as the file notes, "kept pending for further assessment of the situation by the police."

On 4 January 1990, the Deputy Secretary, Home (General), of the Delhi Administration wrote to the police a second time. "...I am directed to say," said the Deputy Secretary, "that the case was re-examined by this Administration and after considering all the aspects and legal points, the action/decision conveyed to you *vide* this Administration's letter of even number dated 5 September, 1988 (by which the police had been told that no action should be taken against the Hindi translation of the book) may be treated as final."

But the publisher, printer, binder were still out only on bail, and the case was coming up periodically in the court.

Eventually on 28 September 1990 the magistrate passed his final order. He noted that he had given the complainant - the gentleman whose missive had led to the arrest of the publisher etc. - several opportunities to make good his complaint. That in spite of these, the complainant had not done so. That under the relevant section of the Penal Code the case could be taken cognizance of only if prior permission had been given for prosecution by the relevant government. That the government had, not once but twice, reviewed the book and had concluded that no action was warranted.

He therefore discharged the matter.

That was as late as 28 September 1990: seven years after the original book was published; two years after the Screening Committee cleared it.

But lo and behold, just two months later on 27 November 1990, the Delhi Administration declares that contrary to what it had itself twice decreed the book is not only objectionable, it is deliberately and maliciously so.

The law

The relevant sections of the Penal Code state and host of judgements by the Supreme Court affirm that:

The impugned publication must be read as a whole, that expressions, metaphors, sentences, paragraphs must not be tom out to establish the charges;

That upon the publication being taken as a whole, the test must be what the ordinary man with ordinary common sense, prudence and understanding will deduce from the publication, not the constructions that some abnormal or hypersensitive man may put on it;

That the publication must constitute "an aggravated form of insult to religion," and the author must have "deliberately and maliciously" set out to outrage the religious feelings of others.

The rationale for such principles (the law and judgements are summarised in "Is reform incitement?" In my *Religion in Politics*, pp. 433-462) is obvious: were we to depart from them all reform would be punishable as all reform is bound to offend those who are habituated to age-old prejudices and practices.

Nor can the law and order bogey be invoked to stifle free speech. The Supreme Court has held that under Article 19 (2) free speech can be restricted for "public order" - and that it has said connotes not a mere breach of the peace, not a mere "law

and order problem", but "disorder of a grave nature". Moreover, the danger of this widespread disorder must not be remote, conjectural or far-fetched; it must be recognisable and specific. And it must be shown to arise directly from what is said, written, or exhibited.

True, there may be threats by 'X' and 'Y' groups that they will take to the streets unless the publication is banned. But, the Supreme Court has held, and that too just last year, it is the function of the State to safeguard the liberties our Constitution guarantees against such threats and consequences. "Freedom of expression which is legitimate and constitutionally protected," it declared last year, "cannot be held to ransom by an intolerant group or people." To curtail it in the face of threats of demonstrations and processions or threats of violence "would amount," the Court said, "to the negation of the rule of law and surrender to blackmail and intimidation.

And in practice

That is the law. And in practice?

1. Some busybody shoots off a letter;
2. A nervous and illiterate administration stomps on the scholar and his work;
3. If there is a ruckus or the apprehension of it from the other side also, it bans some other publication too, as the Delhi Administration has done in the current case, declaring that *that* one is liable to injure the feelings of the other group;
4. The fundamentalists use the ban to prove to their ignorant followers that the religion is indeed under attack, and that but for them it would go under.

The sequence had but one result. It stokes reaction.

"Secularists" are unnerved by the reaction Advani's rath has evoked among Hindus. But it is not the *rath* which evoked it. The "victories" in having Shah Bano reversed, in having Rushdie banned - "victories" which were loudly applauded by the "secularists"; the success in convincing political parties - which maps and lists - that Muslims would decide their fate in hundreds of constituencies; to say nothing of the "victories" of the violence in Punjab and Kashmir - the reaction is the cumulative result of these distortions in our polity.

If these had not been there, the temple would never have become an issue. And if they persist, the temple will just be a prelude.

Footnotes:

¹ This syndicated article was written on 8 November, 1990. It was published in more than a score of newspapers and periodicals all over India, in English as well as language translations.

CH. II: The Point we always Evade¹ - Arun Shourie

'I think the ban should be lifted,' says Mushirul-Hasan, pro Vice-Chancellor of Jamia Millia Islamia", reported *Sunday*. 'I think,' Hasan told the correspondent, 'every person has a right to be heard and to be read.' He added that, as happens in all cases of this sort, banning Rushdie's book had given it greater notoriety and in addition given our country the image of being 'intolerant and undemocratic'. As such the ban in his view, the report said, "qualifies as an indefensible move".

Students of Jamia Millia Islamia paralysed the university. Liberals got up and acted, that is, they wrote a letter to the editor saying Hasan had a right to speak his mind. Hasan buckled, issuing three statements clarifying his position: he expressed 'sincere and profound regret over my remarks' and

maintained that he had never wished to demand that the ban on Rushdie's book be lifted.

The liberals were at a loss for words. Now, none of us may sit in judgement on a man beleaguered. Anyone of us may react in the same way. Rushdie himself had felt compelled to announce his reconversion to being a Believer and to express regrets for the hurt the book had caused. The point at issue thus is not Hasan's courage but the pressure which the students have felt entitled to exert on him and how, even while castigating it as undemocratic, the liberals have flinched from talking about the set of beliefs which lead the protagonists to the conviction that they are entitled to bend another man, that they are entitled to silence him.

Two phases

Each time a controversy like this arises, and the facts are pointed out, we are told that actually Islam preaches tolerance and peace. Allah, we are reminded, told the Prophet, "*Let there be no compulsion in religion; Truth stands out clear from error...*" (Quran, 2.256); that He told him to "*Invite (all) to the Way of Thy Lord with wisdom and beautiful preaching, and persuade them in ways that are best and most gracious...*" (Quran, 18.25); that He admonished Muslims, "*And if ye catch them out, (in a controversy), catch them out of worse than they catch you out*" and that the best course is to show 'forbearance' (18.126), "O, unbelievers", Allah urges Mohammed to tell them, "*...to you your religion, and to me my religion*" (109).

But the fact is that these conciliatory verses pertain to the earlier period when the Prophet was trying to persuade the various clans in Mecca, including those who made their living off the various idols in the Kaaba. Once he had to leave for Medina, and especially after he began welding the Arabs into a

State, Allah commanded him to be harsh in the extreme. Reviewing the drastic change, and recalling the new commands to fight the unbelievers so that they either submitted or were put to death; the famous Iranian scholar **Ali Dashti** says in his *Twenty Three Years: A study in the Prophethood of Mohammed*, "*Mohammed's announcement of this edict... indicates that with Islam in power, polite and rational discussion with dissentients was no longer deemed necessary. The language of future discourse with them was to be the language of the sword.*" "Mohammad is the Messenger of Allah", Allah proclaimed, "and those who are with him are hard against the unbelievers, merciful to one another..."(48.29). Allah repeatedly warned the faithfuls that many will say one thing in their presence and another when "they are alone with their evil". They shall spare nothing to ruin you, Allah warned the faithful, they yearn for you to suffer: "Hatred has already shown itself of their mouths, and what their breasts conceal is yet greater", He warned. "They but wish that ye should reject Faith as they do and be on the same footing (as them)," He warned. Do not take them as friends, He admonished, be harsh in dealing with them (for instance, Quran, 2.14-16, 3.118-120, 4.89, 4.140, 5.60.)

"They swear by God that they said nothing (evil)," Allah pointed out in a vital verse that is sure to be cited in the present round, "but indeed they uttered blasphemy. And they did it after accepting Islam; and they meditated a plot which they are unable to carry out; this revenge of theirs was (their) only return for the country with which God and His Apostle had enriched them; if they repent, it will be best for them. But if they turn back (to their evil ways), Allah will punish them with a ... penalty in this life and in the hereafter. They shall have none on earth to protect them or help them" (8.74) "O, Prophet", Allah therefore commanded, "strive hard against the

unbelievers and the Hypocrites, and be firm against them. Their abode is Hell - an evil refuge indeed" (9.73)

How are Rushdie and Hasan - both Muslims, both whom Allah has enriched by His bounty of the one true faith - to be dealt with in terms of such commands? Where is the room in any of this for the principle liberals cherish, namely that, "Every person has a right to be heard and be read"?

The point is this: while liberals etc. always take comfort in the revelation Allah had sent down to the Prophet when the latter was yet alone and his followers few, and try to make out that a liberal Islam can be founded on these, Islam itself has been founded on the commandments to harshness which Allah set down once the Prophet had established himself in Medina. The entire history of Islamic rule bears testimony to this.

The Prophet's Example

In instances such as those of Rushdie, the point is even sharper; there is in fact no room for relenting. And the reason for that is twofold. Islam is founded on, it revolves around the personality of the Prophet. Anything that casts a shadow on that personality is therefore taken to undermine Islam. There was of course, as has been pointed out, an attempt - for instance by the Ashrite school, in particular by its great theologian, Al-Baqillani - to maintain that the central thing was the Revelation - the Quran - the one through whom it was made being of lesser importance. But it was soon evident how such a position would leave Islam vulnerable, and so most have insisted that the Prophet's conduct, motives, personality must not be called into question in any way. This position leaves no room for Rushdie.

But there is not just the negative point - if such licence is allowed in regard to the Prophet, Islam itself will be

endangered - there is the positive example. The Prophet's life, what he said and did is the ideal example which every Muslim must aspire to follow - in every particular, and to the fullest extent.

Now, the Prophet himself was very particular about what people said about him. Upon conquering Mecca, for instance, the Prophet proclaimed an amnesty for all except six persons who, he ordered, must be killed wherever and whenever they were found: his previous scribe who had said that he had renounced Islam upon seeing that the Prophet altered the text of the Revelations at his - i.e. the scribe's - prompting (he was saved by his proximity to Othman, though against the Prophet's inclination); two slave girls who were reported to have sung satires about him, and their master etc. Similarly, Abu Afak was killed although he was well over a hundred years of age: the Prophet himself ordered the killing of this 'rascal' as he called Afak, as the latter had tried to make light of him. The killing of a man so old led a poetess - Asma B. Marwan - to compose verses criticising the Prophet. She too was therefore killed - "She was sleeping with her children about her," writes Maxime Rodinson in his well known biography of the Prophet. "The youngest, still at the breast, lay asleep in her arms. He (Umayr ibn Adi, who had been spurred by the Prophet's 'will no one rid me of this daughter of Marwan?') drove his sword through her, and in the morning he went to Mohammed. 'Messenger of God,' he said, 'I have killed her!' 'You have done a service to Allah and his Messenger, Umayr!' was the reply..." These and other killings are listed in every canonical biography of the Prophet, they are listed among the expeditions of early Islam. As they originated from the Prophet whose words and deeds are the ideal which every Muslim must emulate, they constitute the norm. (To get the flavour of the

Prophet's attitude to those who sought to mock him, the reader will do well to read one of the most revered and earliest biographies of the Prophet - Ibn Ishaq's *'Sirat Rasul Allah'* which is available in the translation of the great Islamicist, A Guillaume: *'The Life of Mohammed'*, Oxford University Press, Karachi, 1978, in particular, pp. 307-8, 384-9, 550-1, and 675-6 for the incidents mentioned above).

These examples were soon codified in treatises. Annemarie Schimmel, a diligent and also one of the most sympathetic scholars of Islam, summarizes in her *And Mohammed is his Messenger* the position as it came to be. She writes: "For how could one defame or slander a person whose name is mentioned close to that of God in the second half of the profession of faith? If someone should commit this sin, he has to be asked to return to Islam: if he refuses, he has to be put to death. Other authorities went further; the slanderer of the Prophet was declared to deserve immediate capital punishment, which could not be averted even by contrition. And indeed Islamic historians now and then report that someone was either executed legally or lynched by an enraged mob when he had been overheard slandering the Prophet. It is ironic that one of the greatest theologians in Islamic history, the medieval reformist Ibn Taimiyya, was sentenced to heavy punishment because of his alleged 'lack of veneration' for the Prophet when he spoke up against certain unhealthy exaggerations in the popular cult of the Prophet in Damascus, such as the veneration of his footprint..."

"Reports of Muhammad's own reactions to slander and insult are contradictory," Schimmel continues. "Many hadith emphasise the Prophet's mildness and generosity in such cases: others found it necessary to give a much harder picture of his reactions. An example of the latter is Ibn Taimiyya - once

himself accused of lack of reverence for the Prophet! - who composed a special work with the telling title *Aggaarim al-maeluul alaa shaatim ar-rasuul* (the Sword Drawn against the Vilifier of the Prophet), in which he states 'whoever vilifies a prophet is to be killed and whoever vilifies his companions is to be flogged.' The latter sentence is of course directed against the Shiites, who curse the first three caliphs and other Companions..."

Freedom of speech in this setting? Taking back Khomeini's fatwa in view of such precedents? It is this central fact - that the only sort of freedom of speech which Islam sanctions is the freedom to laud it - which the liberals do not want to face. But unless they do so they will in each round be reduced to doing what they were to in this instance: writing a letter to the editor one day, and falling silent the next.

The Worsening Position

The situation in India is far worse than it is in other countries. The French Marxist scholar Maxime Rodinson's biography of the Prophet, Mohammed, is freely available abroad: its English edition is published by Penguin. It traces the revelations which appeared from time to time - especially the ones pertaining to personal law - to the personal dilemmas the Prophet was facing at that turn: such an exercise by an Indian scholar would be shouted down, and his book banned. Ali Dashti's, *Twenty Three Years* to which I have referred earlier shows in graphic details how the Prophet's attitude to one thing after another - to power, to the Jews, to those who did not fall in line, to women - changed after his position in Medina became secure. It is freely available abroad, the English version having been published by George Allen & Unwin. The same book, had it been written by an Indian, would have called forth

demands for a ban, demands which would certainly have prevailed.

And the situation in India has been getting worse over the years. Imagine one of us - who happens to be a Hindu - writing today, "Excepting our own almost all the other great religions in the world are inevitably connected with the life or lives of one or more of their founders. All their theories, their teachings, their doctrines, and their ethics are built round the life of a personal founder, from whom they get their sanction, their authority, and their power: and strangely enough, upon the historicity of the founder's life is built, as it were, all the fabric of such religions. If there is one blow dealt to the historicity of that life, as has been the case in modern times with the lives of almost all the so-called founders of religions; we know that half of the details of such lies is not now seriously believed in, and that the other half is seriously doubted - if this becomes the case, if that rock of historicity, as they pretend to call it, is shaken and shattered the whole building tumbles down, broken absolutely, never to regain its lost status..." There would be a howl - "fascism," "cultural imperialism" - and demands that the book be kept out of schools and universities. Yet the passage is Swami Vivekanand's - and he makes the point repeatedly in almost identical words.

Imagine a scholar today referring to the "obvious defects of the Koran," to the "crudities of the Koran". Imagine a scholar casting doubts on the revelations which came to the Prophet characterizing the claim to having received them to be a "dubious claim," and saying about such claims, "Such experiences always result from cerebral disorder which takes place whenever the prescribed practices are carried too far. Fixed ideas, however fantastic or imaginary, may appear to take concrete form if the mind is focused on them so as to

exclude the consciousness of other sanctions. A scientific study of the psychology of seers reveals the fact that 'inspiration' or any other 'religious experience' is the result of the pathological state brought about either accidentally or purposely through prescribed practices." Imagine the scholar going further and writing that when Muhammad himself doubted the "psycho-pathological symptoms" and the "the worldly wise" Khadija, who stepped in and "was quick to appreciate the spiritual value of the mental aberrations of her husband. She persuaded him that his visions were not signs of insanity, but were messengers of God. Taking advantage of his psycho-pathological state of suggestibility, she could easily make him 'see' an angel entering the room to deliver to him the Message of God..." Imagine a scholar writing this today - the book could be pounded on, effigies of the author burned...

Yet the sentences are from that most effusive - and one of the shallowest - apologies of Islam: M N Roy's *The Historical Role of Islam*. In brief, the situation has worsened over the decades. No one today could write even this much, and it is only the good fortune that our people do not read these older books which allows them to continue in circulation.

The point about Khomeini's *fatwa* is that it has worked: it has intimidated into silence scholars and writers all over the world. And the agitation against Hasan will work too: it took three years for a Muslim scholar to say as much - or, as little - as he did. It will take twice that many years for another one to say half as much.

And no one has contributed to making these things work, to smothering free inquiry and speech in this vital sphere as the liberals and secularists. We supported the ban on Rushdie's book at that time, writes a leading commentator, as we knew the reactions the book would provoke.

Does that "prudence" not go to the fundamentalists to work up a fury each time they want to have their way? Is that not what they are doing now?

Footnotes:

¹ This syndicated article appeared on 18 March 1992 in *The Observer of Business and Politics*, New Delhi. It also appeared in many other newspapers and periodicals all over India.

Ch 12 - Swords to Sell a God - Ram Swarup

[This article was published on 16 June 1992 in *The Telegraph*, Calcutta.]

Mr. Mushirul Hasan's innocuous opposition to the ban on *The Satanic Verses* has stirred a hornet's nest. He attempted an apology but could not save himself from the hounds. On May 22, the fire-eating Imam of Jama Masjid declared from the pulpit that "*anyone who defends Salman Rushdie is defiling Islam.*" The students of the Jamia Millia shouted: "*Qaum ka gaddar, Maut ka haqdar*" (Betrayer of the community, deserfer of death).

Did Mr. Hasan badly miscalculate? Did he not realise the moral pressures under which he was working? Or, did he think he could brazen it out and earn an instant reputation as a liberal and a progressive without having to pay a price for it?

Whatever his compulsions, the episode has proved again that there are not many Muslim liberals around, that they have to work under great pressure, and that though they might establish their credentials cheaply among Hindu secularists, they will have to work at a more fundamental level to deserve it.

The Jamia Millia controversy offered its own dilemma to India's secularists who have a close alliance with Islamism. The alliance works under a veneer of liberal-sounding slogans. But

when the Muslims themselves are divided, the secularists too are paralysed and take recourse to equivocation. To retain their ideological face, they must appear to support the Muslim liberals, but in practice they go along with the Bukharis, Ali Mians, Saits and Shahabuddins. The sleight of hand satisfies no party. The Muslim liberals feel let down. The Muslim fundamentalists feel the secularists must follow the lead of mainstream Islam more gracefully. They expect the Hindu secularists to abandon hypocrisy and own up to the alliance with Islam.

The fundamentalists have repeatedly proved that the so-called Muslim liberals do not matter. It is they who represent the authentic voice of Islam, that is, the voice of the Quran and the Sunnah, and Muslim law and history. They expect Hindu secularists to realise this.

Muslim fundamentalists have proved that Islam's scripture, its Sunnah, its canonical writings and its history are on their side. A book like *The Satanic Verses* is blasphemous and the punishment of its author is death. This was clear from the controversy that followed the banning of the book and the death fatwa by Ayatollah Khomeini against Salman Rushdie. The Muslim world was seized by a paroxysm of hate and demanded his blood. The author had few defenders even on compassionate grounds in his community.

Muslims in India were no exception.

But there was one exception. Mr Wahiduddin Khan, editor of *Al-Rasala*, wrote against the death sentence. He based his arguments not on the principle of free speech, but on humanitarian grounds. He argued the death sentence was against the spirit of Islamic scriptures and law and it had no

support in Islam's history. He tried to present a humane face of Islam.

The effort is commendable, but it was at the expense of historical truth and the subsequent controversy demonstrated this. His protagonists had no difficulty in demolishing his arguments and showing that Islamic law and history were on the side of the death sentence.

Maulana Muhassan Usmani Nadvi, Assistant Professor of West Asian Studies at Jawaharlal Nehru University, wrote a reply published by the Islamic Research Centre, Zakir Nagar, New Delhi, which deserves special mention.

In his article, Mr. Khan had argued that Muhammad was a prophet of mercy, not of slaughter. In his reply Mr. Nadvi said killing a Shatim-e rasul was a most merciful act. If he remained unpunished, it would invite the wrath of Allah which could destroy the whole world. To prevent this wrath from becoming operative, the punishment of the defiler was imperative. In that way alone lay the salvation of mankind.

Mr. Khan had appealed in the name of "mercy", of which he thought Islam had an excess. Mr. Nadvi reminded him **Islam is not all spirituality (ruhaniyat)**. It was also a state and politics (siyasat). He said the question had much to do with the prestige, power, glory and domination (izzat, and ghalba) of Islam. The author here refers to the widely recognised fact among Muslim theologians that **the success of Islam owed more to the awe of its political power than to its religious appeal**. The initial era of "reconciling or gaining hearts" (mulla-fa qulubhum), the Quranic doctrine of winning the hearts of adversaries or of strengthening the loyalties of recent converts with gifts, soon gave way to the era of "arbitration of the sword." The kingdom of Islam is not within but without. It

should inspire respect through awe, both among foes and the faithful.

Mr. Nadvi argued that Mr. Khan's effort to show the punishment of a detractor of the Rasul in Islam is not death is "proof of his unfamiliarity with the spirit of Islam and its history." He wrote that during all the 14 centuries of Islam, its theologians and divines provide a united testimony in favour of a death sentence. Indeed, a Muslim offender incurs a double death penalty. One by reviling the Prophet. The second by becoming an apostate from Islam. He quoted extensively from Muslim commentators, jurists and from the practices of the Companions, the first four rightly-guided caliphs, and from the life of the Prophet to prove the point.

Mr. Nadvi gave the example of one lady, Umm Qurfah, who after converting to Islam committed apostasy: She was asked to make amends but upon refusal was put to death by Abu Bakr, the first caliph. During Abu Bakr's reign, we also learn of another case from *Tarikh-i-Tabari*. A songster of Yemen was accused of writing a satire on the Prophet. Mohajir, the Muslim governor, had her hands cut off and her teeth pulled out so that she could not sing in future. When Abu Bakr heard of this, he said that if the case had been referred to him first, he would have ordered her execution.

Mr. Nadvi quotes another case that belonged to the period of the second caliph, Umar. Umru bin Al'as, governor of Egypt, informed him of a person who had been in and out of Islam several times. Umar wrote to him to offer the accused Islam again but, if he refused, to put him to death. Similarly, Usman, the third caliph, was informed of some followers of Maslamah, who claimed prophethood in rivalry to Muhammad; Usman ordered they should be asked to become Muslims but on their refusal be put to death.

Similarly, Ali, the fourth caliph, was informed of some persons who had gone back to Christianity, their religion before they became Muslims. At his orders they were all put to the sword and their children made slaves.

In another case belonging to the early period of Islam, a woman Companion, daughter of Haris Al Kindi, had asked a Zimmi to embrace Islam. He not only refused but also spoke negatively of the Prophet. The lady killed him on the spot. Umru bin Al'as, Egypt's governor, approved of this. He said that a Zimmi had no right to give pain to a Muslim about Allah and the Rasul.

Mr. Wahiduddin Khan had quoted some cases of clement behaviour of the Prophet belonging to his early life. Mr. Nadvi argues these cases belonged to the Meccan period when the "orders of the Sunnah had not descended." During the Medina period, when Islam began to acquire political power, all this changed. He gave several examples including those of poets who wrote satirical verses against the Prophet and who were assassinated at his orders. These cases are cited in Mr. Wajid Ali Khan's *Muqaddas Aayat (Holy Verses)*, written in reply to *The Satanic Verses*.

One case is that of a lady poet of Medina, Asma, daughter of Marwan. She wrote a poem where she warned the tribes of Medina against the Prophet. "Do you expect good from him after the killing of your chiefs/Like a hungry man waiting for a cook's broth," she wrote. When the Prophet heard this, he said to his followers: "Who will rid me of Marwan's daughter?" A follower named Umayr, eager to prove his loyalty to Islam, offered to assassinate her. This he did that very night while the victim was asleep with her youngest baby on her breast. The Prophet thanked him and told him: "You have helped Allah and his apostle." We are told by Muslim traditionalists that the

message went home and the people of the husband of Asma instead of resorting to retaliation, the customary tribal custom, "became Muslims because they saw the power of Islam."

Another case relates to Abu Afak, a Medina poet aged over-100 years. Seeing the power-equation in Medina fast changing in favour of Islam, he appealed to the valour of the Medina people "who overthrew mountains and who never submitted to anyone," but who were now allowing themselves to be spilt by "an outsider," meaning the Prophet. The latter asked his followers: "Who would deal with this rascal?" Another follower volunteered his service and killed the aged poet one night while he was asleep.

Another case relates to Kab bin al-Ashraf, a Jewish poet of Medina. He tried to incite the Meccans through his verses. Again some loyal followers offered to assassinate him. The Prophet saw them off with the words: "Go with the blessings of Allah and assistance from High." The Prophet received them warmly after they accomplished their mission. We are told by orthodox Muslim biographers of the Prophet that this "attack upon the enemy cast terror among the Jews," and after it "there was no Jew in Medina who did not fear for his life."

Mr. Wajid Ali Khan quotes all these cases to show how serious is the offence of Salman Rushdie "of evil religion, apostate and accursed" (*bad-din murtadd mal'un*). Interested readers can find a still fuller account of all these cases in the Lives of the Prophet by Ibn Ishaq, Ibn Hisham, at-Tabari, all respected, orthodox biographers. Ibn Ishaq's '*Sirat Rasul Allah*' is also found in English translation by A. Guillaume and published by Oxford University Press.

The earliest traditions were incorporated into Muslim orthodoxy and they shaped much of subsequent Muslim

history. They continue to do so at present too. Mr. Nadvi quotes from the book of Ibn Taimiyya, a medieval theologian, *Al-sarim al maslul al shatim al Rasul* (the sword drawn against the defilers of the Prophet). Today, there is an increasing demand for reviving the Shariat law even in those Muslim countries where it had been kept in abeyance. For example in Pakistan, as recently as October 31, 1991, all the five judges of the Highest Islamic Court ruled that the punishment for defiling the Rasul was death and not life imprisonment as the prevailing penal law provided. But in countries like India where the Shariat law no longer prevails, but where Muslim opinion counts, any critical discussion of the Prophet and Islam is regarded as lacking in good taste. It is unsecular, a great lapse from accepted ideological morality. Critical writings are as a rule edited out and even often banned. Indian intellectuals have complete freedom to admire Islam and its Prophet and they make full use of it.

Fundamentalism is not accidental but essential to Islam. It is inherent in those religious ideologies which are built on a narrow spiritual vision, have a limited psychic base, and which emphasise dogma and personalities, other than experience and impersonal truth.

Islam's fundamentalism is rooted in its theology, its founder and his practices. It means that it will also have to be fought there. But this point is ill understood and, therefore, the struggle is at the best of times phoney war.

A worthwhile liberalism among Muslims does not consist in merely having a dissenting opinion on certain matters of personal law and social usage. It involves waging a deeper struggle against Islam's fundamentals, its concept of God, the last Prophet (khatimunnabiyyin) and the Revelation that ends all revelations. For example, it will have to discuss whether the

Prophet speaks for Allah or Allah speaks for the Prophet. It will have to rethink the whole question of kafirs, Islam's name for its neighbours. It should raise the question whether Muslims should have the kafirs treat them as they treat kafirs. But this is a question best raised by the kafirs themselves and the Muslim liberal can follow suit.

The need of the time is to examine the whole concept and assumptions of revelatory religions, such as of a particular community being "chosen" as the swordsmen or salesmen of god. When a divine message commands, "Kill the idolators wherever you find them", we must give a close look not only to the message but also to the messenger and his source of inspiration. Judged by this standard, we find that most of the Muslims who sail under a liberal banner bring no honour to it. They represent a variant of Muslim fundamentalism.

There was a time when the West faced a similar problem when it had to fight Christian fundamentalism. It did so by fighting Christianity's deep beliefs and assumptions. And though it still keeps Christianity for export and as an aid to imperialism, it has tabooed its wild claims at home. A similar task awaits those who are called upon to fight Muslim fundamentalism, or rather Muslim fundamentals.

THIRTEEN:

Statement by Indian intellectuals on Syed Shahabuddin's attempt to make the authorities impose a ban on the book '*Hindu View of Christianity and Islam*' by Ram Swarup

We strongly condemn all recent attempts in India and abroad to prevent free inquiry into the history and the doctrines of religions, whether

1. by intimidation and murder of the authors, translators, publishers and printers: as with the threats against Salman Rushdie, Taslima Nasreen, Rachid Mimouni, Aziz Nesin; physical assault on Rushdie's Italian and Norwegian translators and on Prof. Mushir-ul Hasan; murders of Rushdie's Japanese translator and of numerous Egyptian, Lebanese, Turkish and Algerian writers, including Farag Foda, Ugur Mumcu, Md. Boukhobza, Tahar Djaout, and the 36 secularist intellectuals burned alive in Sivas;

2. by their judicial execution or incarceration: as with Alaa Hamid and his printer and publisher incarcerated in Egypt, Sadek Abdel-Kerim Malallah beheaded in Saudi Arabia, and others sentenced in Pakistan (including a handicapped person and a child), Saudi Arabia and the UAE;

3. by government action to hurt them in their professional lives: as with the sacking of the French civil servant Jean-Claude Barreau to appease protesting Arab governments;

4. or by the imposition of a ban on printed or audio-visual documents or on free assembly and free speech: as with the ban on Taslima Nasreen's *Lajja* in Bangladesh, and on many other books and films throughout the Muslim world and India, ranging from popular TV serials such as *Bible ki Kahaniyan* (broadcast suspended on Doordarshan) to strictly scholarly publications such as R.M. Eaton's '*Sufis of Bijapur*'.

In particular, we condemn the attempt by Syed Shahabuddin to make the Indian authorities impose a ban on the book '*Hindu View of Christianity and Islam*' by Ram Swarup, published by Voice of India, New Delhi, 1992. This book is one of the first serious comparative studies of religion written from the Hindu viewpoint; banning it would be a direct attack on the

right of Hindu society to develop an intellectual response to ideological challenges.

We also condemn the pending ban on Ram Swarup's earlier publication '*Understanding Islam through Hadis*', a faithful summary in modern language of the authoritative Hadis collection *Sahih al-Muslim*, banned in 1990 in spite of twice having been declared unobjectionable by the Delhi administration's screening committee.

We remind the Government of India and the public that an earlier book-banning petition by Syed Shahabuddin (*The Satanic Verses*, 1988) was not only the start of an international controversy about the banned book itself, including riots in which demonstrators and others were killed; but also signalled the start of a worldwide crackdown on freethinkers critical of the doctrine or the current performance of Islam (dozens of post-1988 cases have been mentioned above). A new concession to the attempts of fanatics to clamp an Emergency on India, in which only praise but no critical inquiry of their religion is allowed, could have equally serious consequences. Treating Syed Shahabuddin as the conscience-keeper of the nation is a dangerous game.

We are aware that the prohibition of critical inquiry into the doctrine and history of Islam has been an intrinsic feature of Islamic regimes including Medina, the Caliphate, the Sultanates and the contemporary Islamic Republics. In British India, the prohibition was sought to be imposed through direct action, e.g. the murders of Pandit Lekh Ram and Swami Shraddhanand. The British colonial rulers retained some of this prohibition in the more subtle form of Art. 295A and Art. 153A of the Indian Penal Code, which are still in force in independent India. Now that these laws are once more invoked to harass and intimidate a writer and his publisher, we call for a

public debate on whether laws limiting the freedom of inquiry are compatible with the secular and democratic principles of our Republic.

We are also aware that the prohibition on critical examination of Christianity is a thing of the past even in Christian countries; that modern Christians are rather ashamed of this aspect of Christian history and have no desire to see this prohibition re-enacted in India. Christianity has been discussed threadbare, as has Hinduism; there is nothing about Islam that should make it immune against similar examination. We demand the same right of free inquiry which the citizens of Christian countries have come to enjoy under the impact of modernity. We insist all the more on this freedom of inquiry because it has always been a native endowment of Indian culture as well.

Delhi, 18 November 1993

Ch 14 - How Should We Respond? - Arun Shourie

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Late in the afternoon on November 15, a police official visited the office of the *Voice of India*, a publication house that has been publishing works of academic excellence. These have one distinguishing feature: There is no other set of books which has done as thorough a job of nailing the falsehoods and evasions of the secularists as the books published by this small publishing house. Marxists - and even more, their fellow travellers - have denounced them as 'communal'.

But when these denouncers have been challenged on the facts, they have fallen silent. After a few initial skirmishes,

therefore, these 'scholars' have opted for prudence: They have studiously ignored these books, and just gone on repeating their falsehoods. The condition in which we are will be evident from considering one simple fact: While the books being published by *Voice of India* are basic to our learning the truth about our past, to uncovering the roots of the problems that plague us today, and you may encounter - as I often do - many a newspaperman speak laudably about these books in private, not one mainline paper has dared notice even one publication of this house in its Books pages! 'Dared', did I say? Perhaps I should have said 'condescended'!

Among the authors whose works *Voice of India* has published none is more distinguished than Mr. Ram Swarup. I have written about him earlier: Now about 75, he is one of the deepest thinkers I have come across. His work is foundational. The occasion for writing about him again is a slim book by him entitled, "*Hindu View of Christianity and Islam*".

The essays in the volume are not just works of scholarship, they are works of insight. His reflections on the claims of milleniarism - that there is only one way, that it has been revealed to only one person, that it is set out in only one Book, that for your own good you must follow it, that if you do not do so I am on duty bound to compel you to follow it, and, if you still persist in your sin and error, to put you out; and his reflection on its consequences - aggressive proselytisation, intolerance, violence and tyranny - are unanswerable. Even more important is his exposition of the deep significance of practices which religions like Christianity and Islam condemned and sought to stamp out - multiplicity of god-concepts and idolatry for instance.

Where missionaries heaped scorn on the fact that we worshipped many gods and presented the exclusive exaltation

of one God in their religions - of Jehovah, of Allah - as a higher stage in the development of human thought and experience. Mr. Swarup reminds us of the deep insight that the earlier practice embodied. As persons are at different stages of spiritual attainment, as some are liable to respond better to suggestions, symbols and practices of one kind than another, it was felt that different road-maps ought to be sketched for them. And that each aspirant should be encouraged to discover by introspection, by reflection on the experiences that were unfolding within him the road that would best get him to the goal of insight. This was the injunction so central to the *Gita*, for instance - that of discovering one's *svadharma*, by looking within, by reflection.

The same goes for idols. They were means by which values and virtues - too abstract to be contemplated on their own - were given shape and form. They were endowed into idols and icons, so that the aspirant by contemplating the form would internalise the values and virtues. The iconoclast who made smashing of idols an act of heroism and valour and fidelity, did not just miss the deep significance of the aid. As Swami Vivekananda used to point out, they themselves became idolaters of the most elementary kind.

Christian missionaries poured scorn and invective at our idols. Today, how they venerate statues and pictures of the Virgin Mary, of Jesus, how in the Vatican they kiss the feet of the statue of St. Paul, how they venerate the relics of St. Xavier and others! The subjects of the statues and pictures differ from ours, but is the practice any different, is the attitude to them any different from that of the most primitive pagan? Are the statues implored for boons any the less?

The sequence Islam has followed is exactly the same. The Prophet removed the 360 idols which were in the mosque

around the Ka'aba. He had the pictures within the Ka'aba washed out. But the holy black stone in the Ka'aba has come to be venerated in exactly the same way as the earlier idols; it is prayed to, boons are sought of it, the devout touch it and kiss it, they perambulate around the structure - the Ka'aba - into the wall of which the stone is embedded. When the new one is draped over the Ka'aba, the curtain - the *kiswah* - which has been taken down is cut and sold in small pieces to pilgrims, who venerate it in exactly the way Hindus venerate the clothing which has been used to cover an idol. Water from the Well of Zamzam, which lies a few steps from the south-east corner of the Ka'aba, is ascribed curative powers exactly as the water at Lourdes or the water of the Ganges. "The water is regarded as an infallible cure for all diseases," *The Dictionary of Islam* records, "and the devotees believe that the more they drink of it, the better their health will be, and their prayers the more acceptable to the Deity... Many pilgrims not content with drinking it merely, strip themselves in the room, and have buckets of it thrown over them by which they believe that the heart is purified as well as the outer body... Few pilgrims quit Makkah without carrying away some of this water in copper or tin bottles, either for the purpose of making presents, or for their own use in case of illness, when they drink it, or for ablution after death..." Substitute 'Varanasi' for 'Makkah', 'Ganges' for the 'Well in Zamzam', and would the words not describe exactly Hindu pilgrims at the banks of the Ganges? Similarly, while the Prophet prohibited veneration of graves and relics of saints etc., *dargahs* and amulets from them are objects of as intense veneration among Muslims as their counterparts are among Christians or Hindus.

Now, this is no 'lapse' of Islam or Christianity. Only that the original claims to superiority, original denunciations and

violent erasing of earlier practices were not what they were made out to be. There is another lesson: Human beings face identical tribulations, and they ultimately gravitate towards the same sorts of devices for solace.

But such examples would be but the first approximation to Mr. Swarup's analysis. He shows how the very features which were regarded as marks of superiority deflect their adherents from the spiritual quest. His enunciation of dharma and the direction in which it sets us, and the contrary direction in which the tenets of Christianity and even more so of Islam set us is as imbued with insight as it is concise.

One final point, and I will return to the policeman: Throughout the book the exposition is scholarly, the language restrained and academic.

The Letter

The policeman brought with him a letter that Mr. Shahabuddin had written to Minister of State for Home P.M. Sayeed. Dated August 20, it asked that the government have the book examined "from the point of view of banning it under the law of the land." "This book is blatantly offensive to the religious sensibilities of Muslims and Christians," Mr. Shahabuddin had written, "calling those religions anti-human and lacking spirituality" - a characteristic one sentence distortion of an entire book. The law on the question is absolutely clear, and the judgements on it have repeatedly held that;

"The impugned publication must be read as a whole; that expressions, metaphors, sentences, paragraphs must not be tom out to establish the charges;

"That taken as a whole the test must be what the ordinary man with ordinary common sense, prudence and understanding will deduce

from the publication, not the constructions that some abnormal or hypersensitive man may put on it;

“That the publication must constitute "an aggravated form of insult of religion", and the author must have "deliberately and maliciously" set out to outrage the religious feelings of others”.

But it is not the law these people rely on. They rely on intimidation; it is exactly by tactics of this kind that an earlier book of Mr. Swarup - *Understanding Islam through Hadis* - was put out of circulation; The English edition was published in 1982 in the US and reprinted in India in 1983. It was nothing but a faithful paraphrase of the Hadis with the context explained from the earliest and most respected biographies of the Prophet.

A complaint was engineered against the Hindi edition of the book. It was twice referred to and twice cleared by the Delhi Administration's screening committee - each time the committee had concluded that the book was wholly and entirely based on orthodox and revered source and that no action against it was warranted. But the publisher, printer and binder were arrested.

The case went to the courts. Eventually on September 28, 1990 the magistrate passed his final order. He noted that he had given the complainant - the gentleman whose missive had led to the arrest of the publisher - several opportunities to make good his complaint. That in spite of these, the complainant had not done so. That under the relevant section of the IPC the case could be taken cognizance of only if prior permission had been given for prosecution by the relevant government. That the government had, not once but twice, reviewed the book and had concluded the no action was warranted. He, therefore, discharged the matter.

That was seven years after the original book was published; two years after the screening committee cleared it.

But just two months later, November 27, 1990, under the influence of the same intimidation the Delhi Administration declared that, contrary to what it had itself twice decreed, the book was not only objectionable, was deliberately and malicious so! And the harassment commenced again. That having subsided, Mr. Shahabuddin has sought to commence the cycle using the new book. What is this if not the worst form of misuse of law and the courts?

Things to do

Our response should be three fold. First, whenever an attempt such as this from quarters such as Mr. Shahabuddin is made to stifle free speech, to kill even scholarly inquiry, we must go out of our way and immediately obtain the book. So the thing to do is to write to *Voice of India*, 2/18 Ansari Road, Daryaganj, New Delhi, 110002, to buy a copy of the *Hindu View of Christianity and Islam* by sending a cheque or draft or money order of Rs.125.

Secondly, whenever the intimidators prevail and such a book actually comes to be banned, large numbers should take to reprinting it, photocopying it, circulating it, and discussing its contents. That is how the effort of the British to suppress books like Pandit Sunderlal's *Bharat Mein Angrezi Raj* used to be dealt with.

The third thing is more necessary, and in the long run, will be the complete answer to the intimidators. As long as scholars like Mr. Swarup are few, intimidators can bully weak governments into shutting them one by one. But what will they do if 1,000 scholars are to do work of the same order? This

is the way to deal with intimidators. Let 1,000 scholars carry on work Mr. Swarup has pioneered.

Ch 15 - Ban this Book - Koenraad Elst

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In a letter dated August 20, 1993, Janata Dal MP Syed Shahabuddin has asked the Minister of State for Home, P.M. Sayeed, to ban the book 'Hindu View of Christianity and Islam' by Ram Swarup (Voice of India, New Delhi 1992). It is not his first time: in 1988, Shahabuddin was instrumental in getting Salman Rushdie's 'The Satanic Verses' banned. This time he has not been equally successful in getting the book swiftly banned, but judicial proceedings are under way to get it banned after all. As a European India-watcher, I leave it to Indian commentators to advise the public on how to react to this new onslaught on the freedom of publication, and will limit myself to some background analysis.

To clear up a common confusion first: it is wrong to deduce from Shahabuddin's leadership role in the Rushdie affair, the Shah Bano case and the Babri Masjid campaign that the man is a communalist. Every page of every issue of his monthly *Muslim India* is full of "defending secularism" and "combating the communal forces". On its editorial board, you find hard secularists like I.K. Gujral and Khushwant Singh. The latter explicitly supported the ban on the Verses, as did Shahabuddin's co-secular election opponent M.J. Akbar, and many other pen-wielders of secularism. When the Calcutta weekly *Sunday* defied the ban by publishing a few excerpts, the secularist Press Council condemned this stand for press

freedom as "a deviation from the path of ethical rectitude" (a lyrical way of saying: "wrong").

As for the Babri Masjid campaign, in spite of its hundreds of victims (nearly every riot of the last decade has been described in the media as "Ayodhya-related"), the entire secularist spectrum is still solidly on Shahabuddin's side. Till today, most of them fiercely support his demand that Islam be given the privilege to plump a mosque right on what Hindu ritual convention considers Rama's birthplace, the Rama devotee's equivalent of Mecca. Far from being a communalist, Syed Shahabuddin is India's secularist par excellence.

The ban on Rushdie's book has as a side-effect that everyone who finds himself in conflict with Islam gets bracketed with the Indo-British writer of below-the-belt satire on the founder of Islam. This is often an unfair comparison. Thus, Taslima Nasreen is far more sober and dignified (and readable) than Rushdie. The same is even more true of Ram Swarup, the 73-year-old Delhi-based thinker whose essay *Hindu View of Christianity and Islam* is currently targeted by Shahabuddin.

Another effect of the spectacular worldwide success of the anti-Rushdie petition is that the book-banners' appetite for more bonfires of offending books has been whetted. Though persecution and even murder of freethinkers are nothing new, one cannot fail to notice that the last five years have seen a very high incidence of these phenomena: scores of writers and journalists have been murdered, executed or imprisoned for "insulting Islam", in Iran, Egypt, Pakistan, Algeria, Turkey and elsewhere, and even more have received threats of the same. Banning is also a regular feature. In India, the year 1993 has witnessed the attempt to get the TV serial *Bible ki Kahaniyan* off the screen (because it showed Abraham, considered by the Muslims as a prophet and builder of the Kaaba), and

Bangladesh banned Taslima Nasreen's *Lajja* (not because she is a social activist, as secularists have claimed to divert attention from the real reason, but because she has broken the taboo on writing about the victims of Islam, i.e. the Hindus in Bangladesh).

The active or passive support from the secularists is certainly one factor in the arrogance of these Inquisition squads. Another source of encouragement is that even the so-called Hindu communalists never object very strongly.

They like to cite the *Verses* ban as a case of "Muslim appeasement", but they did precious little to defend Rushdie's freedom of publication. Quite a few books have been banned for "insulting Islam" without a word of protest from the supposedly anti-Muslim BJP. Thus, Colin Maine's '*The Dead Hand of Islam*' and Arvind Ghosh's '*The Koran and the Kafir*' have been banned for giving lists of Koranic verses which incite hatred against non-Muslims; no protest was heard. R.M. Eaton's doctoral dissertation '*Sufis of Bijapur*', which debunks the pious fable of the Sufis as peace-loving humanists (in reality they were hate-mongers and spies), has been banned without any ado.

In 1990, the Delhi administration banned the Hindi translation of '*Understanding Islam through Hadis*' by Ram Swarup, after a mob came to threaten the binder. In 1991, the English original was also banned although it had been in print and circulation for seven years. Even though Ram Swarup as an independent writer has occasionally defended the same positions as taken by the BJP, this party has not come out in his defence. Now, Shahabuddin requests that Ram Swarup's latest essay be banned, on the plea that it is "*blatantly offensive*" to the sentiments of the followers of Christianity and Islam by calling these religions "anti-human" and "lacking in spirituality".

Before discussing the contents, a juridical technicality first: Shahabuddin claims that the book re-employs material contained in an already-banned book (which in Ram Swarup's case can only be '*Understanding Islam Through Hadis*'), so that it really falls under the earlier ban. This is factually untrue: the older material re-employed in this book consists of Ram Swarup's prefaces to reprints of the Mohammed biographies by W. Muir and D.S. Margoliouth, which have so far not been subjected to a ban. Conversely, a ban on the present book would, by Shahabuddin's logic, lead to the automatic banning of Muir's and Margoliouth's books, at least in editions with Ram Swarup's foreword.

Very briefly, Ram Swarup's thesis is the following. There is a radical distinction between the Indian (and other "Pagan") and the Abrahamic religions, which have "*prophetic monotheism*" as their defining doctrine. Whereas the different Pagan traditions locate the divine in a universal medium (nature), and the Upanishadic tradition locates the divine dimension within the consciousness of each individual, the Abrahamic religions make the divine presence in this world into the exclusive preserve of a Chosen People, an Only-Begotten Son, a Final Prophet.

Though monotheism has a recorded history of endless wars against the worshippers of "false gods", one might conceive of monotheism as a less harmful, inclusive belief system: the belief that there is one God who is worshipped by people in numerous different forms. It is in this sense that many modern Hindus understand the Vedic religion as monotheistic ("The wise call the One Truth by many names"). However, that is decidedly not the view of the Abrahamic religions. From Moses who smashed the Golden Calf and had all sacred groves cut down and idols broken, down to the Afghan *mujahedin* who

go to Buddhist ruins to behead the left-over Buddha statues, the Egyptian terrorists who threw a bomb into the famous pharaonic temple at Karnak in 1992, and the Pakistani and Bangladeshi mobs who destroyed hundreds of Hindu temples in 1992 as well as on earlier occasions: intolerance of alternative ways of naming and picturing the divine has been a regular feature of this monotheism.

An important factor in the intolerance of Abrahamic monotheism is its combination with prophetism, i.e. the belief that this God reveals Himself exclusively through special spokesmen, prophets. On the one hand He is the only God, valid for all, on the other hand He is only accessible to the Prophet or Saviour and his coterie. Ram Swarup therefore calls Islam and Christianity "proxy religions", where religious experience is not direct but through an intermediary. It is in this sense that they are "lacking in spirituality".

To an extent, the belief in privileged mediums of the divine is present in all religions. Brahminism has its reliance on professional *Karmakand* (priestcraft), which is however counterbalanced by the self-reliant Upanishadic *jnana kanda* (cultivation of individual consciousness). Many religions used diviners, experts of techniques to know the divine will. Shamanism is centered around mediumistic practices: the shaman allows a spirit to take possession of his body and mind, and becomes, a channel for spirit revelations.

A famous case is Chengiz Khan, who would go into a trance and utter spirit messages, which a secretary wrote down and read out to him after the trance subsided. The messages, attributed to the sky-god Tengri, included instructions on which country to attack next, and Chengiz duly obeyed these instructions. If these spirit messages had been compiled into a book, it would be a fairly exact parallel to the Quran:

Mohammed too received messages while in a trance (wahi), and he too obeyed the divine instructions leading him into military campaigns.

There is however a crucial difference between this shamanistic "channeling" of spirit messages, and Abrahamic prophetism. While no shaman or oracle declared to be the exclusive medium of divine messages, and while the ruthless Chengiz Khan had at least the merit of religious pluralism and respect for all religions, the Abrahamic prophets do show an increasing tendency to exclusivism and intolerance. The earliest Hebrew prophets are still part of the shamanistic tradition, wedded to one particular god, but aware and respectful of other gods speaking through other mediums. But with the growing impact of monotheism, intolerance becomes the norm and soon leads to massacres of the priests and prophets of other traditions (as that of the Baal priests by Elijah). The end result is seen in the Gospel, where only those who believe in Jesus are said to win salvation, and in the Quran, where those who refuse to believe in Mohammed's prophethood are sentenced to subjugation or death, and to eternal hellfire.

It is remarkable that the Abrahamic mainstream religion, Judaism, later softened into a humane religion which practised "*live and let live*", while its offshoots Christianity and Islam became the torch-bearers of exclusivism and of the monotheist ambition of world-conquest. This is one of the reasons why the use of the term "Semitic" (occasional in this book, systematic in some publications by Romila Thapar and other secularists who allege that the Hindutva movement represents a "semitization of Hinduism") is unfortunate: prophetic monotheism is by far not identical with the religious traditions of the Semitic-speaking peoples. Some Semitic peoples, notably the Arabs,

had prophetic monotheism imposed on them by force; while the New Testament as the founding statement of the monotheist campaign of world conquest, was written in non-Semitic Greek.

In contents too, the Gospel represents a departure from the "Semitic" Hebrew tradition, in that it created a credal religion. Judaism is a communal religion, a nation, to which you can belong regardless of any statement of belief. Like Hinduism it requires that you abide by certain rules, but takes a relaxed attitude towards items of belief. By contrast, Christianity and Islam are based on a declaration of belief (the Nicene Creed, the *Shahada*); even small differences on points of belief have led to large-scale persecutions of the "heretics". Mature rabbinical Judaism (a creation of the much-maligned Pharisees) presents a mixed picture of theological exclusivism along with practical respect for the multiplicity of viewpoints, fostered by the sublime Talmudic hermeneutics and by the day-to-day experience of living as a vulnerable minority. But Christianity and Islam in their classic forms have been highly intolerant religions, to the extent of trying to weed out all other religions by means of propaganda campaigns and military conquest.

It is correct that Ram Swarup describes Christianity and Islam as "anti-human". This could be understood in the ordinary sense, after listing atrocities on unbelievers and heretics down the centuries. But here it is meant in a profounder sense, viz. that they do not respect humanity and human beings as such; rather, they believe in two humanities with a radically different status. "Outside the Church no salvation", non-Christians are doomed to eternal hellfire, and they should not count on much respect in this world either (ask the Native Americans, or the Hindus of Goa whose priests were killed and temples turned into churches). The Quran is

even more outspoken about this doctrine: the unbelievers have not only forfeited heaven, but the earth as well; they must be enslaved or put into a position of third-class citizens. Other *Voice of India* publications have mustered the evidence from scripture and history to prove this "anti-human" trait in prophetic monotheism.

There is no doubt that with his ban petition, Syed Shahabuddin is targeting *Voice of India* as a whole. He wants to intimidate and silence the one intellectual centre which is busy processing ideologies, history and contemporary problems from the Hindu viewpoint. While Islam, Christianity and Communism have an enormous apparatus at their disposal, Hindu society has practically no institution that can represent it in the intellectual arena. Considering its humble means, *Voice of India* has done a remarkable job so far.

To give just one example: the two-volume study '*Hindu Temples, What Happened to Them*' (1990-92) by Sita Ram Goel has caused quite a panic among "secularist" historians who claim that there was always Hindu-Muslim amity and that the Islamic temple destructions are a myth. Its first volume gives the list of 2000 Muslim monuments including many mosques standing on the sites of demolished temples, list which is never quoted or discussed. The only review of this first volume (by Manini Chatterjee) dismisses it as a "very bad book", but fails to pick a single hole in the book's thesis. Of the hundreds of secularist historians who have signed statements denouncing "communal history distortion", not a single one has been able to challenge even one of the 2000 claims in the list. No wonder that all the anti-temple publications carefully ignore this book.

It gets even more serious when we come to the second volume, which gives hundreds of Islamic testimonies of systematic temple destruction, presents in full the Islamic

theology of iconoclasm, and conclusively refutes the recent canard that Hinduism has a similar record of persecution vis-à-vis Buddhism. It also describes in detail a few crass cases of history distortion by reputed Marxist historians. That is why this book, which is the key to the whole Ayodhya affair, has been absolutely ignored. Eminent secularist historians hope and pray that this book does not reach the libraries of foreign India-watchers, because their balloon of "eminence" could get pinpricked. They strongly sympathize with Syed Shahabuddin's assault on *Voice of India*, but hope that the latest ban petition doesn't give too much publicity to this dreaded book. The book now targeted for a ban is equally dangerous, but at a different level. It is one of the first attempts to process the world-conquering religions in terms of Hindu spirituality. So far, it was usually the other way round: Hindus tried to live up to the standards set by their enemies, to rethink Hinduism in terms popularized by the spokesmen of Islam and Christianity.

Thus, Swami Dayananda Saraswati's *Satyartha Prakash* ("Light of Truth", 1875), probably the very first Hindu writing to polemicize against Christianity and Islam, has interiorized some of the prophetic-monotheistic categories upheld by Christian preachers: it rejects idol-worship and polytheism, and claims the Veda as the sole revealed scripture. Even when defending Hinduism, the Swami was casting it in the mould of its enemy religions. At that time, this was perhaps the best thing one could realistically hope for, and it is not to detract from Dayananda's merit that we notice how even in criticizing Islam and Christianity, he implicitly extolled them by putting their imprint on his own Hinduism.

But Dayananda at least took the trouble of studying and criticizing Christian and Islamic scriptures in detail, and of showing that there was much "anti-human" and "lacking in

spirituality" in them (no wonder, his chapter on Islam got banned by the provincial government of Sindh). By contrast, later Hindu spiritualists like Vinoba Bhave, the Ramakrishna Mission, and numerous Swamis and secularists, have merely memorized a handful of goody-goody points from the Bible and the Quran, and hold these up as proof that "Hindus have a lot to learn from them", or that "all religions essentially say the same thing". This nauseating sentimentalism has by now become an unquestionable dogma, except among those anti-Hindu secularists who insist that there is a radical difference after all: between Mohammed's proto-socialist religion of equality (or Mother Teresa's religion of love and charity) on the one hand and abominable caste-ridden Hinduism on the other.

It is against this background that the publication of Ram Swarup's analysis of Christianity and Islam should be evaluated as a major event. Much to the indignation of those who treat Hinduism as a museum object, this book proves that Hinduism is not yet dead. Conversely, banning this book would send a signal that the present establishment will do what it can to prevent Hinduism from rising up, from regaining self-confidence, from facing the challenge of hostile ideologies.

Syed Shahabuddin's plea is implicitly based on the right of Christians and Muslims to be spared the existence of literature which might hurt their feelings. But for adults, no such right exists. We all have to live in a world where opinions mercilessly challenging our cherished beliefs are at large, in print and on the air.

Just ask the Hindus. They, and all non-Muslims living near mosques, have to hear five times a day that "there is no God but Allah", implying that Shiva, Vishnu and the rest are false gods and that all religions except Islam are false. The Quran

itself minces no words in denouncing every form of "unbelief", esp. the Arab polytheist religion which had so much in common with Hinduism; yet, millions of copies of this book are freely available in India. And it is not only from the Islamic side that Hindus have to live with criticism. In spite of some agitation, Dr. Ambedkar's book *Riddles in Hinduism* is not only freely available in India, but has actually been published with taxpayers' money by the Government of Maharashtra.

The harsh treatment to which Hinduism has become used esp. as compared with Islam, comes out most clearly when we survey the Western and Christian reporting on these two religions. Both in India and abroad, Christian missionaries spread no end of pamphlet literature denouncing Hinduism as "anti-human" (any secularist will gladly repeat the list: dowry, female infanticide, untouchability, sati) and as "lacking in spirituality" (Sai Baba's materialist miracle-mongering, Rajneesh's "tantrism", the "selfish godless navel-contemplation" of yoga). Invariably, Hinduism itself is branded as being the root cause of all kinds of social evils. Thus, though none of the people involved in female infanticide in Tamil Nadu has ever declared that "I killed my infant daughter because it is what my Hindu religion tells me to do, still most articles on this strictly secular problem will convey the message that "this is what their religion does to them".

By contrast, when social evils of Muslim society are dealt with, care is taken to exonerate Islam itself beforehand, and to treat these evils as aberrations. When *mujahedin* who kill Christians in Egypt explicitly declare that they do this as a matter of religious duty in a Holy War, quoting chapter and verse from the Quran, even Christian papers will claim that in fact, these persecutions are a "violation of the true Islam, which is a religion of peace". The history of Islamic slavery, which

deported many more Blacks (apart from millions of Whites and Indians) than the Atlantic slave trade, is invariably approached with kid gloves, if mentioned at all. Though the Western press does show a lot of gun-wielding Islamic militants, it is absolutely untrue that Islam (as opposed to a supposed aberration called "fundamentalism") is getting a raw deal. Neither the Press, nor the academic Islamic Studies centres, nor the Christian churches show any inclination to subject Islam to criticism.

Shahabuddin claims that not only Muslims will feel hurt by Ram Swarup's book, but Christians as well. This looks like a ploy to enlist Christian support, just in case this becomes another big affair. But it seems he is totally unaware that Christians have grown accustomed to living with much fiercer criticism (apart from crude satire) than what Ram Swarup politely offers in his essay. Let me give a few examples from the past decade.

In *Kriminalgeschichte des Christentums*, the German leftist scholar Karl-Heinz Deschner surveys the "criminal history of Christianity". It describes the Christian march to the status of world religion through scriptural fraud, complicity in social evils, disruption of the Pagan majority culture, capture of state power by all means, followed by persecution of the Pagans, falsification of history, book-burning etc. It gives information similar to that in the offending parts of 'Sufis of Bijapur', but it is much more comprehensive and scathing in tone. Even so, it is freely available in Christian countries.

In *Histoire du Mèchant Dieu*, the French right-wing scholar Pierre Gripari debunks some pious fables about the creators of the Judeo-Christian tradition. Thus, he points out the racist trait in Abraham's family, a Mesopotamian immigrant tribe in Palestine: Ismael is rejected as Abraham's son because his

mother is Egyptian; Esau is rejected as Issac's heir because he has taken Hittite wives rather than getting wives from Mesopotamia, as Jacob does; Jacob's sons murder their sister's Palestinian bridegroom with his entire clan. Gripari also draws attention to the fact that Moses' brother Aaron encourages the Israelites to worship the Golden Calf, yet he is the only one who survives Moses' crackdown on the "apostates". Explanation: like Mao's "Hundred Flowers" campaign, Aaron's Golden Calf movement was a calculated provocation to bring the simmering opposition to Moses' policies out in the open, so as to destroy it more effectively. Though this candid secular reading of the Bible may be shocking to some, the book can be bought in bookshops throughout Europe.

In *'Is Christianity True?'* Bible scholar Michael Arnheim dissects the Scriptural sources of some basic Christian beliefs, and shows that the semi-literate Gospel authors have poorly concealed their innumerable concoctions and distortions. Thus, in their frantic attempts to show that Jesus was born in Bethlehem, as the Messiah was supposed to, they land themselves in contradictions and demonstrably false historical claims (e.g. there was no Roman census at the given time) which give the game away. After fabricating a genealogy linking Jesus' father Joseph with King David, they declare that Jesus was born from a virgin and Joseph was merely his forster-father. They also don't manage to conceal that Jesus's contemporaries considered him an illegitimate child, which completely explains why the Gospel writers had to invent the "virgin birth". Similar made-up stories are shown to surround the other great moments of Jesus' life. This type of historicization of sacred narratives is increasingly accepted, and some Catholic theologians (Hans Kung, Edward Schille-

beeckx, Eugen Drewermann) go all the way in a similar "demythologization" of the Gospel.

In *Jesus de Messias, Was het Christendom een Vergissing?* ("Jesus the Messiah, Was Christianity a Mistake?"), the Flemish psychologist and Bible scholar Dr. Herman Somers, an ex-Jesuit, argues that "Christianity was a mistake": its basic doctrine, conveyed by Jesus to his illiterate and gullible followers, was a delusion about himself, viz. that he was the Son of God. Dr. Somers goes on to argue that those parts of the Gospel which can reasonably be taken as authentic, show us a Jesus who clearly suffers from a pathological delusion, accompanied by typical symptoms including the catastrophic sense of an impending end of the world. With this approach, Dr. Somers is not an eccentric: he merely refines and elaborates a hypothesis which had earlier been formulated by other psychologists and Bible scholars, and which is increasingly capable of explaining all the riddles which centuries of Christian Bible research had left unsolved. Far from being a "misplaced projection of modern categories onto a radically different culture", this approach is partly based on information given in the Gospel itself, where Jesus' family is said to think that he had gone out of his mind.

In 1993, Dr. Somers published a similar study on Mohammed (*Een Andere Mohammed, "A Different Mohammed"*), whose life and personality are known to us in far greater detail than that of any other Abrahamic prophet. His bold conclusion is that Mohammed suffered of a very typical case of paranoia, complete with frequent hallucinations and a fundamental delusion about himself, viz. that he had been selected by God for a special mission. Again, it is in Islamic scripture itself that we find Mohammed's contemporaries describing him as "ghost-possessed" and "a

mad poet". The ancients did not have our developed science of psychopathology, but they did have a healthy skepticism when confronted with claims of divine mission and of hearing God's own voice.

One may or may not agree with these theories, but the point is: this is the kind of intellectual exploration which secularism has made possible in ex-Christian society, and this is the point of comparison by which one can measure whether Ram Swarup's book is an outrage and a threat to secularism.

It seems to me that in comparison with the above mentioned Western secular authors, Ram Swarup's approach is more respectful and less hurtful for the human beings who call themselves Christians or Muslims, even if it is equally devastating for the doctrines of Christianity and Islam. The difference is that the said Western authors, who tend to identify religion with the type of religion they themselves grew up with (mostly Christianity), end up rejecting religion altogether, rather than just the specific doctrine they are criticizing in detail. Believers who hear that a point of belief is being refuted, may get panicky because they think that the religious basis of their lives is under threat. In the case of many ex-Christian secularists, that is indeed true: along with the outdated belief in Jesus Christ, they are rejecting the entire spiritual dimension. Or if they have shown that Mohammed was suffering of a common paranoid delusion, they think that henceforth every person somehow associated with religion has a mental problem.

At this point, Ram Swarup's approach is radically different: he does value religion, and his critique is not from a secular but from a religious angle. In that sense, he is more up-to-date than the Western secularists, because many moderns have come to recognize that there is still a need for religion even after

Christianity, and even after man has awoken from the slumber of superstition and pre-scientific ignorance.

In a sense, Islam is currently capitalizing on this postmodern revival of religion. While the disillusion with secularization is felt across continents, and Western man is looking for new forms of spirituality, Islam happens to still be sitting in a power position in most of the lands it once conquered. In the religious sweep often dubbed as "fundamentalism", a distinction must be made between on the one hand this universal trend of religious revival (with its rejection of decadent consumerism and of Americanism), and on the other hand the medieval grip of Islamic doctrine, which is still in place and ready to use the religious fervour of the people for its own ends.

It is unfortunate that Iranians who had a good case in revolting against the Shah, ended up persecuting Bahais and other minorities, simply because Islam has channelled people's religious commitment to acts of intolerance. The thing to do is to show them that religion is possible without belief in exclusive revelations, final prophets, and divisions of mankind into saved believers and doomed unbelievers; to remind them that in fact, their own ancestors used to practise a religion which provided for the spiritual as well as the ethical dimension of life without identifying them with this obsession with some historical character who claimed prophethood.

Those educated Muslims who are willing to rethink their religion, will feel much more attracted to the thoughtful Hindu critique of Ram Swarup than to the sweeping secularist critique of atheist Western authors. After getting over their initial shock with Ram Swarup's radical questioning of Islam's exclusivist claims, they will realize that this Hindu approach preserves and respects all that they consider humanly

important in religion: values of self-restraint, inferiority, awareness of a larger whole, participation in the common good. They may well come to realize that there is life after Islam, even a good and spiritual life. That is why Syed Shahabuddin does well to try and get this book banned: with this book, Islam is in danger.

SECTION II: LIBERAL DEMOCRACY

SIXTEEN - Courageous author puts his life on the line¹ - Daniel O'Hara

'Why I am not a Muslim' by Ibn Warraq, Prometheus Books, UK. ISBN 0 87975 984 4. £ 22. Rationalist Press Association members: £ 15, Including postage, from RPA, Bradlaugh House.

My own attempt to engage with Islam has, before reading this book, mainly been through talking with a group of Islamic students from Kings College, London, who regularly set up a lunchtime stall outside their college gates in The Strand, opposite the church of St. Mary Overy. Their views are extreme, but appear entirely within the mainstream Islamic tradition.

I have put it to them that it is ironic that they should be using such a platform to complain about the denial of "freedom of speech" for themselves inside the building (this after the college authorities had banned a debate they planned to hold on the execution of heretics and blasphemers) while admitting that they do not believe in freedom of speech for others. They agree with me that they would not be allowed to set up such a stall (even to promote Islam, let alone to criticise it) in Riyadh, Tehran, Islamabad or Dacca. But the irony that they should

demand freedom of speech in order to denounce freedom of speech is entirely lost on them. They agree, that they despise "Western Democracy" and the freedoms it guarantees: but they are not above using those very freedoms to denounce and call for the abolition of freedom. They are as convinced as any Marxist, and perhaps with better reason, of the eventual triumph of their creed. At least Marxism is falsified by the failure of its prophecies concerning the withering of the state and the collapse of capitalism. Islam, for better or worse, admits of no falsification.

The Muslim students to whom I have recently been talking have not heard of Ibn Warraq or his book. If it came into their hands, they would probably want to burn it publicly, as their co-religionists in Bradford did with Salman Rushdie's *The Satanic Verses* in 1989. Perhaps we should at least be grateful that there is no longer an Ayatollah Khomeini to issue a *fatwa* against *Why I am not a Muslim* and its author, put a price on his head and incite the faithful to murder him. But the fanatical intolerance of those Islamic students who demand their right to criticise others, yet who accept no reciprocal rights of others to criticise their position, clearly shows that and why a book like the one under review is both timely and necessary, even if one can think of several ways in which it might have been improved.

Mr. Warraq was born and raised a Muslim, but is now a secular humanist, a freethinker and rationalist critic, not just of Islam but of all religions, regarding them, in David Hume's word, as "sick men's dreams." As an apostate, he is, in Muslim eyes, guilty of a crime far more heinous than murder or even genocide. Indeed, murder and genocide have traditionally been the preferred methods of rooting out dissent, heresy, unbelief and rival religions and philosophies in all Islamic cultures. And

this is as true today as it was in the 7th or the 9th Centuries. So we must salute *Why I am not a Muslim*, as R. Joseph Hoffmann does in the Foreword, as a "courageous" work. The author has, quite literally, put his life on the line.

Mr. Warraq tells us in his Preface that it was the Rushdie affair which galvanised him into writing his book, though he also tells us later, that he is "not a scholar or a specialist." He has at any rate 'read widely and deeply, and succeeds in conveying a great deal of information about both the history and the tenets of Islam, and of its treatment of dissenters. I am unable to comment on the accuracy or balance of this part of the work, though it has every appearance of being thoroughly researched. I must, however, confess to finding some parts of the book rather tediously repetitive. It is surely enough to make a point well, without constantly quoting two or three other writers who essentially make the same point. Our author himself at one point observes (p. 133) that it may seem he is "belabouring the obvious." But he wishes "more people would belabour the obvious, and more often." The trouble is that those who most need it are unlikely to read the book, while for the rest of us, it causes avoidable longueurs. Skilful editing by the publishers could, in my opinion, have made the book tighter, sharper and of even greater value.

That being said, there is much here to provoke thought and the following-up of themes in the massive literature, most of it unknown to the general reader, with which Mr Warraq acquaints us. On some topics his comments are so pertinent and valuable that one would like to see them separately printed as a pamphlet. Particularly commendable is his critique of relativism, of the spinelessness of Western liberal intellectuals in the face of Islamic totalitarianism, and of our too-ready capitulation to extremely one-sided leftwing criticisms of the

Western Democratic tradition. As one who currently lives in America but grew up in a country which now calls itself an Islamic republic, Mr Warraq is well placed to judge just how much is to be lost by the surrender of entirely justifiable pride in the real achievements of Western democracies. For this, he suggests, an insidious relativism and misplaced "political correctness" is largely responsible.

I shall quickly pass over the very extensive critical work on the Koran and other traditional sources of Islam which Mr. Warraq relates, and his detailed history of the banditry, bloodshed and terror which chiefly characterised the early centuries of Islam, and which are resurgent in our own. It may come as a surprise to most readers to learn that the Koran did not achieve anything like its present shape until about two centuries after the death of Muhammed - roughly the same time it took the Christian Church to finalise its New Testament canon. And many of the traditional, extra-koranic sources for the life and teachings of the Prophet have been shown by recent scholarship to be extremely unreliable. So much for the basic Islamic dogmas of an infallible Prophet and an inerrant God-authored holy book. What the traditional sources tell us of the Prophet, however, make him seem as unappealing as any other manipulative and power-hungry opportunist in history. It is good to know that opposition to the Prophet and his teachings, and the totalitarian religion which grew out of them, goes back to his own time and peoples, and has never been entirely silenced, even though so many gainsayers have paid with their lives, as they still are doing. While Christendom has much to be ashamed of, Mr Warraq suggests that Islam has been even more brutally culpable.²

Even today, the social teachings of Islam perpetuate the inferiority of women and their subjection to absolute control in

all aspects of their lives - even as to whether and when they may leave the house - of their husbands (to whom they must remain constantly available, except when "unclean," as objects of unrestrained sexual gratification), or if unmarried, their male guardians. Such unequal treatment of the sexes is defended in the literature I have picked up outside Kings College as "elevating the situation of the people from the level of animals (as is the case in the west), to one where the dignity and honour of all human beings is preserved and respected (as would be the case in an Islamic State)."

George Orwell and Franz Kafka together could surely not have dreamed up a more terrifying perversion of the truth. I commend Ibn Warraq's book as a much needed antidote and corrective to such shameless propaganda. Even if some of its chapters can be safely passed over by the general reader, there are others which will amply repay careful study by virtually everyone.

Footnotes:

1 This review appeared in the December 1995 issue of *The Freethinker*, a monthly published from London.

2 Here both Ibn Warraq and Daniel O'Hara are greatly mistaken. Christianity committed far greater crimes, for a longer period, and over a much larger area. The soft face which Christianity wears today has been forced upon it by its collapse in its traditional strongholds - Western Europe and North America.

SEVENTEEN - Standing Up to Scrutinize Islam¹

G.A. Wells

'*Why I Am Not a Muslim*', By Ibn Warraq (Amherst, N.Y. : Prometheus Books, 1995) 402 pp., \$25.95 cloth.

Why I Am Not a Muslim certainly deserves the epithet "courageous" with which R. J. Hoffmann introduces it in his

Foreword, not so much because of its thesis that Islamic civilization often reached magnificent heights despite the religion of Islam, as because almost all the fundamental tenets of Islam are here scrutinized uncompromisingly. Moreover, Ibn Warraq's criticisms are no idiosyncrasies, but supported with very extensive references to scholarly works. His book is particularly valuable as a means of acquainting oneself with this scholarship.

Not surprisingly, he devotes a chapter to the inferior position of women in Islam, and another to the undemocratic pressures applied by Islamic immigrants in the West today. He is appalled by the willingness of British authorities to allow incitement to murder a British citizen (Salman Rushdie) from a public platform in Britain; and he finds the French authorities refreshingly less permissive on such matters.

Warraq begins by showing how often politeness to less-civilized countries has been a whip with which to lash the shortcomings of one's own society. It was on this basis that Tacitus boosted the Germans and that eighteenth-century Europeans looked up to "the noble savage." In the present century, European malaise about colonialism and imperialism has prompted belief in the superior virtue of subject nations. Attitudes to Islam and to its history have been affected by such sentiments, although there have of course been dissenting voices. (Schopenhauer declared, in an essay on man's metaphysical needs, that he could not find a single valuable idea in the whole of the Koran.) The uncompromising monotheism of Islam has been particularly admired. It is true that Christianity is monotheistic only in virtue of an unintelligible fiction (the Trinity), and the Judaism's allegiance to one god was not the same as belief in only one god. But Ibn Warraq

reminds us that monotheism can readily join with exclusive intolerance.

The religion of one day is largely a reshuffling of ideas of a yesterday, and to this Islam is no exception. It has taken a great deal from both Jewish and Christian traditions, but I doubt whether many Christians are aware of in what strange guise Christianity figures in the Koran. According to Sura 4, Jesus was not crucified: the Jews "Killed him not, they did not crucify him, but it was made to appear that way to them." This strikes at the heart of what is now established as Christian doctrine. If there was no atoning death, there is no redemption, through such a death. But this was the kind of Christian teaching that reached Muhammad; for a number of second-century Christians had regarded suffering, which implies change and imperfection, as foreign to the divine nature. As our author says, "what is in the Koran about Christianity derives from heretical sects" (p. 62).

Something else made clear in this book that will probably surprise many is how much of what has long passed for the early history of Islam has been put in question by serious scholars. I had always believed that the swift rise of Muhammad's religion to power - overrunning the whole of Arabia in his lifetime and defeating Christian armies in Syria soon after his death - meant that the evidence for its origin will have been critically sifted at a far-earlier stage than could have occurred in the case of Christianity, which long remained a jumble of insignificant sects and took three hundred years to attain state recognition. Also, the Koran looks much more authentic than the Gospels, in that its author works no miracles and makes no claim to divinity. Only in later traditions do his features become implausibly magnified. Ibn Warraq's chapter on "The Problem of the Sources" must give us pause here.

There is not only disparate material in the Koran, but also repetition of whole passages in variant versions; and this looks more like belated and imperfect editing of materials from a plurality of traditions than a collection of a single author's sayings. Also, there are so many variant readings that it is misleading to speak of the Koran: "The definitive text still had not been achieved as late as the ninth century" (p. 154). As with the New Testament, the faithful are familiar with a uniform text and know little or nothing of the variants given in any *apparatus critics*. (To take but one New Testament example, whether Luke has a doctrine of atonement depends on which manuscripts of his account of the Last Supper are to be taken as giving the original reading.)

As for the Koran's contradictions, some are quite normal in a single, individual religious writer and need not be put down to multiple authorship. An instance is the alternation between predestination passages ("God misleads whom He will, and whom He will he guides") and others that give mankind some kind of free will. If what happens has been predetermined, it is futile to urge people to change their ways. Yet Muhammad and his followers have always done this, as did St. Paul, who combined the idea that God blinds people with the doctrine that their errors are all their own fault. Similarly, Marxists believe that persons in a certain economic condition will inevitably behave in a certain way, but nevertheless abuse them for doing so.

Another striking contradiction quite normal in religious writing is that the God of the Koran is merciful and compassionate, yet consigns those who do not believe in him to everlasting torment. Our author notes that "Muhammad really lets his otherwise limited imagination go wild when describing, in revolting detail, the torments of hell" (p. 125).

Muslim commentators deal with some of the contradictions by claiming that latter verses in the Koran may cancel earlier ones. What is early or late is, however, largely conjecture, as the Suras are arranged in order of length, not chronologically.

The biographies of the prophet have always been known to be relatively late; and the traditions about the early history of Islam grow, in characteristic legendary fashion, from one writer to the next: "If one storyteller should happen to mention a raid, the next one would tell its exact date, and the third one would furnish even more details" (p. 84). Ibn Warraq sums this up with: either we conclude with a number of recent scholars that we do not know a great deal about Muhammad, or we make do with the traditional sources. He adds: "Muslims would perhaps be better off accepting the former alternative," since the picture that emerges of the Prophet from the latter is "not at all flattering. Furthermore, Muslims cannot complain that this is a portrait drawn by an enemy" (p. 86).

There are of course morally acceptable teachings in the Koran, but there is also much intolerance. One of its worst legacies is the notion of a Holy War, developed "with the help of the idea of rewards in paradise for the holy martyrs who died fighting for Islam" (p. 156). Ibn Warraq deplores the fact that, although imperialism is now discredited, "hardly anyone bothers to criticize the Islamic variety that resulted in such death and destruction" (p. 346). Bernard Lewis, an Islamic scholar whom our author rightly treats with respect, has argued that, there were indeed "exaltation and dogmatism on both sides," yet "greater tolerance on the Turkish." Spanish Jews after the Inquisition found refuge in Turkey, and "when Ottoman rule in Europe came to an end, the Christian nations they had ruled for centuries were still there, with their languages, their cultures, their religions, even to some extent

their institutions, intact," whereas "there are no Muslims today in Spain or Sicily and no speakers of Arabic" (See Lewis's chapter in the symposium *The Legacy of Islam*, Oxford University Press, 1974). Ibn Warraq finds this stress on Islamic pluralism and tolerance quite misplaced: Turkey was "no inter-faith utopia" (p. 187). He emphasizes atrocities (including recent ones) in Muslim history, as a counter to sentimental nonsense about the 'spiritual East', which, we are constantly told, is so much superior to the decadent and atheistic West" (p. 161).

Islam certainly keeps a firm grip on its people by making apostasy a capital offense, as is also blasphemy towards God and the Prophet. "In modern times blasphemy has simply become a tool for Muslim governments to silence opposition, or for individuals to settle personal scores" (p. 176). It is of course quite generally the case that religions that inculcate obedience and submission to established authority tend to be supported by established governments. Bernard Lewis himself has noted, in a recent essay, how Khomeini dealt with groups and individuals opposing the Islamic revolution: for him, insistence on open trials, defense lawyers, and proper procedures was no more than a reflection of "the Western sickness among us." Those on trial, he insisted, were criminals, and criminals should be executed, not tried. Warraq notes that it was this hatred and loathing of the West that led Arab countries to sympathize in the Gulf War even with Saddam Hussein: he is a tyrant, but he "stood up to the West."

When Warraq speaks of science, he allows that it is in this domain that "*we come at last to the true greatness of Islamic civilization*" (p. 272). I have recently come across an illustration of this in the 1984 Princeton University Press edition of Galen: 'On Respiration and the Arteries' by British scholars David J.

Furley and J. S. Wilkie, who offer a greatly improved Greek text by utilizing an Arab translation better than any of the surviving Greek manuscripts. But Warraq argues that it was *despite* Islam that Islamic science developed. He quotes Ernest Renan's verdict:

“To give Islam the credit of Averroes and so many other illustrious thinkers, who passed half their life in prison, in forced hiding, in disgrace, whose books were burned and whose writings almost suppressed by theological authority, is as if one were to ascribe to the Inquisition the discoveries of Galileo, and a whole scientific development which it was not able to prevent”.

The older scholars on whom Warraq draws include D.S. Margoliouth, whose "Mohammedanism" in the series Home University Library of Modern Knowledge is still a useful introduction. Warraq's recent authorities include of course Bernard Lewis, and also W. Montgomery Watt, whom he calls "by common consent the greatest and one of the most influential living Islamic scholars in Britain." Like Warraq, I have found Watt informative, yet infuriating, in that he repeatedly recast traditional doctrines - Christian as well as Muslim - into impressive-sounding formulas that are really no more than solemn-faced nonsense. For instance, his version of "O Lamb of god that takes away the sins of the world" is that "Jesus was deliberately living out an archetypal synthesis." The then Bishop of Edinburgh quoted this in his Foreword to Watt's 1959 book (pretentiously entitled "The Cure of Human Troubles") and opined that it may "be difficult to think and express ourselves in these new terms." There is in fact no difficulty at all in thus "expressing ourselves." Whether we are thereby thinking of anything other than the words is another matter.

One truth that Warraq's book brings home very forcibly is that religion has so often been made the basis for perpetuating social injustices. Napoleon was but voicing an almost universal attitude when he saw in Christianity "not the mystery of the Incarnation, but the mystery of social order," in that inequality of property can be maintained only by convincing the poor that it is God's will and that they will be better off in come-come. Warraq allows that it may well be inhuman to tell an individual who is suffering irredeemably that his belief in God and in an after-life when all will be righted is sheer delusion; but he sees that the systematic inculcation of highly suspect doctrine is quite another matter, and certainly not to be made an excuse for storing nothing to ameliorate man's lot (p. 162). He remains "convinced that despite all the shortcomings of Western liberal democracy, it is far preferable to the authoritarian, mind-numbing certitudes of Islamic theocracy" (p. 359).

Scriptures and creeds make a religion vulnerable, in that they supply the critic and the skeptic with a hold. Nevertheless, many Christians have managed to transcend elements in their sacred books that have been impugned. Can we not expect the same of Muslims? Liberal Christians will say, for instance, that God's revelation is presented in the Bible through miracle stories because miracles were believed in at that time, whereas we who do not believe in them are free to interpret the miracle stories in a different way. Can we not expect Muslims to say, sooner or later, that persecution of "infidels" is enjoined in the Koran because in Islam's early days only an aggressive attitude to outsiders ensured its survival, whereas modern believers can be open to divine counsel of moderation and tolerance? A serious obstacle to any such development is the hatred of the West that Muslim leaders inculcate. Leaders get the support of

followers by persuading them that they are threatened by a common enemy. Their argument is not "Support me, because I wish for power," but "Support me to save yourselves from these hated imperialists." Without such a basis of hatred, the support for a leader is apt to become lukewarm; and so he must be continually striking at the supposed enemy. This it is that militates so strongly against any compromise. Altogether, in political argument even in democracies, it is the appeal to moral principles that gives rise to most of the hate, and it would be much better to talk frankly about interests. One who resists a moral principle must necessarily be immoral, and therefore not to be argued with but coerced. On the other hand, when an opposition of interests is frankly faced, there is a possibility of reaching some kind of compromise and understanding, without abuse and anger.

Warraq's book shows that the world today is very far from such a situation and is not moving towards it.

Footnotes:

1 This review appeared in *FREE INQUIRY*, Winter 1995/96. The reviewer is a Professor at the University of London, a member of the Academy of Humanism, and the author of *Did Jesus Exist?*

EIGHTEEN - Roll Over, Rushdie¹ Daniel Pipes

In March 1989, shortly after Ayatollah Khomeini issued his decree sentencing Salman Rushdie to death for his novel *The Satanic Verses*, London's *Observer* newspaper published an anonymous letter from Pakistan. "Salman Rushdie speaks for me," wrote its author, who explained: "Mine is a voice that has not yet found expression in newspaper columns. It is the voice of those who are born Muslims but wish to recant in adulthood, yet are not permitted to on pain of death. Someone who does not live in an Islamic society cannot imagine the

sanctions, both self-imposed and external, that militate against expressing religious disbelief. 'I don't believe in God' is an impossible public utterance even among family and friends... So we hold our tongues, those of us who doubt."

"Ibn Warraq" has decided no longer to hold his tongue. Identified only as a man who grew up in a country now called an Islamic republic, presently living and teaching in Ohio, the Khomeini decree so outraged him that he wrote a book called *Why I Am Not A Muslim* (Prometheus Books, 402 pages, \$25.95) that transcends *The Satanic Verses* in terms of sacrilege. Where Rushdie offered an elusive critique in an airy tale of magical realism, Ibn Warraq brings a scholarly sledge-hammer to the task of demolishing Islam. Writing a polemic against Islam, especially for an author of Muslim birth, is an act so incendiary that the author must write under a pseudonym; not to do so would be an act of suicide.

And what does Ibn Warraq have to show for this act of unheard-of defiance? A well-researched and quite brilliant, if somewhat disorganized, indictment of one of the world's great religions. While the author disclaims any pretence to originality, he has read widely enough to write an essay that offers a startlingly novel rendering of the faith he left.

To begin with, Ibn Warraq draws on current Western scholarship to make the astonishing claim that Muhammad never existed, or if he did, he had nothing to do with the Koran. Rather, that holy book was fabricated a century or two later in Palestine, then "projected back onto an invented Arabian point of origin." If the Koran is a fraud, it's not surprising to learn that the author finds little authentic in other parts of the Islamic tradition. For example, he dispatches Islamic law as "a fantastic creation founded on forgeries and pious fictions." The whole of Islam, in short, he portrays as a concoction of lies.

Having thus dispensed with religion, Ibn Warraq takes up history and culture. Turning political correctness exactly on its head, he condemns the early Islamic conquests and condones European colonialism, "Bowling toward Arabia five times a day," he writes, "must surely be the ultimate symbol of - cultural imperialism." In contrast, European rule, "with all its shortcomings, ultimately benefited the ruled as much as the rulers. Despite certain infamous incidents, the European powers conducted themselves on the whole very humanely."

To the conventional argument that the achievements of Islamic civilization in the medieval period are proof of Islam's greatness, Ibn Warraq revives the Victorian argument that Islamic civilization came into existence not because of the Koran and Islamic law but despite them. The stimulus in science and the arts came from outside the Muslim world; where Islam reigned, these accomplishments took place only where the dead hand of Islamic authority could be avoided. Crediting Islam for the medieval cultural glories, he believes, would be like crediting the Inquisition for Galileo's discoveries.

Turning to the present, Ibn Warraq argues that Muslims have experienced great travails trying to modernize because Islam stands foursquare in their way. Its regressive orientation makes change difficult: "All innovations are discouraged in Islam - every problem is seen as a religious problem rather than a social or economic one." This religion would seem to have nothing functional to offer. "Islam, in particular political Islam, has totally failed to cope with the modern world and all its attendant problems - social, economic, and philosophical." Nor does the author hold out hope for improvement. Take the matter of protecting individuals from the state: "The major obstacle in Islam to any move toward international human

rights is God, or to put it more precisely... the reverence for the sources, the Koran and the Sunna."

In a chapter of particular delicacy, given his status as a Muslim living in the West, Ibn Warraq discusses Muslim emigration to Europe and North America. He worries about the importation of Islamic ways and advises the British not to make concessions to immigrant demands but to stick firmly by their traditional principles. "Unless great vigilance is exercised, we are all likely to find British society greatly impoverished morally" by Muslim influence. At the same time, as befits a liberal and Western-oriented Muslim, Ibn Warraq argues that the key dividing line is one of personal philosophy and not (as Samuel Huntington would have it) religious adherence. "[T]he final battle will not necessarily be between Islam and the West, but between those who value freedom and those who do not." This argument in fact offers hope, implying as it does that peoples of divergent faiths can find common ground.

As a whole, Ibn Warraq's assessment of Islam is exceptionally severe: The religion is based on deception; it succeeded through aggression and intimidation; it holds back progress; and it is a "form of totalitarianism." Surveying nearly fourteen centuries of history, he concludes, "the effects of the teachings of the Koran have been a disaster for human reason and social, intellectual, and moral progress."

As if this were not enough, Ibn Warraq tops off his blasphemy with an assault on what he calls - "monotheistic arrogance" and even religion as such. He asks some interesting questions, the sort that we in the West seem not to ask each other any more, "If there is a natural evolution from polytheism to monotheism, then is there not a natural development from monotheism to atheism?" Instead of God appearing in obscure places and murky circumstance, "Why

can He not reveal Himself to the masses in a football stadium during the final of the World Cup"? In 1917, rather than permit a miracle in Fatima, Portugal, why did He not end the carnage on the Western Front?

It is hard for a non-Muslim fully to appreciate the offense Ibn Warraq has committed, for his book of deep protest and astonishing provocation goes beyond anything imaginable in our rough-and-tumble culture. We have no pieties remotely comparable to Islam's. In the religious realm, for example, Joseph Heller turned several Biblical stories into pornographic fare in his 1984 novel *God Knows*, and no one even noticed. For his portrayal of Jesus' sexual longings in the 1988 film *The Last Temptation of Christ*, Martin Scorsese faced a few pickets but certainly no threats to his life. In the political arena, Charles Murray and Dinesh D'Souza published books on the very most delicate American topic, the issue of differing racial abilities, and neither had to go into hiding as a result.

In contrast, blasphemy against Islam leads not only to threats on the life of Salman Rushdie, but to actual murder - and not just in places like Egypt and Bangladesh. At least one such execution has taken place on American soil. Rashad Khalifa, an Egyptian biochemist living in Tucson, Arizona, analyzed the Koran by computer and concluded from some other complex numerology that the final two verses of the ninth chapter do not belong in the holy book. This insight eventually prompted him to declare himself a prophet, a very serious offense in Islam (which holds Muhammad to be the last of the prophets). Some months later, on January 31, 1990, unknown assailants - presumably orthodox Muslims angered by his teachings - stabbed Khalifa to death. While the case remains unsolved, it sent a clear and chilling message: Even in the United States, deviancy leads to death.

In this context, Ibn Warraq's claim of the right to disagree with Islamic tenets is a shock. And all the more so when he claims even the Westerner's right to do so disrespectfully! "This book is first and foremost an assertion of my right to criticize everything and anything in Islam - even to blaspheme, to make errors, to satirize, and mock." *Why I am Not a Muslim* does have a mocking quality, to be sure, but it is also a serious and thought-provoking book. It calls not for a wall of silence, much less a Rushdie-like *fatwa* on the author's life, but for an equally compelling response from a believing Muslim.

Footnotes:

1 Daniel Pipes, a Professor at Harvard University, U.S.A., is one of the world's foremost historians. He is editor of the *Middle East Quarterly* and author of *The Rushdie Affair: The Novel, the Ayatollah, and the West*. This review by him was published in *The Weekly Standard* of New York, U.S.A., on January 22, 1996.

NINETEEN - Goes for the Jugular¹ - Barnard Katz

Buckle up your seat belts as Warraq takes us for a nerve-racking ride through the seamy and sordid parts of Islam. With his book as travel guide, you'll never forget the dark and treacherous sides of Islam.

Warraq has the credentials because he's taken the journey himself - one that started with the certainties of growing up in a Muslim family, then through the dark night of doubt and, finally, to rejecting completely all revealed religion. He now considers himself a "secular humanist who believes that all religions are sick men's dreams, false - demonstrably false - and pernicious."

Two events galvanized him into writing this book: "nauseating" Western apologists ("liberal journalists, scholars and woefully misguided Christian clergy") who tried to get

Islam off the hook for passing a death sentence on Salman Rushdie, and the many Muslims who are victims of the resurgence of fanatical Islamic fundamentalism.

Warraq takes his title from Bertrand Russell's *Why I Am Not a Christian*, using Russell's own ideas against Islam, as well as many other top guns (see his 8-page bibliography). This a very good idea for, as Warraq points out, any argument that has been used against the revealed religions of the West - like Christianity - may be used with equal force against Islam.

Warraq acknowledges that Christian fundamentalism is not the same as Islamic fundamentalism because most Christians have moved away from the literal interpretation of the Bible while "all Muslims - not just a group we have called 'fundamentalist' - believe that the Koran is literally the word of God." Since it is valid for all times and places, its ideas are absolutely true and beyond all criticism. Thus to question the very word of God is blasphemous. It is every Muslim's duty to believe it and to obey its divine commands. This is the worst legacy of Muhammed, for this very attitude "closes the possibility of new intellectual ideas and freedom of thought that are the only way the Islamic world is going to progress into the twenty-first century."

And therein lies Warraq's attack. He systematically goes for the jugular. He explores the origins of Islam and the Arabic idolatry that preceded Muhammed. He highlights the treachery and rationalizations of Muhammed as the "Prophet" revealed God's word in the Koran, including the contradictions and barbarities of Muhammed himself. He discloses the hodgepodge, garbled nature of the writings of the Koran - full of borrowings from talmudic Judaism, apocryphal Christianity, the Samaritans, gnosticism, Zoroastrianism and pre-Islamic pagan Arabia. Warraq demonstrates the totalitarian nature of

Islam and its incompatibility with democracy and human rights. He points up Arab imperialism, colonialism and slavery. Warraq underlines the great inferiority of women under Islam as well as the barbarity of female circumcision. He underlines the taboos about the wine, pork and homosexuality. Warraq spotlights the maltreatment by Islam of its heretics and freethinkers (like Rushdie). Finally, it was most disturbing to find out that contrary to the propaganda of how much we owe the transmission of science and mathematics to the Muslims, that Islam has always had a hate affair with Western science because "all sciences endangered the faith."

This is, in short, a kind of encyclopedia of unbelief that zeroes in on Islam. As such it takes its rightful place on my shelf of *crème de la crème* books.

Footnotes:

1 This review appeared in the *American Rationalist*, March/April 1996.

TWENTY - Turning away from Mecca¹ Antony Flew

Why I am not a Muslim, Ibn Warraq, Prometheus Books, Buffalo, 1995 \$25.95. (UK Agent, 10 Crescent View, Loughton, IG10 4PZ).

This book was written by a man who was raised in a totally Muslim environment in an overwhelmingly Muslim country. But he has since moved to one of the NATO states which have since World War II been accepting mass immigrations from such countries. *Why I am not a Muslim* is apparently the first book of its kind to have appeared in the English language.

Ibn Warraq arranges his abundant materials on no obvious principles. He begins with a chapter entitled 'The Rushdie Affair', which deals mainly with the maltreatment of dissidents within the Islamic world and the failure of so many Western

Islamicists to adopt a properly critical approach to their subject. This is followed by four chapters on 'The Origins of Islam', 'The Problems of Sources', 'Muhammad and His Message' and 'The Koran'. Then, when we might have expected to go on to the development of the Hadith and the Sharia, we have instead two chapters on 'The Totalitarian Nature of Islam' and 'Is Islam Compatible with Democracy and Human Rights?' After that we have seven chapters on such various Islamic topics as 'Sufism or Islamic Mysticism' and 'Taboos: Wine, Pigs and Homosexuality' before reaching a 'Final Assessment of Muhammad' and a final chapter on 'Islam in the West'.

The pseudonymous author makes no pretensions to being himself a professional Islamicist. But all his materials about the doctrines and history of Islam are drawn from the works of Western scholars and so - as I am assured by one of them - we can take the book to be factually reliable. It does, therefore, constitute an invaluable compilation. Unlike professional Islamicists who are alive and working today, this author is not afflicted with inhibitions from offending either Muslim friends or Muslim regimes.

Although he does make the crucial point that all true Muslims are as such fundamentalists, and that this term should not be applied only to the Ayatollah Khomeini and his like (p. 11) he does not either make it adequately or insist upon it consistently. The term 'fundamentalist', which was coined in 1920, derives from the title of a series of tracts - *The Fundamentals* - published in the United States from 1910 to 1915. It has since been implicitly defined as meaning a person who believes that, since *The Bible* is the Word of God, every proposition in it must be true; a belief which, notoriously, is taken to commit fundamentalist Christians to defending the historicity of the

accounts of the creation of the Universe given in the first two chapters of Genesis.

On this understanding a fully believing Christian does not have to be fundamentalist. Instead it is both necessary and sufficient to accept the Apostles' and/or The Nicene Creed. In Islam, however, the situation is altogether different. For, whereas only a very small proportion of all the propositions contained in the Old and New Testaments are presented as statements made directly by God in any of the three persons of the Trinity, *The Koran* consists entirely and exclusively of what are alleged to be revelations from Allah (God). Therefore, with regard to *The Koran*, all Muslims must be as such fundamentalists; and anyone denying anything asserted in *The Koran* ceases, ipso facto, to be properly accounted a Muslim. Those whom the media call fundamentalists would therefore better be described as revivalists.

This conceptual truth not only places a tight limitation upon the possibilities of developmental change within Islam, as opposed to the tacit or open abandonment of one or more of its original particular claims, but also opens up the theoretical possibility of falsifying the Islamic system as a whole by presenting some known fact which is inconsistent with a Koranic assertion. Unfortunately Ibn Warraq fails to emphasize this point and to bring out its implications consistently. Thus, even on the page immediately following that on which he argues that all true Muslims must be fundamentalists, he goes on to argue that, because "the vast majority of victims of 'Holy Terror' are inhabitants of Islamic states, therefore, Islam is a threat to thousands of *Muslims*" (p. 12; emphasis original).²

Why I am not a Muslim gives readers abundant excellent reasons for not becoming or remaining Muslims and also

makes a compelling case for the conclusion that Islam is flatly incompatible with the establishment and maintenance of the equal individual rights and liberties of a liberal, democratic, secular state. It thus provides further support for Mervyn Hiskett's more particular contentions about the threat to British traditions and values arising from our rapidly growing Muslim minority.

To his suggestions as to how an administration with vision, backbone and truly conservative principles might counter this threat - by, for instance, insisting that the criminal law must be applied equally to all, *including Muslims and non-whites inciting to murder* - we can now add another. For this threat might be slightly reduced if some individual were to write a much shorter, persuasive book deploying all the good reasons for not becoming or remaining a Muslim.

Attempts to get the present book into public libraries would also be worthwhile. They would force the opposition to choose between allowing it to become more widely accessible and providing evidence of the reality of the Islamic threat to freedom of expression.

Footnotes:

1 This review was published in *The Salisbury Review*, Spring 1996. The quarterly is published from London.

2 The reviewer has not presented Ibn Warraq correctly. The sentences he quotes from p. 12 relate not to fundamentalism but to a book, *'The Islamic Threat: Myth or Reality?'* by the American Islamicist John Esposito. The book, Ibn Warraq says, is "based on the same dishonesty as soft-core pornography... What Esposito and all Western apologists of Islam are incapable of understanding is that Islam is a threat to thousands of Muslims. As Amir Taheri puts it, 'the vast majority of victims of 'Holy Terror' are Muslims'." Here the word 'Muslims' has a double meaning, namely, that all

believing *Muslims* being fundamentalists, they threaten with death the Muslims who try to dissent. The implication is that if believing Muslims were not fundamentalists, many born *Muslims* may choose to dissent.

TWENTY-ONE - Was Mohammed a liar? -

Hans Jansen¹

The tradition teaches that Jesus and his family were from Nazareth but that he was born in Bethlehem. Why again was it that he was born in Bethlehem? Because of Roman Emperor Augustus' order to organize a census. The Bible narrates how this census took place when one Quirinius was Roman Governor of Greater Syria. For this census, we are told, Jesus' parents had to go to Bethlehem, and there his birth took place.

Much in this census narrative is historically unclear or problematic, but one thing is completely beyond dispute: Quirinius became Governor of Syria only in AD 6.

After Jesus' birth, the story continues, his parents fled to Egypt because king Herod the Great threatened to kill all the boys newly born in Bethlehem: the Bethlehem Slaughter of the Innocents. In that story too, much is unclear and problematic, but one thing is completely beyond dispute: this King Herod died in the year 4 BC.

The details of the story narrated by the Gospel writers create a period in which Jesus cannot have been born because his birth must fall before Herod's death (in 4 BC) and after Quirinius' nomination (in AD 6). Such a period does not exist, but in that period Jesus was born!

Yet, most believers do not seriously worry about this. The point for them is not the dates of Quirinius and Herod but for instance the Christian call to charity which forms a healthy corrective in a society full of competition and rivalry.

The ones to ponder over these dates are historians who want to find out what exactly happened at the time. Every scientific reconstruction of what happened around the beginning of the Christian era, selects elements from the traditional narrative, adds other available data, considers the archaeological elements if any exist, and thus tries to construct a coherent story.

The 'scientific', historical-critical reconstruction is not more than an attempt. It is quite possible that a future generation of researchers discovers mistakes in the prevalent construction and comes up with something better. That the traditional narrative cannot be right, is certain.

It is a pity that Christian Fundamentalists are always so obsessively and fanatically concerned with the Creation narrative vs. Darwin; the decade in which Jesus cannot have been born is where our Fundis could really work wonders.

Whoever writes, prints, sells or reads the above, need not fear being murdered by Christian Fundamentalist commandos. Things are harder for a Muslim who collects similar stories about Islam. A US-based, apparently Pakistan-born scholar has consequently published similar considerations under a pseudonym: *Why I Am Not a Muslim*, by an author who calls himself Ibn Warraq.

The title is an allusion to Bertrand Russell's collection of articles famous (or notorious?) in England and America, *Why I Am Not a Christian*, first published in its present form in 1957 but mostly written in the 1940s. Russell had naturally made enemies with these articles, but with death he had never been threatened. That, as everyone knows, has happened regularly to people like Salman Rushdie since 1989.

That Ibn Warraq has chosen to use a pseudonym is a pity, but not paranoid. Islam punishes apostasy and insulting the Prophet with death. It takes only one excitable young man of unshakable Islamic and fundamentalist conviction to get that verdict informally carried out.

That millions of other Muslims will seriously disapprove of this murder will certainly provide consolation to the widow, but does not make the death of the victim any less irrevocable. Even in a modern country like Egypt, there have frequently been killings of people because of their alleged apostasy from Islam; the most famous among them is certainly Dr. Farag Foda, killed in 1992, whose witty columns have on occasion been republished in the NRC.² Ibn Warraq explains that his book is his own contribution to the war against the kind of people who want to murder Rushdie, and that it is his first book. That could well be true, for while the book is written in a fascinating style, it is also somewhat fragmented.

That has one great advantage: when our Prof. Wilhelmus ('Pim') Fortuyn wants to write another little book against Islam, he won't have to just invent it as he did in *Tegen de islamisering van onze cultuur*, but will have a decent work of reference at his disposal.³

In the episodes of Islamic history which Ibn Warraq describes, he makes no difference at all between Islam and Islamic fundamentalism. He thinks both aim at imposing their will on everyone. Does this equation of Islam and Islamic fundamentalism deprive Warraq's thesis of its force?

Perhaps Ibn Warraq is right, that Islam and Islamic fundamentalism are the same, but trying to be boss in a polite and non-violent way is not punishable under any human or

divine law. By contrast, using violence to achieve this end does invite punishment.

It is quite arguable that a difference between Islam and Islamic fundamentalism does exist. It would lie herein, that Islam is a broad religious tradition which, like every religion, focuses on uncontrollable dimensions such as the hereafter. Fundamentalism in its turn has reduced this religion to an ideology. That ideology reaches for the gun slightly faster than is desirable in the modern age.

According to most researchers, there is a difference between a religion and an ideology, therefore also between Islam and Islamic fundamentalism. Religion is no religion if it doesn't also have a message about God's plans with man after his death. A system which only focuses on what should be done on earth is an ideology (whether or not religious). An ideology belongs in the world of politics: ideology and politics are not about the uncontrollable hereafter but about the controllable division of money, power, jobs, housing and everything a man can want.

But even if Ibn Warraq is wrong in equating Islam and fundamentalism, that doesn't render his book unimportant. Ibn Warraq's attack is directed straight against Islamic religion itself, hardly against its modern politicized varieties.

One of Warraq's hardest attacks is on the Quran itself. Is God Himself of speaking in the Quran, as Muslims believe, or has Mohammed (570-632) cheated? Has Mohammed mendaciously ascribed his own human words and views to God? Ibn Warraq makes ruthlessly clear that there is no middle way on this. If the Quran is not God's word, Mohammed is a liar; another conclusion is, in Ibn Warraq's opinion, impossible.

This also has consequences for the Biblical sciences. If God does make statements about the life of Jesus in the Quran, is the modern historical-critical investigation into Jesus' life still necessary? Why are Western scholars plodding on about topics like Jesus' life without even wanting to consider the Quran as a source?

If Bible scholarship has proven beyond doubt that the psalms cannot all be the work of King David (ca. 1,000 BC), while the Quran says they are, has it not been proven then that the Quran is wrong? If the Quran is wrong, can it really be the word of God?

The same reasoning can also be developed concerning, for instance, the prophet Jonah (of the whale), a prophet in whom the Quran takes an extraordinary interest. After all, the Jonah narrative is about a prophet who, just like Mohammed, predicts the downfall of a city, but the city's inhabitants convert, just like those of Mohammed's city, Mecca. God decides to spare the city which had converted. The theme of the story is the prophecy which had not come true and about the resulting difficulties.

If Western Biblical scholarship shows that Jonah cannot have been a historical character, does this not undermine the truth calibre of the Quran? For the Quran simply assumes Jonah's historicity. The same is true of characters like Noah (of the Flood) and Adam (of Creation).

While discussing these and other matters, Ibn Warraq in passing often gets very angry with modern Western scholars who in his opinion present Islam in an unwarrantedly nice and benevolent light. Ibn Warraq expects of Western researchers a flaming condemnation of what he, Ibn Warraq, finds wrong in it. It is the question whether this expectation is justified.

Things would get very unwieldy when someone writing about history or religion always has to mention that he finds this or that event scandalous, or that he himself certainly does not believe in the religious doctrine just described. Even a writer about a genocide will not want to write in every other line that to him this genocide wasn't really needed. Reporting with precision what exactly happened is already hard enough.

Yet, the scholars whom Ibn Warraq pillories have often formulated their profound findings in such approving terms that it is easy to understand why to a startled ex-Muslim, a bit less would be more than enough. This certainly counts for the popular Scottish professor and prolific writer Montgomery Watt. The laudatory tone in which this pious Christian Islamologist writes about Islamic tolerance for instance can indeed be totally misleading, as Ibn Warraq shows.

This way, Ibn Warraq also discusses what Watt has to say about the sincerity of Mohammed, the prophet of Islam. Did Mohammed invent his revelations? Did he deceive his contemporaries? Was he a cheat who managed to fool millions of people? Such allegations, says Watt, can certainly be laughed off. After all, according to Watt, a successful religion founder is no fraud. Ibn Warraq points out that "laughing off" is not the same thing as providing arguments. Neither has Mohammed convinced millions of Muslims, as Watt seems to believe, but only a few thousands of contemporaries. The rest, according to Ibn Warraq, was a matter of compulsion.

Ibn Warraq's preference for subjective descriptions sometimes makes him invoke 19th century authorities, who saw no need to spare Muslim sensibilities but who are naturally also obsolete here and there. But even if they are not obsolete: every scholarly historical-critical reconstruction or correction is not more than a note in the margin of Islam's traditional self-

history. As Bernard Lewis, the famous Anglo-American scholar, once said: the official story of Church and Mosque is certainly wrong, but the scholarly story is uncertain.

Ibn Warraq pits modern Bible scholarship against Islam, but he doesn't stop there. Islamic law, to which public opinion in Muslim countries attaches great value, is pilloried as well. Ibn Warraq denounces in strong terms the rule that non-Muslims cannot testify against Muslims. Such rules demonstrate, in his opinion, that Islamic judges are not interested in finding the truth, merely in confirming the superiority of Muslims over non-Muslims.

In an Islamic world where day in and day out, all the media extol the superiority of Islam, such a remark is incredibly hard-hitting. For this remark alone, it is already unthinkable that this book will be made available for sale in any country with a Muslim majority. And even in the Netherlands, enemies of the freedom of expression could still create a mighty upheaval.

In the pages which Ibn Warraq devotes to the position of women, he bases himself very largely on the work of the Dutch researcher Ghassan Ascha, who works at Utrecht's Theology faculty. It is an open question whether Ascha should be happy about this, but the choice proves that Ibn Warraq knows his subject, for Ascha is indeed the most authoritative publishing researcher in this field.

Ibn Warraq shows that it is simply untrue that some Quran verses ("Ladies, stay within the house"!) can also be explained as pro-woman (as Professor Fortuyn seems to believe). The Quran and Islam simply prescribe a veil, at least to the Prophet's wives, not to the female subscribers of *HP/DE Tijd*; but the Quran argues for this commandment with the claim that the Prophet's wives would be "purer" when they go veiled.

Now, in the reasoning of Muslim jurists, when the Prophet's wives are "purer" when they veil themselves, doesn't this count all the more strongly for ordinary women? So, the veil is a must for all women.

Unfortunately, Ibn Warraq does not show us that to those who care to look for them, the Bible contains similar women-unfriendly passages. Women are not to exercise authority over men, women must obey their husbands, and monogamous marriage was defended with the argument that woman is a bad thing of which you'd better have as little as possible. (I am aware that a different explanation is possible.) Apparently women-unfriendliness lies not in the exact text of the holy scripture, but in the hearts of the believers.

Ibn Warraq's book will either be ignored with deadly thoroughness or cause an enormous riot. It shows that the Muslim world is not a closed front - not any more than the "free world" is. The book contains precisely that which many Muslims assume is in Rushdie's *Satanic Verses*: a direct attack on the claim to veracity of the teachings of Islam.

Footnotes:

1 Prof. Hans Jansen teaches Arabic and Islamic history at the prestigious State University of Leiden in the Netherlands. He contributed this review of Ibn Warraq's *Why I Am Not a Muslim* to the Dutch Weekly *HP/DE Tijd*, The Hague, 4 April 1997. The English translation with footnotes has been provided by Koenraad Elst.

2 NRC = *Nieuwe Rotterdamse Courant/Handelsblad*, Holland's leading quality newspaper. Even more famous than Farag Foda is Egypt's Nobel Prize winner Nagib Mahfouz, who barely survived a knife attack in 1994 after his public criticism of the Islamicist movement.

3 Prof. Jansen's point is that every "fragment" in Ibn Warraq's book briefly restates the basic facts about every separate aspect of Islam. Prof. Pim Fortuyn's book "*Against the Islamization of our Culture*" (1996) is a right-minded but amateurish warning against the tendency to concede Islamic demands (e.g. in 1992 some Dutch policy-makers considered allowing female circumcision as a matter of multiculturalism, a move aborted by protest from Somali women saying that that they hadn't fled to such an enlightened country to see their daughters subjected to this barbaric practice). Like the Rashtriya Swayamsewak Sangh (RSS), Fortuyn confused *religious and national* aspects of the matter, by assuming that Enlightenment values are part of the "Dutch" heritage (though the Dutch parliament still includes several Christian Fundamentalist parties which reject the secular state and women's rights on Biblical grounds) while Arabs or Pakistanis are intrinsically Islamic. In reality, the Dutch had to free themselves from the grip of revealed religion, and the Arabs and Pakistanis are or will be going through the same process.

TWENTY-TWO - A Religion Incompatible with Human Rights¹ N. Innaiah

Overview

"The ability to listen to a story," said the renowned Telugu litterateur Rachakonda Vishwanatha Shastri, "is as important as the genius for writing one." Similarly, if writing a book is one dimension of the effort, publishing is another. These days, it often takes courage to publish a controversial book. In the wake of the persecution of Salman Rushdie and the Bangladeshi writer Taslima Nasreen, many publishers have become reluctant to bring out controversial books. They are particularly chary of publishing anything that is critical of Muslims, Prophet Muhammad, the Koran or Islamic laws. In the circumstances, the courage shown by Prometheus Books of

U.S.A. in bringing out Ibn Warraq's *Why I am Not a Muslim* is praiseworthy.

The author who calls himself Ibn Warraq (not his real name) was born into a Muslim family, but became a severe critic of Islam. There are many works critical of Islam written by non-Muslims. These are routinely ignored by most Muslims. But when such a book - as the one under review - authored by one of their own faith appears, the reaction is swift and inhuman, and may even mean death for the author. The late Ayotollah Khomeini, the 'spiritual leader' of Islam issued a *fatwa* of death sentence against Salman Rushdie, the author of *The Satanic Verses*. After the publication of her book *Lajja* ('Shame') Taslima Nasreen of Bangladesh was forced to leave the country and live in exile in Sweden. These are only two of the best known cases of authors persecuted in the name of Islam. And yet, all these countries are signatories to the Declaration of Human Rights!

The book under review, Ibn Warraq's *Why I am Not a Muslim* is a work of great depth, based on intensive study and analysis of a large number of scholarly works on Islam. After this research (and his own experience), the author has declared himself unable to continue as a Muslim. His willingness to share his findings and views on this highly combustible topic bears testimony to his extraordinary courage.

Sources: facts and fiction

When Bertrand Russell published his '*Why I am Not a Christian*', it was wholeheartedly welcomed by adherents of other faiths. Ibn Warraq makes the insightful observation that if Allah were to be substituted for Jesus in Russell's work, it would still be substantially on the mark. The same in fact may apply to all religions. Recently, Ramendra Bihar has written a

book called *Why I am Not a Hindu* which may be said to be in the same vein as the books of Russell and Ibn Warraq.²

In his book of 17 chapters, Ibn Warraq has examined every aspect of Islam - both its doctrine and its application. The book opens with the Rushdie affair. The details are well known: in February 1989, Ayatollah Khomeini of Iran issued a *fatwa* (religious decree) of death sentence against Salman Rushdie for his *Satanic Verses*. As Ibn Warraq notes, almost as reprehensible was the conduct of some Western liberals some of whom even justified Khomeini's *fatwa*; no less a person than the French author Michel Foucault welcomed it. One can only speculate as to the causes: greed for favours, or fear perhaps.³

At a doctrinal level Christianity is as dogmatic as Islam. But as Ibn Warraq has noted, to some extent at least, Christians have begun to take notice of academic progress and the results of modern science and research, something which Muslims have yet to do. He has also observed that the Koran does not tolerate any academic examination of its claims. (Progress among 'Christians' is due to the rise of secular-humanism in the West, and not due to any inherent tolerance of dissent or the growth of scientific spirit within Christianity.)

The second chapter discusses at length the origins of Islam and also the influence of Christian and Jewish source books from which the Koran has heavily borrowed. The author points out that though supposedly opposed to idolatry, Muslims have installed and worship a Black Stone at Kaaba, their holiest shrine. (Astrophysicist Carl Sagan and others have identified it as a meteorite. Before Islam, Kaaba seems to have been known to Hindus of India as a place of pilgrimage.) According to Ibn Warraq, the choice of the spot of Kaaba was in all probability due to its proximity to the well of Zam Zam -

a precious water source on the caravan route that passed through Mecca on its way to Yemen and Syria.

The third chapter examines the problems associated with the sources of Islam. It shows that many of the traditional beliefs about the Koran have little or no historical basis.

The fourth chapter takes a critical look at the message and teachings of Muhammad. The author highlights the fact that many who have criticized the Prophet were not necessarily non-believers, but sincere scholars who nonetheless stated simply as facts many things that the orthodox may find unpalatable. During the first period in Mecca, Muhammad appears to have been religiously motivated, sincerely seeking truth. His attitude seems to have undergone a sea change in subsequent years as he gained in power and influence.

The fifth chapter presents a critical overview of the Koran. For Muslims, the Koran is holy, wholly God-given, and of which every word is true to the letter. The author demonstrates that this has no basis in reality. On the other hand, the Koran is full of inconsistencies, with many contradictions, later textual additions, and variant readings. All this is supported with the help of profuse examples.

What is particularly telling is the author's observation that all Islamic countries are signatories to the Declaration of Human Rights, while their sacred book - the Koran - is filled with teachings that grossly violate human rights. In addition, like the Bible, the Koran too rejects the Theory of Evolution and other findings of science.

Islam and the state

The author next brings out the uncompromisingly totalitarian nature of the 'religion' of Islam; democracy and Islam are fundamentally incompatible. It is full of "do" and

"don't" injunctions which it uses to regulate the whole of human life from birth to death. It is not just democracy which Islam is opposed to, Islam has no place for secularism. It does not separate religion from polity.⁴

The Islamic law or *Sharia* rests on four pillars: the Koran, the Sunna (sayings and traditions of the Prophet), the Ijma or the consensus of orthodox scholars, and the Qiyas or reasoning through analogy. But according to the author, the Koran was written down over a period from the 7th to the 9th century AD, appropriating large portions from apocryphal Christian, Zoroastrian and Samaritan traditions. It is filled with countless irrationalities, grammatical errors and self-contradictions - hardly living up to the claim of the infallible word of God.

There are occasional homilies about the need for generosity and kindness towards parents and so forth, but these are greatly outnumbered by its voluminous negative outpourings - of extreme intolerance towards pagans and other nonbelievers, calls to violence and slaughter, gender inequality and other similarly inhuman teachings. The Prophet of Islam expresses his disgust at human reasoning - the enemy of blind faith.

Orthodox Muslim scholars stoutly deny the existence of a priestly order in Islam, but the reality is different. In the name of *ulema* its priesthood has held on to a monopoly over the interpretation of Islam and has for centuries been a barrier to progress. It is these mullahs who have turned back every attempt at progress, from the spread of rational thinking to the growth of science. The author is uncompromising in his indictment of Sharia; it was drawn up over a thousand years ago and can hardly be used as a panacea for every human situation today. Such obstinacy, he argues, can only retard moral and every other kind of progress.

Human Rights

Muslim countries have signed the Declaration of Human Rights of 1948 while at the same time professing unwavering loyalty to Islam. They also continue to be members of the United Nations. But Islam violates human rights at every step. Men and women are treated as unequal in Islam, and the testimony of a woman in a court of law is worth only half of that of a man.

To begin with, the Declaration of Human Rights does not countenance gender inequality. But Islam restricts the freedom of women in almost every respect; the insistence on the veil (*pardah*) is only one example of it. For another, Muslim women cannot marry non-Muslims.

The Declaration of Human Rights is also against religious discrimination, but non-Muslims living in Muslim countries have almost no rights - sometimes not even the right to life. Persons belonging to other faiths are forbidden from offering their prayers, building temples and churches, or reciting their sacred texts. Slavery is legal (according to the Koran), and men are allowed to cohabit with any number of concubines.

Torture and degrading punishment are also against human rights, but they are commonplace in Islamic societies. Such savage punishments as public flogging, scores and even hundreds of lashes (in public) for women, amputation of limbs, and stoning to death are freely prescribed.

Human rights imply universal equality as a fundamental principle, but Islamic countries flagrantly violate this principle. For instance, conversion to Islam is permitted and even encouraged, but apostasy - or leaving Islam - is forbidden under pain of death. Islam does not recognize freedom of conscience; in fact, it sees it as a great evil.

The author has provided pages upon pages of testimony showing that human rights have no place in Islam. According to him secularist reform is unavoidable if Muslims are to keep pace with the rest of the world. This means religion and polity must be separated. (But if this happens Islam will collapse. Islam without the power to control and regulate the people is inconceivable.)

Women in Islam and other topics

The author devotes a whole chapter to the attitude of Islam towards woman. Islam like Christianity believes that the creation of man came before that of woman. (They both borrowed the idea from Judaism.) It gives precedence to man, and as the author shows with numerous examples, Islam has been savage in its treatment of women. Here are a few examples.

A woman during the menstrual period is not permitted to touch the Koran. She is not allowed to go anywhere near the Kaaba. She can neither pray nor fast. In all this, regarding woman as inferior to man is both axiomatic and mandatory (Koran 2.282). Even in matters of division of property, the daughter is entitled to only half of what a son is assigned. Pursuit of vengeance is also sanctioned in the Koran (Koran 2.178). Muslim jurists have declared that man possesses greater wisdom than woman. The author discusses the dominance of man in sexual mores and also how Muslim women themselves treat other women.

Regarding women as slaves, keeping them strictly confined to the home and treating them as inferiors are best exemplified in the practice of wearing the veil (*purdah*) by women. It is mandatory, women have no choice in the matter. In some countries Muslim women have discarded the veil, but both

Islam and the clergy look down upon such a practice. Also, whenever the clergy manage to gain control of the state - as in Iran - they invariably reverse the trend by re-imposing the veil. The author provides many such instances.

The author has also dealt with the poetic tradition in Islam, and the role of women and wine found therein. Here also there are inconsistencies. In one place Prophet Muhammad refers to wine as of divine origin (Koran 16.69), while he prohibits it elsewhere (5.92). (The Prophet was himself said to enjoy a drink of wine once in a while as do many of his followers, especially in the West.)⁵

All religions impose certain restrictions in matters of food and drink. Hinduism and Christianity are no exceptions. Islam regards pigs as unclean and has banned pork in any form (again borrowing from Judaism). But Muslims in China consume pork while calling it mutton. Even in the staunchly Islamic Morocco, pork is eaten widely if clandestinely.

Personality of the Prophet

Ibn Warraq devotes a full chapter to the personality of Prophet Muhammad, including positive traits in his character which made him stand out in history. During the Mecca period, his conduct appears to have been marked by sincerity and even nobility. But his personality and attitudes seem to have undergone a radical change during the Medina period. He began to see himself as the infallible Messenger of God and intercessory. (In other words, he became a megalomaniac.)

Muslims hold that there is no salvation for non-Muslims - that is, for those who do not believe that Allah is the Only God and Muhammad is His (Last) Prophet. They also believe it is the sacred duty of Muslims to spread this message to the whole of humanity (by the sword if necessary). The author has

convincingly argued that there can be no greater hallucination. Bertrand Russell bears testimony to the untenability of such a stand.

The author has also shown that the growth of fresh ideas and intellectual freedom have suffered grievously because of Prophet Muhammad's declaration that the Koran is divine in origin, the sole repository of ultimate truth to the exclusion of everything else. (His followers have ensured that this claim is not questioned by anyone concerned about one's life.)

Summary and Warning

Why I am Not A Muslim is not a book of fantasy - or of veiled attack - like Salman Rushdie's *Satanic Verses*. It is a deeply felt intellectual tour de force by a great Muslim scholar whose heart bleeds for the fate of his fellow Muslims, and whose thirst for knowledge has led him on a path of incomparable research and study. Because of the well-known (and widely feared) Muslim proclivity to violence the book had to be brought out by an American humanist publisher rather than any of the major publishing houses. It is doubtful that there exists another work on the subject as scholarly, as detailed or as comprehensive, not to say as courageous.

Looking at the scene in India, the writings of Hamid Dalwai and A.B. Shah have set many people thinking about the nature of Islam. If Ibn Warraq's book were to be made widely available in India, it may serve to open the eyes of the people further. After placing before us the Koran in its true colours, the author has highlighted the danger of continuing the practice of dinning into the impressionable minds of innocent Muslim children the contents of the 6000 odd Suras making up the Koran, forcing them to commit them to memory to the exclusion of everything else.

Footnotes:

1 This review appeared in the Telegu monthly, *MISIMI* ("Brilliant") of April, 1997. The monthly is published from Hyderabad in Andhra Pradesh. It has been translated into English by S. R. Ramaswamy.

2 Here the reviewer appears to be guilty of the common error committed by most intellectuals of equating the scripture of dogmatic creeds like Christianity and Islam with the more flexible Hindu tradition. Unlike the Koran for instance which is a book of authority, Hindu works offer only guidance. They are open also to challenge and reform.

3 Leftist intellectuals in India were not so brazen as Foucault; they only sat in petrified silence.

4 The highest goal of Islam is the installation of a world empire or Caliphate - a theocratic empire ruled according to the rules of Islam. It sees any attempt to separate religion from the state as a great evil.

5 This was before the revelation prohibiting wine was sent by Allah.

TWENTY-THREE - Demystifying Islam¹

- Curt van den Heuvel

Why I am not a Muslim is a rare book. It is not often that one comes across Muslim apostates who are willing to openly share their views of Islam. As such, Warraq does an excellent job of demystifying Islam, and revealing it's very human origins.

Through several chapters devoted to Muhammed and the Koran, Warraq traces the development of Islamic thought in Arabia. Contrary to the opinions of Islamic propagandists, Warraq shows that the Koran evolved over several centuries (just like the Bible). As for Islamic tradition and practice, Warraq shows how Muhammed simply incorporated a

number of elements from Arabia's pagan history into his 'new' religion.

But Warraq's best work is done in showing exactly how dangerous Islam really is. Beginning with Muhammed, violence, intolerance and human rights abuses have been part and parcel of Islam to this very day. This cannot be ascribed to isolated Fundamentalists, Warraq explains, but is built into the very core of the religion. Islam is Fundamentalism - it cannot be otherwise.

This raises a thorny ethical dilemma. Freedom of religion is a part of every civilised country. Having learned their lesson from the horrors of the past, few First World governments are willing to legislate the practice of religion in any way. However, what do we do when one of these religions is antithetical to everything that Democracy stands for? Islam does not recognise the right of any other religion to exist. Murder of apostates is not only condoned, but encouraged by the Prophet. Women are treated shamefully, and accorded a status far inferior to that of Muslim men. If we are going to give Muslims the right to practise their religion free of interference, can we not expect them to accord others the same right?

My only criticism of Warraq's book is that at times he goes into far too much historical detail, which detracts a little from it's overall message. There are one or two chapters which, in my view, could have been relegated to appendices. Other than that, Warraq's book is an excellent and concise reference for non-Muslims who wish to know more about the religion of Islam.

Footnotes:

1 This review appeared on the website *Honest Intellectual Enquiry*, California, U.S.A., on 11 August 1997.

TWENTY-FOUR - The Problem is not Islamic Fundamentalism but Islam itself *Taslima Nasreen*

In the wake of the Rushdie Affair, a report in *The New York Times* (February 27, 1989) voiced a common fear: "Ayotollah Khomeini has probably succeeded in preventing publication in this country of books critical of Muslims and Islam." This prophecy has proved, fortunately wrong, witness the writings of Anwar Shaikh that have earned him a fatwa from the mullahs in Pakistan, or Dr. Robert Morey's *The Islamic Invasion* (1992). Now we have the courageous work of Ibn Warraq, *Why I Am Not a Muslim*, first published in the USA in 1995.

Warraq's book is probably *the first of its kind in English*: the first critical and skeptical look at the major principles of Islam. The book will be denounced as blasphemous by some Muslims, and indeed some Christians and some Jews as well, since he denounces all "monotheist arrogance". And yet, I believe that this work will not earn its author a fatwa, simply because he has not indulged in gratuitous insults; instead he has concentrated on rigorous intellectual arguments, backed up by copious textual evidence from the Koran, the Hadith, Muslim historians, and Western scholars. Thoughtful Muslims, one hopes, will welcome the challenge to reply to the demanding questions posed by the devastating skepticism of Ibn Warraq.

The main thrust of Ibn Warraq's argument is boldly stated: *the problem is not just Islamic fundamentalism but Islam itself*. Not only the Western media, from whom we no longer expect high moral principles or moral courage, but even Western intellectuals have been spineless when it comes to honest

criticism of Islam and its tenets. The Rushdie affair sorted out the moral cowards from the morally courageous, those in the latter group being in the minority. The apologists of Islam dishonestly tried to play down the terrorism and barbarism of the group they themselves insisted on calling "Islamic fundamentalists" by insisting that these latter had nothing in common with the real Islam - "the real Islam is peaceful," they claimed, "the real Islam respects human rights, the real Islam treats women as equals, etc."

Ibn Warraq brilliantly refutes all these bogus claims. He argues convincingly that the atrocities committed in Algeria or Afghanistan or the Sudan for example, follow logically from the principles enshrined in the Koran, the Hadith, the Sunna and the Sharia. In other words, what the Ayotollah Khomeini applied in Iran was Islam, *the real Islam, not some aberration*. After all, Khomeini spent a large part of his life studying it. When he imposed the death sentence on Rushdie, Khomeini was but following a precedent set by Muhammad, the founder of Islam, himself, who was not above getting his revenge or settling disputes by political assassinations.

Jihad as Warraq shows, is clearly enjoined by Islamic Law, and there are numerous passages in the Koran which exhort the faithful to kill the non-believers or non-Muslims. Warraq also explodes the myth of Islamic tolerance - Islam conquered by the sword, and in the process destroyed Eastern Christianity and the ancient Persian culture, looting and burning churches and fire temples; devastated India, and plundered literally thousands of Hindu temples.²

The sorry plight of women in the Islamic world is also shown by Warraq to be a consequence, a logical consequence of the misogynous principles scattered throughout the Koran, the Hadith, and the Sharia: a woman is seen as inferior in every

way, both morally and intellectually; she can only inherit half the amount that a man does; her testimony in a court of law is worth half that of a man; she cannot marry a non-Muslim; she cannot divorce her husband; certain professions are forbidden her, and so on.

Warraq *underlines the totalitarian nature of Islam*, showing why it is incompatible with respect for human rights. Not only women are inferior under Islamic Law, but also non-Muslims living in Muslims countries. Nor does one have the right to change one's religion or belief under Islam - an apostate is to be killed.

Warraq also puts us in touch with recent research on the origins of Islam, research which casts strong doubt on the authenticity of the Islamic sources, all of which are very late indeed. Warraq also explains to us in some detail the Pagan, Zoroastrian, Jewish, and Christian influences on Muhammad, sources which helped him to create Islam. The Koran is also shown to be a very human document - full of grammatical and historical errors, and thousands of variants.

I believe that despite Ibn Warraq's shortcomings (he is repetitive, badly organized, and sometimes a little abrupt), his work will one day be seen as the *moral and intellectual breakthrough* that led to the Islamic Aufklärung.

Footnotes:

1 This review appeared in the Norwegian journal, *FRI TANKE*, No. 6, dated 22 October 1997.

2 Hindu temples were not only plundered but also demolished and replaced by mosques or sufi mazars, or their rubble was used in a variety of other Muslim monuments.

TWENTY-FIVE - The Koranic View of Government¹ - Anwar Shaikh

The book *Why I am Not a Muslim* by Ibn Warraq is a nice aggregate of learning, intellect and courage. I was delighted when its author paid me a visit in the early part of 1997. During the conversation, I was impressed by his motive and mastery of the subject.

Ibn Warraq is the pen-name of the author whose parents emigrated from India to Pakistan as a result of the Partition. He was brought up in Pakistan, which was supposed to be an Islamic Republic. His experience revealed to him that the Muslims of India had been cheated in the name of Islam and its projected principles of equality, free will and democracy. As he grew up, he noticed that Islam had become an effective tool of convenient morality and achieving political goals; a religious or secular leader could prove anything from the Koran and Hadith to suit his purpose, yet every faithful believes that there is no contradiction in the verses of the Koran! During his long cogitation on the subject, Ibn Warraq became suspicious about the Divine Origin of the Koran: It is a case of intellectual anarchy, he realised. But the curiosity that had been spurred by the zeal of enquiry, demanded a thorough study of the Koran, the Hadith and the History to Islam. As a result, came into being his famous work: *Why I am Not a Muslim*. It testifies to the fact that he has abandoned Islam, which he once dearly loved as a matter of faith, without realising what it was all about. To him, faith is the enemy of reason, which is the root of humanity; a man with suppressed intellect is no better than a monkey: religion is the source of regression and not progression. Thus, blind faith, the essence of religion, is not acceptable.

Unless Ibn Warraq had the courage of his convictions, he could not have dealt with the major principles of Islam to expose their irrelevance to humanity in general, and problems of the modern age in particular. As it is not possible to enumerate all aspects of this book, I may mention the Koranic view of government as understood by the author. He laments the fact that Islam does not permit separation of government from the religious dogma. And he is quite right in his observation because the Koran clearly states:

God has created mankind only to worship Him (LI:55).

It goes without saying that worship denotes a mentality and discipline much viler than slavery. According to the Koran, man is God's slave and, therefore, he must do what he is told by Allah, the Master, who makes it crystal clear that "He associates in His government no one" (XVIII:25).

Thus, Allah is the greatest dictator that human mind can imagine. Therefore, a Muslim ruler being His representative on earth, is an absolute ruler, immune from public accountability. However, Allah does encourage the man, who rules in His name (the Caliph) to set up a consultative body (III: 150). The Caliph may consult his advisers but their advice is not binding on him. He comes to his own conclusions. The principle of majority-opinion has no relevance in this process of consultation. Yet the Muslim jurists have drummed up the idea of democracy!

This is nothing but a form of gross hypocrisy, which nauseates Ibn Warraq, who grew up in the Islamic Republic of Pakistan, which boasts of an elected Parliament. From the Koranic point of view, it is an illegal institution because Islam, not only staunchly advocates Divine dictatorship, but also

forbids law-making by declaring the Koran an eternal and unchangeable code of law.

Ibn Warraq's book is devoted to exposing the inadequacy of the Koranic law, which the Muslims cannot practise because of its irrelevance to the problems of the modern age, yet believe in the veracity and supremacy of the Islamic legal code. This is what has distorted the vision of the Muslim world, and has become the major cause of its regression.

He has also noted that the high-sounding Islamic slogan of human equality is nothing but an unfounded boast. He explains this fact with reference to the rights of:

1. The non-Muslims, and
2. Women.

With regard to non-Muslims, the Koran has stated in no uncertain terms that:

1. "The true religion with God is Islam" (III:15).
2. "Whoso desires another religion than Islam, it shall not be accepted of him" (III:75).
3. "It is He (God) who has sent His Messenger (Muhammad) with the guidance (the Koran) and the religion of truth (Islam), that he may uplift it above every religion..." (XLVIII:25).

These verses show that all religions are false except Islam, and therefore, no other faith is valid. This is why Allah has sent the Prophet Muhammad to raise Islam above every other religion. It is for this reason that the Koran declares:

"God is an enemy of unbelievers" (II:90).

In fact, hatred of non-Muslims is the fundamental law of Islam: LVIII: 20 has laid it down that non-Muslims are the

party of Satan and Muslims are the party of God. Allah, assuring victory to His party (i.e. the Muslims), commands them to wage a war against the infidels until they are humbled and pay tax as an expression of their humiliation (IX:25).

Since Allah, being the enemy of unbelievers, has declared a perpetual war against them until they are humbled, it is obvious that in an Islamic state the non-Muslims cannot have any human rights. Ibn Warraq has stated the pathetic plight of the Dhimmis (non-Muslims) under Muslim rule.

The social status of woman in an Islamic state is even worse: she is just a sexual delight for man, who can have four wives at the same time, in addition to an unlimited number of concubines; Emperor Akbar of India had five thousand concubines whereas his son, Saleem, had a harem of six thousand women! A man can divorce his wife at will without giving a reason for it; his share of inheritance equals that of two women; her evidence is not readily acceptable in a court of law, and when it is admitted, two female witnesses equal one man. Again, women are forced to veil themselves and stay within the four walls of their houses; they are forbidden to participate in social activities or hold public offices. Still worse, a wife is a tillage for her husband who can treat her as he wishes (I:220). If she does not please him, he is empowered to beat her until she surrenders (IV:35).

Disclosing the earthly sources of the Koran and artificiality of the Hadith, Ibn Warraq has displayed the inappositeness of Islam to real life. He has shown that Islam is neither a code of law nor can it be practised as such. It is only through the force of brainwashing that the believers are driven to acknowledge it as the Word of God. It saddens him to see that almost every Muslim has come to possess a split personality for unconsciously following a code of practice contrary to his

Islamic faith, which declares the Koranic Law as perfect and infallible during all ages.

Why I Am Not a Muslim is a highly readable and instructive book. It consists of 402 pages, bearing ISBN 0-87975-984-4 and has been published by the Prometheus Books, New York 14228-2197.

Footnotes:

1 This review is written for *Liberty*, July 1998. The monthly is published from Cardiff in England.

TWENTY-SIX - Islam is religious fascism¹

- Ibn Al-Rawandi

'*Why I am not a Muslim*' by Ibn Warraq (Prometheus Books, £ 15 to RPA members).

In one of his early works the traditionalist writer Frithjof Schuon makes an acute observation about the mentality of Muslims: "The intellectual - and thereby the rational - foundation of Islam results in the average Muslim having a curious tendency to believe that non-Muslims either know that Islam is the truth and reject it out of pure obstinacy, or else are simply ignorant of it and can be converted by elementary explanations; that anyone should be able to oppose Islam with a good conscience quite exceeds the Muslim's power of imagination, precisely because Islam coincides in his mind with the irresistible logic of things.' (*Stations of Wisdom*) How true this is will strike anyone who has tried to have a rational discussion on religion with a Muslim born of Muslim parents and raised in a Muslim culture.

However, that this situation does admit exceptions is proved by the author of the book under review. Ibn Warraq

was born into a Muslim family and grew up in a country that now describes itself as an Islamic republic. His earliest memories are of his circumcision and first day at Quran school, and his family still consider themselves Muslims. He, however, now considers himself a secular humanist who believes that: 'all religions are sick men's dreams, false - demonstrably false - and pernicious.'

Given such views, arrived at against such odds and expressed at such risk, the pusillanimous attitude of many Western intellectuals to the Rushdie affair is observed with scorn:

“The most infuriating and nauseating aspect of the Rushdie affair was the spate of articles and books written by Western apologists for Islam - journalists, scholars, fellow travellers, converts (some from communism) - who claimed to be speaking for Muslims. This is surely condescension of the worst kind, and it is untrue. Many courageous individuals from the Muslim world supported and continue to support Rushdie”.

For Ibn Warraq support for Rushdie has to be seen as part of a larger war against the rise of 'fundamentalist' Islam:

“For those who regret not being alive in the 1930s to be able to show their commitment to a cause, there is, first, the Rushdie affair, and, second, the war that is taking place in Algeria, the Sudan, Iran, Saudi Arabia and Pakistan, a war whose principal victims are Muslims, Muslim women, Muslim intellectuals, writers, ordinary decent people. This book is my war effort”.

Considering the number of Muslims now resident in Western countries this is a war toward which no one, who values critical thought, free speech and democracy, can afford to be indifferent.

This is not a matter of 'the demonisation of Islam', but of simply and honestly looking facts in the face, something that Muslims and their supporters are notoriously incapable of doing. It can be predicted now that the main response of the Muslim community to this book will be to shout 'Apostate', accuse the author of every kind of moral degeneracy, and leave the facts and arguments he adduces completely unaddressed.

Those facts and arguments concern the wholly human origin of the Quran, the moral and intellectual inadequacies of Muhammad, the wholly tendentious and invented character of the *hadith*, the sexually-obsessed and anti-feminine nature of the sharia, the Arab empire spread by the sword and maintained by terror, the persecution of religious and intellectual minorities in that empire in the name of Islam, the incapacity of Muslims for any kind of critical or self-critical thought, and the abject intellectual and moral poverty of Islam vis-à-vis the modern secular West.

The amazing thing is that it has taken so long for such a book to appear and that it has been left to a non-Westerner to write it, since the material for its assembly has been around for anything up to a century. The mealy-mouthed and apologetic character of so much Western scholarship on Islam springs from the fact that many of these scholars were, and are, believers, albeit in the rival creed of Christianity. While they might be willing to show Muhammad in a poor light compared to Jesus, they were not keen to press the non-historical and non-divine arguments too far, since they realised that such arguments could just as well be used against their own cherished beliefs. They preferred a complicity of intellectual dishonesty with the Muslims in the face of an increasingly sceptical and secular environment.

Perhaps the most important thing demonstrated by Ibn Warraq is that **Islam is fundamentalist by nature, and not by some peculiar and aberrant recent development.** All Muslims, not just the fanatics, believe that every word of the Quran is quite literally the word of God, absolutely and unquestionably true for all times, places, and people, and practically the same goes for the *hadith* and the *sharia*. Anyone who wishes to argue that the fanatics' interpretation of these elements is wrong and that a far more 'liberal' interpretation can be made and that is the real Islam, have really only their own tastes and inclinations to support them. There is no Pope in Islam, nor any Councils with authority to impose a creed. The fanatic who thinks that all unbelievers should be killed has just as much authority as the Sufi who thinks that all religions are true and that even atheists go to heaven.² Both parties could adduce Quranic texts and *hadith* to support their positions, and both would be drawing, in their own minds, upon the immutable word of god. As Ibn Warraq observes: 'Even if we concede that Muslim conservatives have interpreted the *sharia* in their own way, what gives us the right to say that their interpretation is the inauthentic one and that of the liberal Muslim's, authentic? Who is going to decide what is authentic Islam?'

With regard to so-called liberal Islam this manifests in the West chiefly in the form of 'Sufism or Islamic Mysticism', the title of Chapter 12. Unfortunately, this is the shortest chapter in the book, a mere six pages, and has the appearance of an afterthought, since Sufism is only really dealt with in the first two pages and there inadequately. This is unfortunate because Sufism has been taken up by many Western intellectuals for whom real *Islam* is Sufism, and *real* Sufism is the Sufism of Ibn Arabi. This is in fact a ludicrous position, since it amounts to saying that *real* Islam is a minority view within a minority

view, a view, moreover, that for most of the history of Islam has been suspected of heresy. What is needed with regard to Sufism is an in-depth critique of the metaphysics of Ibn Arabi as expounded in the works of such contemporary scholars as William Chittick and Michel Chodkiewicz, together with a sociological survey of the circus that surrounds such contemporary Sufis as Sheikh Nazim al-Qubrusi; but that would amount to another book.

Another important achievement of Ibn Warraq is that he explodes the myth of Islamic tolerance, a myth largely invented by Jews and Western freethinkers as a stick with which to beat the Catholic Church. **Islam was never a religion of tolerance and it is not tolerant by nature.** Despite the way the apologists would like to depict it, Islam was spread by the sword and has been maintained by the sword throughout its history, not to mention the scourge and the cross. In truth it was the Arab empire that was spread by the sword and it is as an Arab empire that Islam is maintained to this day in the form of a religion largely invented to hold that empire together and subdue native populations. An unmitigated cultural disaster parading as God's will. Religious minorities were always second-class citizens in this empire and were only tolerated on sufferance and in abject deference to their Arab/Muslim masters; for polytheists and unbelievers there was no tolerance at all, it was conversion or death.

These repulsive characteristics are written into the Quran, the *hadith* and the *sharia*, and are an ineradicable feature of the religion. **There is no way that Islam can reform itself and remain Islam; no way it can ever be made compatible with pluralism, free speech, critical thought and democracy.** Anyone convinced they already possess the truth have no need for such things. Although Muslims resident in non-Muslim countries

clamour for every kind of indulgence for their own beliefs and customs, there can be no doubt that given any kind of power they would impose their own beliefs and eliminate all difference. In short, as Ibn Warraq describes it in his *Dedication*, Islam is religious fascism, and it is only a feeble-minded political correctness that prevents it from being recognised as such.

Finally, we should note two further important points made by Ibn Warraq. First, that Islam never really encouraged science, if by science is meant 'disinterested enquiry'. What Islam always meant by 'knowledge' was religious knowledge, anything else was deemed dangerous to the faith. All the real science that occurred under Islam occurred despite the religion not because of it. Second, how indebted the Muslim world has always been to the West, not only to the Greeks in the beginning, but particularly in modern times in knowledge of its own intellectual and cultural history.

These unpalatable, half realised home truths are manifest in the contemporary Muslim world in the form of a massive resentment and inferiority complex:

“It is a depressing fact that during the Gulf War almost every single Muslim and Arab intellectual sympathized with Saddam Hussein, because, we are told 'he stood up to the West'. In this explanation is summed up all the sense of Islamic failure, and feelings of inferiority vis-à-vis the West. The Muslim world must be in a dire way if it sees hope in a tyrant who has murdered literally thousands of his own countrymen”.

Indeed, and a Westerner can hardly imagine the courage it must take for Ibn Warraq to say as much.

The problem with a book such as this is that it will most likely never reach those most in need of it. That is to say young

people in general and young Muslims in particular; those whose minds have not already been closed by fanaticism. How many libraries will stock it, or dare stock it if they knew its contents? A hardback at over twenty pounds, published by an American publisher, is not likely to find its way on to high-street book shelves alongside all those uncritical, paperback apologies for Islam that seem to be appearing in ever increasing numbers. What is needed is more books like Ibn Warraq's, published by British publishers, at reasonable prices and with good distribution. But dare they do it?

A minor fault that could be corrected in future editions is that several important books and authors mentioned in text and notes fail to appear in the bibliography.

Footnotes:

1 This review appeared in the *NEW Humanist*. The place and date of publication is not mentioned on the photocopy received by us. Nor does the photocopy give the full name or any other information about the reviewer.

2 The reviewer does not suspect that his view of sufs is an invention like the other view that Islam is tolerant and equalitarian. A few sufis who tried to sound liberal suffered persecution. The rest were more fanatic than the mullahs.

**TWENTY-SEVEN - Far more dangerous than
Nazism¹ Dr. Jan Knappert**

Ibn Warraq: *'Why I am not a Muslim'*. Prometheus Books, New York 1995, xvi, 402 pages, ISBN. 0-87975-984-4.

Ibn Warraq grew up in a Muslim family. Islam is a jealous religion so that any man who grew up in a Muslim family and is, for that reason considered a Muslim, not by his own volition, has to remain a Muslim for life, or else he is sentenced

to death, and this sentence will be carried out as soon as a Muslim assassin can get him in the crossed hairs. Apostasy, in Arabic *irtidad* or *ridda*, is considered "treason" and a "danger to the (Islamic) state". An apostatic woman is not executed but imprisoned until she agrees to be a Muslim again.

Incidentally, let the reader have no illusion about the application of Islamic law; it is not limited to the borders of Islamic states, but it is universal, so death will strike anywhere.

The above paragraphs only serve to explain why certain excellent writers have to live in hiding even in Western Europe, ever since they have lost their faith in Islam, and said so in public.

A Muslim woman has to wear the veil everywhere, not just within the borders of an Islamic state. If divorced, her children can be kidnapped from her and smuggled to an Islamic state; that is legal by Islamic principles, for the children belong to the father, whether they want to or not. Women and children have no choice in Islam, they just have to obey.

At long last a writer has risen to the challenge posed by this religion of compulsion in the Middle of the World, and has put together in one book all the objectionable rules of Islam, and has made it into *one of the best books about Islam* that I have seen in many years.

Ibn Warraq has divided his book into 18 chapters (though the number 18 does not appear in the table of contents), including all the subjects you ever wanted to know about such as: The Totalitarian Nature of Islam; Is Islam compatible with Democracy and Human Rights? (answer: no); Arabic Imperialism, Islamic Colonialism; the Arab conquests and the position of non-Muslim subjects. Here the Ottoman Empire should have been discussed, one of the cruellest empires that

ever existed, especially in the 19th century, witness the massacres in Bulgaria in the 1870s. Even after the dissolution of the empire the Turks went on massacring Christians in Asia Minor, during the nineteen twenties. They did it so thoroughly, that Adolf Hitler, when learning about this, is said to have exclaimed: "What an excellent idea, we could try that on the Jews." He did. Now he stands condemned and the Turks go free. They can even continue their hideous work in Kurdistan with American agreement. But let us go back to this excellent book. It proposes: "to sow a drop of doubt in an ocean of dogmatic certainty by taking an uncompromising and critical look at almost all the fundamental tenets of Islam." (p. xiv)

To this end, the author quotes all the classical European Islamologists, including Arberry, Bell, Blachere, Bousquet, Gibb, Goldziher, Hiskett, Holt, Hughes, Hurgronje, Lane, Lewis, Margoliouth, Muir, Nicholson, Nöldeke, Schacht (Snouck is the same as Hurgronje), Watt, Wensinck, Zwemer and of course, as many Oriental scholars: Al-Ma'arri, Al-Bukhari, Ibn Ishaq etc.

My problem is that all these names are familiar to me, but this book for the first time sets out clearly the common message of all these scholars: that Islam if it will one day be used by a demagogue of Hitler's calibre, will be a weapon far more dangerous than Nazism, since it claims a universal tenet: world conquest willed by an Arabic speaking God. At the moment of writing the Muslims are busy reconquering Bosnia by means of enthusiastic American generals. Nato is busy creating a Trojan horse in Europe, for future Islamisation.

This book is so rich that it is difficult to review all the subjects Ibn Warraq discusses so capably. Very important is his, to me convincing, argumentation that Islamic history as

we read it in most of the history books, is based on a number of fictions. Firstly, the Koran (ch. 5) is a book full of contradictions in a confused and pompous style. Yet, Muslims must believe that it is the true word of God, and memorise it. It is obvious to the careful reader that the Koran cannot be the word of God. Numerous passages are spoken by Muhammad. More worrying for Muslims is the fact that the Koran is obviously heavily edited at different periods of its history.

Chapter 4 deals with Muhammad who was probably an epileptic (p. 89-90) who also showed clear signs of schizophrenia, as a result of which he had visions of angels and devils.

In Medina, Muhammad organizes raids on passing caravans which, he says, are justified by God. Soon he encourages his followers to assassinate political opponents. The booty is his. Read on: it is a fascinating story of crimes:

Muhammad's life. Read also ch. 14: Women in Islam. That history still has to be written, although the first timid books written by women who had escaped from Islamic states are now appearing. It is a history of endless suffering at the hands of Muslim husbands who believe that women are treacherous demons, or at least tricky, amoral, irrational, unstable and so, inferior. This is one of the best chapters in the book, and should be studied by every woman contemplating to marry a Muslim man.

Islamic propaganda, funded by the unlimited means of the Gulf states, is responsible for a plethora of untrue ideas about Islam. Firstly, that it is a religion of peace. It is not and never was, witness the endless expansive wars fought by Muslim rulers and raiders. Even now the majority of conflicts of the world have Islam at their roots: Bosnia about which we are

particularly misinformed, the Sudan, Chechenia, Afghanistan, Sin Kiang, Kashmir, Timor, Azerbaijan and the Philippines. Muslims will not rest before they rule the state. And when they do there will be no more democracy, witness the chapter on "the Position of non-Muslim subjects" (p. 214). Islam is a religion of dominance. The man has absolute power over his wives and children. The men in turn are ruled by the *imam*, the rector of the local mosque. No matter how peaceful a man's character may be, if his *imam* incites him from the pulpit to kill non-Muslims, he will do it, believing that it is God's will and therefore justified, even praiseworthy. The ruler of an Islamic state is always *one* man. If there is a woman prime minister she does not have the real power. Elections are either non-existent or a foreboding of disaster, as in the case of Algeria and Turkey. Enlightened rulers such as King Hassan, King Hussein or President Mubarak, is the best Islam can hope for. God forbid that Islam should ever come back to Europe. We shall all be slaves and serfs!

Greek Philosophy (chapter 11) never really influenced Islam. Some classical works on mathematics and medicine were translated into Arabic. Much fanfare is made about that, but it is forgotten that the essence of Greek science is development, not slavish copying. In Europe, science has developed, whereas in the Middle East it stagnated. Arab and other Muslim doctors still use the compendium of Galen (Gallenus, in Arabic Djallênus) as pharmacology.

Ibn Warraq's book is so inspiring and so full of brilliant ideas and hard facts as well, that the reviewer never stops wanting to mention further chapters. Chapter 10 deals with Heretics and Heterodoxy, Atheism and Free Thought, Reason and Revelation. It proves that Islamic culture was never tolerant. Ibn Warraq displays here an incredible knowledge of

Islamic philosophical history. It becomes clear while reading him that Islam did not produce or encourage the philosophers but condemned them; many died in prison.

They still do. The tyranny which we witness in Iran is not exceptional in the history of Islam. Persons of other persuasions have always been eliminated and exterminated. That is what is happening now to the Christians of Timor and Nias, those in Azerbaijan, the Sudan and Algeria.

Chapter 17 is likewise of vital importance for all social scientists, and: for all social workers. Muslims mutilating the genitals of girls will claim that they have a right to do so since our countries protect religious freedom (their own countries do not). There is, however, a limit to the freedom any religion can claim, when such freedom results in suffering either of children or of animals, as in the case of slaughter without anaesthesia. Forced marriages of minors is a problem that feminists will have to turn their attention to. But it is easier to confront western men who are infinitely more reasonable, than Muslims, who are polite but determined. When Islam comes, men have little to lose, but women lose their freedom of movement, freedom of employment and so forth.

We must be extremely grateful to Ibn Warraq for his revealing book.

Footnotes:

¹ Dr. Knappert is at present a Professor in the School of Oriental and African Studies, University of London. He knows many Asian and African languages and has travelled widely in the two continents for studying their literatures, religions and cultures. He has already published more than thirty books on many subjects including Buddhism, Hinduism and Islam. The photocopy received by us does not mention where and when the review was published.

TWENTY-EIGHT - Perspective: Ex-defender of the faith¹ Shabbir Akhtar

Shabbir Akhtar, 37, was born in Pakistan to a "traditional Muslim family" At the age of eight he left for England, where he lived first in London and then in a "Muslim ghetto" in Bradford. He attended a state school in the day followed by mosque school, where he studied classical Arabic to enable him to read Islamic texts. At St. Catharine's, Cambridge, he studied philosophy.

A doctorate on Christian existentialism and the role of passion in religious commitment at the University of Alberta, Canada, was followed by a post as race relations officer for Bradford council. But after the Salman Rushdie affair erupted in 1989 Akhtar felt he had to resign.

He wrote a book, Be Careful with Muhammed!, setting out the case against Rushdie and arguing that his Satanic Verses, which had so inflamed fundamentalists, should be withdrawn from sale in Britain. "Not on Islamic grounds but on grounds that in a liberal society there should be respect for the beliefs of minority groups living therein."

Akhtar then worked with several Islamic groups, including those of Kalim Siddiqui and Yusuf Islam (aka Cat Stevens), before accepting a post at the International Islamic University in Malaysia. For the first time he found himself in a society where Muslims were in the majority and in power. Three years later he was heading back to Britain, angered and disillusioned by the religious intolerance he experienced. "I would oppose any place where Islam became a political ideology and got into power - because I have experienced such a society."

I lived in Malaysia for three years in the kind of uncertainty westerners face only in times of war. The five daily calls to prayer are the only predictable events in the capital city, Kuala Lumpur. The power cuts are frequent, the traffic jams

continuous. Islam is the official religion, but materialism is the ruling creed.

Living in a state where Islam was empowered deepened and darkened my idealistic view of my faith and my people. I had a second childhood in northern industrial England. Here I belonged to a powerless minority and a despised religion. Upon arrival at the International Islamic University. I joined the ruling Muslim majority. Before, when I was in the minority, it was easy to play the moral card.

New lecturers must meet the Saudi-Kurdish rector in his opulent rooms on campus. He invites us to settle down into the comfort and security of dogma. It is us against the world; and the world, especially the western hemisphere, is very wicked. Believers, he tells us, having nothing new to learn, Western-style free inquiry is aimless. Besides, what is the point of free inquiry if God has already revealed to us the whole truth?

I taught philosophy and comparative religion. It is, I think, an abuse of podium in a university directly to encourage students either away from or towards personal religious commitment. But a good teacher should puncture the immature and incoherent religious beliefs of zealous undergraduates. In Islamic universities, students and faculty alike are obsessed with the defence of Islam against western Christian and secular liberal accusation. As a student in Cambridge in the late 1970s, my fellow philosophy students were youthful atheists aggressively dismissive of all religions, particularly Islam, as alien, obscurantist and hypocritical.

As a lecturer, I could never dismiss religious faith with the sherry party cleverness of my philosophy teachers. They mocked the virgin birth (endorsed by the Koran, too) and the resurrection. They said things like: "You are all old enough to

know how babies are born. And remember. Dead people stay dead." A teacher's duty is not to use shock tactics, but rather to refine the simplistic faith of his flock. If some end up losing their faith, along with their virginity, so be it.

I am not so consumed by philosophical zeal as to seek to destroy the simple faith of simple people. But let us not spare university students. In western universities one meets immaturely cynical atheists who cover their walls with portraits of Marx. In Islamic settings we have devout students who have never thought critically about their faith. Despite being formally religious, Muslims are astonishingly reluctant to think about ultimate issues. I asked my senior students to debate the question of the providence of God. Every Friday, prayers rise from thousands of minarets, pleading for Muslim unity, food for the starving, freedom for the oppressed. Nothing happens; nothing changes. Is not the silence of God theologically puzzling? Almost all of them quickly dropped the course I was teaching.

The crucial intellectual defect with my Muslim colleagues in the faculty of revealed knowledge in my view was their total lack of a sense of history. These men accepted the Koran's patently unhistorical claim that there has been in every age since the world began an articulate and developed monotheism. More dangerously, they believed in the myth of an early Islamic utopia, a time of universal freedom, tolerance and moral perfection.

In the West, until recently, there was a similarly romantic view of the glory that was Greece and the grandeur that was Rome. Classical antiquity was actually full of brutality and squalor. Islam in its Arab origins was a revolutionary movement with the normal quota of bloodshed, compromise and hypocrisy. Apologists for every defeated civilisation speak

of a return to a pure past. Their idealism is not only a factual error about a dead past, but a political tragedy about the living present. The past is paradise because the present is hell.

Among my friends were professors blessed with an encyclopaedic intimacy with the Koran, combined with a total ignorance of the Torah and the New Testament. I conducted an advanced class in comparative religion in which students had a chance, for the first time in their lives, to look at copies of the Judaeo-Christian scriptures in their original languages with parallel texts in English. The aim was to get Muslim students to identify and attack the presuppositions that made them feel so uniquely holy and special. Their academic advisers counselled them to drop this class as it "constituted a threat to their faith". Nothing must complicate the sublime simplicity of the true religion. *Simplex sigillum veri* (the simple is the sign of the true): some conservative Jews and Christians would concur. Narrow-mindedness at least is always ecumenical in scope.

My doctoral work was on the metaphysics and epistemology of Christian dogma. Working on these themes in an Islamic environment readily brought accusation and insinuation. Some said I was secretly a Christian: others hinted I was pro-Jewish, a serious charge since it could lead to instant expulsion from the university. We were a medieval community.

There was continuous and ugly sectarian controversy in the university leaving little time for research and teaching. Virtually everyone accused everyone else of heresy or disbelief. The Koran was quoted by all parties to a dispute, even when the claim was based on common sense. The scripture is plastic to our wishes: it was wise maxims elastic enough to cover the aspirations of all contenders. There are no illegitimate

interpretations. What matters is the prestige of the interpreter: a brilliant interpreter can get away with anything. Some granted women certain human rights: others saw in the Koran the most comprehensive charter for keeping women in their place. All were united in their hatred of the West where women's lives are scandalously free.

Although the university is financed by the Malay government, the senate decided that modern Arabic should be a requirement for all students and lecturers. While a reading knowledge of classical Arabic is necessary for scholarly access to the Koran and Islamic literature, modern colloquial Arabic is unnecessary. The official argument was that the adoption of a single spoken tongue would unite the Muslim community worldwide - yet 23 Arab nations speak the same language without any signs of political unity. Iraq and Kuwait are not divided by a language barrier. Surprisingly, the senate's decision was welcomed by the Malays whose own language was dismissed as primitive. The international staff tolerated the ordinance with supine indifference. I condemned it as "Arab linguistic imperialism" and had my reservations minuted. My examination questions were henceforth subject to the rector's approval.

Islam is practised with ritual precision and with perfect reverence for its Arabian dimension. All Malays, including the royal family, look up to Arabs, the white men of the East. The Koran is not theologically Arabian, but it is ritually and behaviouristically Arabian through and through. It promotes Arab interests, sanctifies Arab culture and language, promotes an Arab-centred Islamic brotherhood and vigorously encourages the defence of Arab political rights in the Holy Land. With these privileges granted by God and never questioned by non-Arab Muslims, one can see why Arabs see

themselves as patrons rather than mere adherents of Islam. If we allow for Semitic hyperbole in the Koran, Islam may have been meant solely for Arabs: its status as universal religion may be due to a misunderstanding of Arabic idiom.

Most of the literature in the university library was in English: there was virtually nothing of quality being published in the Islamic world. This modern movement of an endless intellectual curiosity about all things is one we owe to western man. In modern analytical philosophy, there is hardly anything in Arabic or any other Islamic tongue. Philosophical discussion is best conducted in English. Owing to the grammatical limitations of Arabic, it is impossible to express most philosophical claims with an acceptable degree of rigour and clarity. Moreover, Arabic is a devotional language lacking the vocabulary requisite for detached discussion of controversial matters.

As the only philosophy department in Malaysia, we were under constant suspicion. One day, the rector declared, without consultation, that philosophy was an unIslamic discipline. All staff were to be transferred within 24 hours to the department of revealed knowledge, their research and teaching were to be Islamicised under dec4pal supervision. I was shocked to see my colleagues praise this decision. I was informed that I was no longer allowed to teach but could research on "a topic that has no implications about the truth of The True Religion". The dean decided that I should be permitted to investigate the Dead Sea Scrolls.

I resigned, no longer a defender of the faith. Freedom is a precondition of profundity: no wonder philosophy has no place in the cultural life of Muslims. Religion is merely ritual without the spiritual introspection that philosophical insight brings. I still like mysticism and even concede the possibility of magic

since I am a poet. But I cannot abandon rationalism for more than an hour a day. It is not the task of religion to seek to seduce us from the straight path of reason. Besides, we should be sceptical of any faith whose adherents are eager to offer themselves as models to the world.

Footnotes:

1 This article appeared in '*The Times Higher Education Supplement*' on 22 August 1997.

Other Works of Shri Sitaram Goel

How I Became a Hindu
Hindu Society under Siese
Defence of Hindu Society
Papacy: Its Doctrine and History
Genesis and Growth of Nehruism
Time for Stock-Taking
Heroic Hindu Resistance to Muslim Invaders
Islam vis-à-vis Hindu Temples
Muslim Separatism
The Story of Islamic Imperialism in India
Pseudo-Secularism, Christian Missions and ...
India's Secularism: New Name for Matoinal Subversion
Secularism: Another Name for Treason
The Emerging National Vision
Catholic Ashrams: Sannyasins or Swindlers?
History of Hindu-Christian Encounters
St. Francis Xavier: The Man and His Mission
Stalinist Historian Spread the Big Lie
Perversion of India's Political Parlance
Hindus and Hinduism
An Experiment with Untruth
The Calcutta Quran Petition
Hindu Temples: What Happened to Them? (In 2 Vols)
Tipu Sultan: Villain or Hero?
Jesus Christ: An Artifice for Aggression