



ISLAM & LIBERTY NETWORK

7th International Islam & Liberty Conference **ISLAMIC CASE FOR RELIGIOUS FREEDOM**

**11th - 12th November 2019
Jakarta**

Conference Agenda & Speakers' Profile



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THE ISLAMIC CASE FOR RELIGIOUS FREEDOM

Religious freedom is the civic right of persons and religious communities to practice, express, change, renounce and spread their religion. Free expression of religion allows pluralistic religious organizations to exist within modern nation states. They provide volatile societies with models of peaceful coexistence. To ensure religious freedom, most governments provide constitutional safeguards and institutions.

Islam recognizes religious freedom on the basis of Quranic evidence such as “There shall be no compulsion in religion” (2:256). Religious freedom was later affirmed and demonstrated through the ‘Charter of Medina’, signed by Prophet Muhammad and the citizens of Medina guaranteeing religious liberty for all communities.

This Conference is needed especially now, due to the growth of illiberalism at the political, economic and social levels, and not just within Muslim majority countries. As national security becomes a predominant concern, it is often used as an excuse for curbing civil freedoms, including religious freedom. We believe that this conference will help in the promotion of equality and human rights and their enforcement in Muslim majority countries. It will also help in improving general understanding about perceived gaps between Islam and religious freedom.

The organiser of the 7th International Conference is the Islam and Liberty Network (L) Foundation, which is legally organised as a non-profit Labuan foundation registered in Malaysia and is governed by an international board of directors. Founded in 2011, it is a platform for researchers, academics and public intellectuals to explore and promote a Muslim case for religious, economic and political freedom by disseminating knowledge and developing human resources. We are funded by like-minded foundations and individuals.

Partners



Fatayat, is the young women’s section of the Nahdlatul Ulama (NU), Indonesia’s largest Muslim organisation, which was founded in 1926. Pressed by Kyai Haji Muhammad Dahlan (1909–97), NU’s executive chief, a small group of young women in East Java, with aims to empower women, adheres to the doctrine of tolerance, is accommodative and strives to uphold the tradition of practicing and understanding Islamic teachings that conform to Indonesian culture.



The International Institute of Advanced Islamic Studies (IAIS) Malaysia was established in September 2007 in Kuala Lumpur as an independent non-profit research think-tank, with an initial grant from the government of Malaysia. On 9 October 2008, IAIS was formally launched by the then Prime Minister of Malaysia and its Founding Patron Tun Abdullah Haji Ahmad Badawi. The Institute is dedicated to the rigorous pursuit of objective academic and policy research on Islam and contemporary challenges of concern to Malaysia, the global Ummah and Islam’s engagement with other civilisations. Our quest for renewal highlights the essential values and principles which resonate with the timeless significance of Islamic teachings.



The Religious Freedom Institute (RFI) is committed to achieving broad acceptance of religious liberty as a fundamental human right, the cornerstone of a successful society, and a source of national and international security.

8.30 AM **Registration**

9.00 AM **Opening Remarks**

*Anggia Ermarini, MKM, General Chairperson, Fatayat Nahdlatul Ulama
Ali Salman, CEO, Islam & Liberty Network
Timothy Shah, Vice President, Religious Freedom Institute*

9.30 AM **Opening Address:** *KH Said Aqil Siradj, Chairman of Nahdlatul Ulama, Indonesia*

10.00 AM **Key Note Address**

Freedom of Religion and Apostasy: Issues, Responses and Developments
Mohammad Hashim Kamali, CEO, IAIS, Malaysia

Q&A

Group Photograph

11.00 AM **Morning Tea & Group Photo**

11.30 AM **Session 1: Theory & Theology of Religious Freedom**

Session Chair: *Mohamed Azam Mohamed Adil, Deputy CEO, IAIS Malaysia*

The Concept of Freedom (Hurriyya) and Natural Rights in Classical Islamic Jurisprudence
Hakan Coruh, Australia

**Between “Religious Intolerance” and “Holy Ignorance”:
Discussion of Misconceptions about Religious Freedom**
Ali Hassannia, Iran

**Apostasy, Religious Freedom and Individual Liberty: Textual and Contextual Analysis of Classical,
Islamist and Post-Islamist Narratives**
Fida Ur Rahman & Sumaira Batool, Pakistan

1.00 PM **Lunch Break**

2.00 PM **Session 2: Religious Freedom and Constitutional Frameworks**

Session Chair: *Farahnaz Ispahani - Global Fellow, Woodrow Wilson Center*

Religious Freedom in a Muslim Democracy: Case of new Tunisian Constitution
Amel Azzouz, former member of Tunisian Constituent Assembly, Tunisia

Revisiting Religious Freedom in ‘Secular’ and ‘Islamic’ Constitution
Azeemah Saleem, India

**The Ahmediyya question, the response of Muslim Scholars, and the (im)possibility of religious
co-existence in Contemporary Islamic Thought**
Hussain Gattoo Mujeeb & Zubair Ahmad Bader, India

3.30 PM **Tea Break**

4.00 PM **Session 3: Religious Freedom, Harmony and Inclusion**

Session Chair: *Timothy Shah*

Secularism, Islamism and Religious Minorities: the Case of Bangladesh
A.K.M Iftekharul Islam, Bangladesh

Dialectics of Religious Freedom and Harmony in Post-Reform Indonesia
Dicky Sofjan and Syamsul Asri, Indonesia

IMAN: Efforts for Religious Freedom in Nepal
Mohd. Izharul Haque Mikrani, Nepal

Discussant: *Robert Hefner - Director, Institute on Culture, Religion, and World Affairs (CURA),
Boston University*

CONFERENCE AGENDA

DAY 2 - 12 NOV

- 8.30 AM **Registration**
- 9.00 AM **Session 1: Blasphemy Law: Issues & Challenges**
Session chair: *Irfan Engineer - Director, Centre for Study of Society and Secularism*
- Developments in Blasphemy Law in Indonesia**
Zainal Abidin Bagir, Indonesia
- Blasphemy Law in Pakistan (video recorded lecture)**
Ismail Royer, Fellow, Religious Freedom Institute
- Upholding The Principle of Proportionality in the Malaysian Hate Speech Laws**
Muhammad Faisal Abdul Aziz, President Muslim Youth Movement Malaysia (ABIM)
-
- 10.30 AM **Tea Break**
-
- 11.00 AM **Session 2: Religious, Political and Economic Freedom: Inter-relationships**
Session Chair: *Rebecca Shah*
- Does democracy positively affect religious freedom? A case Study of Pakistan**
Saeed Ahmed Rid, Pakistan
- The Role of Freedom of Religion and Political Regime for Human Development Indices**
Jani Kinnunen & Irina Georgescu, Finland
- Religious Freedom and Economic Development: A Conceptual and Empirical Review**
Waqas Ahmed, Pakistan
- Islam, State and Freedom**
Nasarudin Umar, Indonesia
-
- 12.30 PM **Lunch Break**
-
- 1.30 PM **Session 3: Non-Muslims in Muslim-majority countries**
Session Chair: *Ali Salman, CEO, Islam & Liberty Network*
- Jews in Iran since the Islamic Revolution: Social Status and Anti-Semitism**
Ankita Sanyal, India
- Reflections & Perspective from Malaysia**
Eugene Yapp, Senior Fellow, Religious Freedom Institute, Malaysia
- 2.30 PM **Session 4: Muslim & Non-Muslim Relationship**
Session chair: *Dr. Almut Besold*
- The Jurisprudential Principles of Equality between Muslims and Non-Muslims in Sharia**
Abbas Mehregan, Iran
- Attitude of Muslim Ummah towards Non-Muslims: Theory and Practice**
Md. Thowhidul Islam and Dr. Md. Ataur Rahman Miazi, Bangladesh
- Minority at Home and Abroad: The Islamic Theory and its Challenge**
Md. Moniruzzaman, Malaysia
- 4.00 PM **Concluding Session**
Take-away messages
Mohamed Azam Mohamed Adil
- Vote of thanks**
Ali Salman, CEO, Islam & Liberty Network
- 4.15 PM **Future Strategy: Open Discussion**
(For speakers and session chairs only)
-
- 5.15 PM **Reception**

SPEAKERS PROFILE



Anggia Ermarini
Indonesia

Anggia Ermarini is General Chairperson of PP Fatayat NU and a Member of Parliament Republic of Indonesia. She was The Minister Special Staff of Ministry of Youth and Sports, Republic of Indonesia and Steering Committee (SC) of Interfaith Action Framework of World Bank. She is currently studying on Doctoral Program of Public Health Faculty of Indonesia University.

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Ali Salman
Malaysia

Ali is an economist and public policy expert and author of “Economic Shariah- How Islam preaches small government and strong society” (forthcoming) and “Discord between Social Justice and Economic Freedom in Islam”. He is a founding member of Islam and Liberty Network. He is also the founder of Policy Research Institute of Market Economy (PRIME) – Pakistan’s leading free market think tank. Earlier, he has worked as a consultant and trainer for major international development organizations, public sector organizations and non-profits; worked in the government, academia and private sector. He has held Fulbright scholarship, Royal Netherlands Fellowship and Charles Wallace Fellowship and has master degrees in Economics, Public Policy and Business Administration. He writes regularly for Express Tribune. Currently, Ali is based in Malaysia where he heads IDEAS and Islam and Liberty Network Foundation.

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Timothy Shah
United States of America

Timothy Samuel Shah serves as Vice President for Strategy and International Research and the Director of the South and Southeast Asia Action Team of the Religious Freedom Institute. He serves as non-resident Research Professor of Government at Baylor University’s Institute for Studies of Religion. Until mid-2018, he served as Director for International Research at the Religious Freedom Research Project at Georgetown University’s Berkley Center for Religion, Peace, and World Affairs. He is a political scientist specializing in religious freedom as well as in the broad relationship between religious and political dynamics in theory, history, and contemporary practice. He has directed or co-directed numerous grant-funded collaborative research initiatives, including a Pew-funded study of evangelical Protestantism and politics that generated three volumes with Oxford University Press; a Harvard University-based study of religion and global politics; a study supported by the Templeton-funded Religion and Innovation in Human Affairs research initiative on Christianity and freedom; a multi-year standing seminar on religion and religious freedom and their relationship to human nature and human experience, which led to a volume published by Cambridge; and a study he co-directed with Daniel Philpott on contemporary Christian responses to persecution, which also led to a volume published by Cambridge. His articles on religion, religious freedom, and global politics, in history and in the contemporary world, have appeared in Foreign Affairs, Foreign Policy, the Journal of Law and Religion, the Journal of Democracy, the Review of Politics, Fides et Historia, and elsewhere.

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KEYNOTE ADDRESS



Mohammad Hashim Kamali
Malaysia

Professor Mohammad Hashim Kamali is founding CEO of the International Institute of Advanced Islamic Studies, Malaysia, and a world renowned scholar in his field of specialisation. He serves on the International Advisory Board of thirteen academic journals published in Malaysia, USA, Canada, Kuwait, India, Australia and Pakistan. Professor Kamali has served as a member and sometime Chairman of the Constitution Review Commission of Afghanistan; as a UN consultant on Constitutional reforms in Afghanistan, the Maldives, and Iraq; and currently advises the UN on a new constitution for Somalia.

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Freedom of Religion, Apostasy and Conversion: Issues, Responses and Developments

Our discussion on freedom of religion begins with its definition, its salient features, and its close affinity with human dignity. We proceed to explore the scriptural evidence on both human dignity and religious freedom, which is followed, in turn, by an account of religious freedom in Islam and Judaeo-Christian history. A section is also devoted to the rise of religiosity worldwide, but also of greater restrictions on freedom of religion or belief in recent decades. Turning to developments in Muslim countries, our survey also explores as to how Muslim countries are trying to come to terms with the modern concept of religious liberty. It is this question that has prompted Muslim scholars, including the present writer, to offer fresh interpretations of the scripture that seek to recapture the original callings of the Qur'an and Sunnah in preference to the scholastic positions of the leading schools Islamic law of later periods. Then follows a brief account of the Western media depictions of freedom and that of religious freedom, followed by a similarly brief account of the Amman Message of concern to issues of scholastic differences with special reference to the Sunni-Shia divide. The discussion then turns to developments in Malaysia as a case study of a pluralistic society where legislative responses, judicial decisions and fatwas on issues of freedom of religion, apostasy and conversion are still engaging Muslim scholars, legal profession and the media. We then turn to a round-up of opinion of leading Muslim scholars of earlier times and those of the twentieth on apostasy, and a conclusion.



KH Said Aqil Siradj
Indonesia

Dr KH Said Aqil Siradj is the leader of Indonesia's largest independent Muslim organization and one of the world's most influential Islamic organizations, Nahdlatul Ulama (NU), or 'Awakening of Scholars'. Siradj guides millions through his work with the NU.

SESSION 1

THEORY & THEOLOGY

OF RELIGIOUS FREEDOM



Mohamed Azam Mohamed Adil
Malaysia

Assoc. Professor Dr. Mohamed Azam currently serves as Deputy CEO of the International Institute of Advanced Islamic Studies (IAIS) Malaysia. He began his career as a lecturer at Universiti Teknologi MARA (UiTM), Shah Alam, Selangor, Malaysia since 1990 and held several administration posts there from 1994 until 2013 before joining IAIS Malaysia. He is a Director of IAIS Malaysia. He was awarded the Fulbright Visiting Award by the Council for International Exchange of Scholars (CIES), Washington, DC, USA in 2007. He sits on various advisory and editorial board of journals and occasional papers, and has been a regular reviewer for reputable international journals. His writings have been published in reputable journals locally and internationally. So far, he has published four books, three policy issue papers, two monographs and three research briefs. He is a regular guest speaker on

legal issues concerning Islamic law and conflict of laws in Malaysia. He was appointed as Independent Director of CIMB Islamic Bank Berhad from 5 November 2014 till 4 November 2016. He was the Chairman of the CIMB Group Shari'ah Committee from 1 November 2014 till 31 October 2017. He obtained his Bachelor degree in Shari'ah (Major in Law) from the University of Malaya, and his Master of Laws (LLM) and PhD degrees from the School of Oriental and African Studies (SOAS), University of London.

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Dr. Ali Hassannia
Iran

Dr. Ali Hassannia is Assistant Professor, Department of Qur'an and Hadith Studies, Shahed University of Iran. He has a PhD in Theology and Islamic Studies and has published multiple papers in Persian, Arabic and English.

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Between “Religious Intolerance” and “Holy Ignorance”; Discussion of Misconceptions about Religious Freedom

According to a famous story, when Giordano Bruno (ca. 1548 –1600), an Italian monist philosopher, mathematician, astronomer and poet, who, following an Inquisition for heresy and the denial of several Catholic doctrines, was about to be burned at a stake in Rome, an old woman came near to the fire, mentioned the name of God and threw a stick inside. Bruno said there: “Oh holy asinity! holy ignorance! Holy foolishness and pious devotion!...”. This story brought the historic term of “holy ignorance”. When a person or a group get into such an ignorance, it leads to some unacceptable horrible mistakes, of which one can point to a kind of “violence” consecrated by its committers. In fact, there is a very close connection between such an ignorance and religious radicalism. Nowadays in four corners of the world, we observe some groups rising and violating human dignities and social orders by the name of religion. Such beliefs are only due to misconceptions about religion, especially when speaking of Islam versus the West. On the other side, the concept of “tolerance” (tasāhul/tasāmoh) here manifests itself with its particular terminology, meaning “a behavior that not only tolerates the opponents, but allows them to express their beliefs, speech, and practices”. Such behavior occurs in a society wherein different social groups and parties live together with different beliefs and customs. Hence, tolerance is a policy from the state for reducing contradictions and crises in society. Nevertheless, different ideas regarding the sound meaning of this term, which basically in Islam comes from the Qur'an and Hadith literature, led to contradict practices by different religious sects. The present paper, based on the analytical descriptive method and through Quranic notions, traditional and Islamic teachings and thinkers' views, aims to discuss the extent and limits of tolerance in Islam, particularly concerning freedom, and how misconceptions about it brings about the tragic phenomenon of “holy ignorance”. It also criticizes both Muslim and Western opinions in this regard. Finally, it will show the connection between intolerance, holy ignorance, radicalism, and lack of sound understanding about religion.



Fida Ur Rahman Pakistan

Fida Ur Rahman is serving as a Lecturer in the Department of Social Sciences at University College of Zhob, BUITEMS, Balochistan, Pakistan. He holds M.Phil. in Islamic Studies. He is also alumni of Islam and Liberty Network, Malaysia and Acton University USA. His area of specialization includes Islam, State and Politics, Anthropology and Sociology of Islam, and Modern Trends in Islam.

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Apostasy, Religious Freedom and Individual Liberty: Textual and Contextual Analysis of Classical, Islamist and Post-Islamist Narratives

Islamic theology is based on rational and universal bases. It considers human being as a free and dignified being. In a free milieu human being plays creative, productive and meaningful role by actualizing its potential in a natural setting. Islam abhors compulsion and persecution. The foremost ground in Islam for waging Jihad and coercion is Fitnah (persecution). Religiosity, morality and spirituality cannot flourish without religious freedom. It has been a matter of academic discussion in almost every age whether apostasy – renouncing Islam, is a crime or sin. Most of the classical jurists view apostasy as a crime to be punished with death penalty due to the political construction of apostasy. The ideologue of Islamism, Maulana Syed Abul A'ala Maududi presented the classical opinion in modern diction and defended the penalty of apostasy as a tool for maintaining organization and avoiding disintegration in Muslim society. It is mainly rooted in sociopolitical conditions instead of basic Islamic values and principles. Furthermore, Muslim monarchs in various eras exploited it for legitimizing their political rule, hounding political opponents by invoking literalist understanding of the Qur'an and Sunnah. Qur'an refers to apostasy several times but does not prescribe any kind of earthly retribution. The entire concept regarding death penalty is based by Hadith, which are misinterpreted and generalized by the classical jurists and Islamists. There is ample evidence in the Qur'an that individual should be able to accept or reject a particular faith on the basis of personal conviction. The Qur'anic approach in matters of faith is based on persuasion instead of persecution. In fact, the power of any faith comes not from its coercion of dissent and heresy but from the moral integrity and the intellectual strength of its believers. The debate is evolved and some of the classical jurists like Ibrahim Al Nakha'i, Sufyan Al Thawri and contemporary Muslim scholars like Rashid Reza, Ayatollah Hussain Ali Montazeri, Rashid Ghannouchi, and Javed Ahmed Ghamidi etc. differ with the popular classical and Islamist opinion and present a counter-narrative based on moderate, inclusive and universal values. The paper is an attempt to critically analyze the text and context of the Classical, Islamist and Post-Islamist approaches regarding apostasy and religious freedom by revisiting and reexamining all the narratives in the light of the primary sources of Islam, universal moral values and charters of UNO regarding human rights.



Dr Hakan Coruh Australia

Hakan Coruh holds his Bachelor of Divinity (Ilahiyat) degree from the Faculty of Divinity, Sakarya University. In 2007, he completed his Master's degree in Qur'anic Exegesis (tafsir) at the same University. He then completed his PhD at Australia Catholic University in 2015. Hakan's main field is Qur'anic exegesis (tafsir).

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Freedom of Religion, Apostasy and Conversion: Issues, Responses and Developments

Our discussion on freedom of religion begins with its definition, its salient features, and its close affinity with human dignity. We proceed to explore the scriptural evidence on both human dignity and religious freedom, which is followed, in turn, by an account of religious freedom in Islam and Judaeo-Christian history. A section is also devoted to the rise of religiosity worldwide, but also of greater restrictions on freedom of religion or belief in recent decades. Turning to developments in Muslim countries, our survey also explores as to how Muslim countries are trying to come to terms with the modern concept of religious liberty. It is this question that has prompted Muslim scholars, including the present writer, to offer fresh interpretations of the scripture that seek to recapture the original callings of the Qur'an and Sunnah in preference to the scholastic positions of the leading schools Islamic law of later periods. Then follows a brief account of the Western media depictions of freedom and that of religious freedom, followed by a similarly brief account of the Amman Message of concern to issues of scholastic differences with special reference to the Sunni – Shia divide. The discussion then turns to developments in Malaysia as a case study of a pluralistic society where legislative responses, judicial decisions and fatwas on issues of freedom of religion, apostasy and conversion are still engaging Muslim scholars, legal profession and the media. We then turn to a round-up of opinion of leading Muslim scholars of earlier times and those of the twentieth on apostasy, and a conclusion.

SESSION 2

RELIGIOUS FREEDOM AND CONSTITUTIONAL FRAMEWORKS



Farahnaz Ispahani
United States of America

Farahnaz Ispahani is currently a Global Fellow at the Woodrow Wilson International Center for Scholars in Washington, DC. During 2013 and 2014 she was awarded a Public Policy Scholar fellowship at The Wilson Center where she completed Purifying the Land of the Pure: A History of Pakistan's Religious Minorities (Oxford University Press 2017), a book on the persecution of religious minorities in Pakistan. Ispahani been a leading voice for women and religious minorities in Pakistan for over two decades, working as a journalist, member of Pakistan's National Assembly, and most recently as a United States-based scholar. An advocate of Pakistan's return to democracy during the military regime of Pervez Musharraf, she served as a spokesperson and international media coordinator for the Pakistan People's Party, working alongside the late Benazir Bhutto. During her tenure in parliament (2008–

2012), she was a member of the Foreign Affairs and Human Rights committees and the Women's Parliamentary Caucus. She has published over 50 newspaper opinion editorials as well as scholarly research papers. Choice, the flagship review outlet for the research library community included her book in the Outstanding Academic Titles category for 2017 books. In 2012 she was listed among Foreign Policy magazine's Top 100 Global Thinkers, as well as Newsweek Pakistan's Top 100 Women Who Matter.

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Hussain Gattoo Mujeeb
India

Mujeeb Hussain Gattoo is an Assistant Professor with Higher Education Department, Govt. of Jammu and Kashmir. He is also a PhD Scholar at Zakir Husain Centre for Educational Studies, Jawaharlal Nehru University New Delhi, India.

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The Ahmediyya question, the response of Muslim Scholars, and the (im)possibility of religious co-existence in Contemporary Islamic Thought

Is there any possibility of the Islamic case for religious freedom? Can we have Islam without extremist tendencies or is it inherently a religion of coercion and repression? Is there a possibility of Islam being compatible with the idea of liberty without ceasing to be Islam? Is contemporary Islamic thought having interpretative frameworks for pluralism so that the dissenting, the marginal and the minorities enjoy proper rights, freedoms and protection? Are there any scholars who are trying to create progressive Islamic narrative to counter the radical and fanatic ones? The scenario of the rights and freedoms in many (if not all) Muslim majority countries (like Saudi Arabia, Pakistan, Iran etc.) provides one ample reasons to ask these questions. For instance in many Muslim majority countries the Ahmadiyya community faces discrimination on the basis of its religious beliefs and is amongst the most persecuted and discriminated religious communities in Indian Subcontinent. The community members (including children) not only face continuous othering, social boycott, indignities and humiliation in everydayness but also persistent threats of violence. Nowhere has been the persecution of this community more evident and blatant than in Pakistan, where they have been stripped of most basic human rights and freedoms. The Anti-Ahmadi Laws and Blasphemy laws of Pakistan are discriminatory and violate principles of equality, freedom to follow and practice a religion. This state sanctioned othering and discrimination not only evokes intolerance but justifies violence as well. In this backdrop, present paper uses Ahmediyya question as a prism to study the problems raised above and probe into the possibility (or impossibility) of the religious co-existence in Contemporary Islamic thought. The paper will attempt to do so by comparing the views of Muslim scholars (across different spectrums of thought) towards the Ahmediyya's.



Amel Azzouz
Tunisia

Amel Azzouz is a member of Ennahdha's Shura Council and teacher of English language and literature in the Tunisian university. She's a former member of Tunisian Constituent Assembly and received master of political science in Faculty of Juridical, Political and Social Sciences of Tunis.

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Azeemah Saleem
India

Azeemah Saleem, Doctoral Candidate in Center for West Asian Studies, School of International Studies, Jawaharlal Nehru University, New Delhi. She is working on "Syrian Refugees in Germany: An Understanding through the Prism of Global Justice" as her PhD Thesis. Her area of interest includes understanding Global Justice in the context of Refugees, Rawls theory of Justice, Kantian Cosmopolitanism, Humanitarian crisis, global refugee issues, women development studies, social and societal fragmentation in North Africa, conflict analysis in West Asia along with identity politics and critically analysing human rights issue.

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A Quest for Inclusive-Tolerant Society: Revisiting Religious Freedom in 'Secular' and 'Islamic' Constitution

The idea of secularism is subjective depending upon the nature of state and society. The exploratory definition of secularism relies on the nature of state and society and its relation with religion. The idea of Secularism in the West Asian region is to deal with the question of separation and non-separation of religion and state. The role of Islam in state and society is the source of legitimisation of the ruler's functionality. But the variation of Islamic legitimation and separation changes from country to country in West Asian and North African region. Lebanon, a secular constitution is the constellation of various religions. It constitutes around 40% of Muslims communities (Sunni, Shia, Druze, Alawite and Ismail), 21% of Maronite Christians, along with Greek Orthodox, Armenian, Jews, Buddhists. The constitution of Lebanon guarantees freedom of religion and practice without affecting public order of society. It respects and guarantees respect for the personal status and religious interest along with the equality of rights and duties of all the citizens. The freedom of religion is contradictory in the constitutional provision for political offices. Lebanon secularism equally respects the freedom of religion, but religious identity reflects in the provision of political offices. Hence, it deepened the role of religious identity per se in the state. The constitution of Saudi Arabia is based on Islamic theocracy with Sharia law. The code of judgment has been derived from the Quran and Sunnah. It prohibits the public practice of any religion besides Sunni Islam. The constitution of Saudi is based on Islamic affairs and Sharia. The paper will aim to understand religious freedom in the constitution of Lebanon and Saudi Arabia. It will scrutinise how the constitution derived from secular and Islamic values reflect the functioning of society. Is Secular constitution is moving towards an inclusive society and Islamic constitution is moving away from being a tolerant society. It will also aim to understand whether the 'Secular' constitution makes a nation more inclusive as compared to the 'Islamic' constitution. The consequences of the respective constitution in society. Lastly, it will redefine the idea of secularism compatible with the freedom of religion in both the nation of Saudi Arabia and Lebanon.

SESSION 3

RELIGIOUS FREEDOM, HARMONY AND INCLUSION



Mohd. Izharul Haque Mikrani
Nepal

Mohd. Izharul Haque Mikrani, also known as Izhar Mikrani started his career in 1992 as a reporter for the largest Nepal based English daily newspaper The Kathmandu Post. He received training in 'Journalistic Writing' from the British Council in Kathmandu in 1995. He also did a course in "Creative Writing" from The Writers Bureau, Manchester, UK in 2001. Mr. Izhar Mikrani is a prominent media personality and a fighter for Democracy, Human Rights, Pluralism, Freedom of Religion or Belief despite challenges and threats. He has participated in several debates on various national television channels such as Kantipur TV, News 24 TV, Avenews TV, and ABC TV. He has also been working as a contributor for the BBC World Service (Urdu) since 2003. In addition to this, Mr. Mikrani has also worked for Arab News as a reporter from Kathmandu. He is also a councilor of the Federation of

Nepalese Journalists (FNJ) and a member of the International Federation of Journalists (IFJ). In 2006 and 2007 Mr. Mikrani was the chairman of Nepal's Central Hajj Committee a government body that arranges Hajj affairs for Nepali Muslims. Currently Mr. Mikrani is the president of the Intellectual Muslims Association of Nepal (IMAN). This organization works to promote interfaith dialogue among people of different faiths. IMAN also works to guarantee the Freedom of Religion or Belief in Nepal so that people of minority groups also feel equal citizens. He is also the Chief Editor of Sajha Awaz (an online news portal of Nepal). Izhar Mikrani is a founder member and current chair of SAFFoRB (South Asian Forum for Freedom of Religion or Belief), Nepal Chapter. SAFFoRB is a regional forum and comprises of members from India, Pakistan, Bangladesh, Sri Lanka, Thailand and Myanmar. In addition to this there are observers from the UK, Norway and Sweden. SAFFoRB is striving to build a strong coalition to safeguard the religious rights and freedom of religion of all human beings in the region since 2016. He is also an active member of the EU working group on HRDs. In 2019 Mr. Mikrani was invited by various international entities and platforms as a guest speaker such as the US State Department and the Foreign Ministry of Germany. This month Mr. Mikrani is invited by the International Commission of Jurists (ICJ) to participate in a consultation with the UN Rapporteur on FoRB to be held on November 1 and 2 Bangkok. He is also jointly invited by the Religious Freedom Institute (RFI) and Islam Liberty Network to attend two international conferences in Indonesia on 'Freedom of Religion or Belief' between November 6 and 13. From December 2 to 7, 2019, he will be attending the fourth consultation meeting as the chair of the Nepal Chapter of SAFFoRB in Bangkok. At this meeting the SAFFoRB will take final and complete shape by adopting the by-laws and methodology on the way forward.

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IMAN: Efforts for Religious Freedom in Nepal

IMAN (Intellectual Muslims Association of Nepal) is a non-profitable organization working for minorities' rights in Nepal upholding the principles of freedom of religion or belief (FoRB). Nepal traditionally a Hindu Kingdom witnessed Communist (Maoist) insurgency for over a decade in which over 17,000 people were killed and over 30000 were injured. In 2006 major political parties with Maoist launched a nationwide strike against the King's rule forcing the monarch to form a government of seven party alliance (SPA). In November 2006 a comprehensive peace treaty was signed with Maoist insurgents to end decade long insurgency. An interim government was formed in the leadership of Girija Prasad Koiral (President of Nepali congress). In April 2007 Maoist rebels joined the interim government. In December 2007 Monarchy was abolished by interim parliament as per the deal of the peace agreement. In May 2008 Nepal became republic. In 2008 the first CA elections were held to draft a new constitution but due to external interference and disputes among political parties, Nepal got a new constitution only in 2015 by second constituent assembly. In 2015 September, Parliament passed a landmark constitution, which defined Nepal as a secular federal republic country. It was in that background IMAN was established to empower minorities especially Muslims by getting their rights established by the constitution of Nepal 2015 with an objective of promoting a culture of freedom of religion or belief which is tough and challenging due to the century old Hindu mind set. IMAN is also a founder member of the SAFFoRB (South Asian Forum for Freedom of Religion or Belief) established after Bangkok consultation meeting in 2017. On the SAFFoRB board there are representatives from Bangladesh, Pakistan, Sri Lanka, India, Nepal and Myanmar and some invitees from International faith based NGOs. I am the current chair of IMAN and also a board member of SAFFoRB.



Syamsul Asri Indonesia

Syamsul Asri is a PhD Candidate at the Indonesian Consortium for Religious Studies, Gadjah Mada University, Yogyakarta and a lecturer at Internasional Relations Studies Department in Fajar University, Makassar. His ongoing research for his dissertation deals with the arba'in walk, an annual interreligious pilgrimage to Karbala, Iraq

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Dialectics of Religious Freedom and Harmony in Post-Reform Indonesia

This article examines the dialectics of religious freedom (kebebasan beragama) and religious harmony (kerukunan beragama) in post-reform Indonesia. It delves into the inherent contradictions embedded in the rather contradictory theory and praxis of religious freedom and harmony in the country. Contemporary Indonesian religious life has seen a number of religious rights violations by religion-based bigots against vulnerable groups. Such violations of religious freedom are often overshadowed by the insistence on the maintenance of religious harmony, which is habitually perceived to be under threat, through the process of minoritization. The main research question thus explores why the Indonesian state and society continue to opt and invest heavily in harmony often at the expense of religious freedom. Preliminary findings suggest that following two decades of reformasi, the Indonesian state and society have yet to get over the state-centric management of religious diversity, which was in full swing throughout the 32 years of President Suharto's tenure. As a matter of principle and policy, religious harmony has conveniently provided the state with the necessary cover to dominate both the country's discourse and praxis of religious diversity. The study derives its data from four Focused Group Discussions (FGDs) and workshops held in Makassar, Medan, Surabaya, Jakarta and Yogyakarta. In-depth interviews were held with subject matter experts and informants, including religious leaders, scholars and representatives, academia, officials from the central and local governments as well as the security sector.



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**Secularism, Islamism and Religious Minorities:
the Case of Bangladesh**

Religion has become an important component of socio-political life in Bangladesh though the state of Bangladesh started its journey on a secular basis of nationhood. Secularism in here has always been perceived as the rejection of Islam. Hence, a serious gap between a secular state and a secular people is evident. The initiatives for the introduction of assertive secularism lately specially, in the beginning of the 2010s by the present government has also failed and created serious confrontation between pro-Islamist and pro-secularist people. This paper will at first argue that throughout history, the people of Bangladesh have never rejected religion in the realm of their society and culture. This is the reason why secularism collapsed after its introduction. Instead religious influence strongly emerged in to socio-political perspective of Bangladesh. Even if, with the changes of regimes, nationalism also took an evident turn toward religion. This facilitates the increase of percentage of Muslims from 76.9% in 1951 to 90.4% in 2011. However, the country has a long tradition of religious co-existence. People enjoys religious freedom as per constitution and in practice. Against the tide, recently as a democratic Muslim majority country Bangladesh has experienced a series of violent attacks by extremists. Furthermore, communal violence continues to take place driven by political rivalries. At the end, a humble attempt will be made to examine the present condition of religious minorities in Bangladesh, impact of religious tension of India and Myanmar on it and policy options for the government and the civil society to ensure religious co-existence of all sorts of people.

SESSION 1

BLASPHEMY LAW: ISSUES & CHALLENGES

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Zainal Abidin Bagir is the executive director of the Center of Religious and Cross Cultural Studies at Gadjah Mada University in Indonesia. Bagir specializes in philosophy of religion, religion and science, and religion and ecology. He is the author of Science and Religion in the Post-Colonial World: Interfaith Perspectives (2005). Bagir was also a part of the Christianity and Freedom Project headed by the Berkley Center's Religious Freedom Project. He received a bachelor's degree in Mathematics from the Bandung Institute of Technology, Indonesia; a master's degree in Islamic Philosophy from the International Institute of Islamic Thought and Civilization, Malaysia; and a doctorate in the History and Philosophy of Science from Indiana University.

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The Revival of Blasphemy Law in the Democratizing Indonesia

Indonesian blasphemy law is far from the worst compared to similar laws in many Muslim-majority countries. Yet it has become the most persistent obstacle for a better guarantee of freedom of religion or belief. Following the democratization in 1998, human rights in general had actually progressed significantly, as manifested in the amended 1945 Constitution and other laws. Yet lack of legal harmonization means that the 1965 blasphemy (lit. "defamation of religion") law is still effective. Further, and paradoxically, the post-1998 democratization has prepared the ground for its revival. The law has been mainstreamed and implemented to target wider groups. Exclusive and hard line groups have forced authorities to prosecute non-mainstream groups or those regarded as deviant. It has also been used to achieve social and political goals, including winning elections, through a collaboration between certain religious and secular political groups. There have been attempts to revoke or weaken the law through judicial reviews at the Constitutional Court, but to no avail. In its latest development, the law is carried over with no significant change into the new Draft Penal Code. This presentation will look at this social-political dynamics and considers ways to mitigate the impacts the law.



Ismail Royer
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Ismail Royer serves as Director of the Islam and Religious Freedom Action Team for the Religious Freedom Institute. Since converting to Islam in 1992, he has studied religious sciences with traditional Islamic scholars, and spent over a decade working at non-profit Islamic organizations. In June 2003, Royer was indicted for assisting the Pakistan-based Lashkar-e-Taiba (LET) and pleaded guilty to weapons charges related to the violation of United States neutrality laws. Since his release he has worked with nonprofits to promote peace between faiths and to undermine religious extremism. His writing has appeared in publications such as the Washington Post, Journal of Religion and Society, Public Discourse, Detroit Free Press, Al Jumuah, Muslim Matters, and The Catholic Thing.

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Faisal Aziz (Muhamad Faisal Bin Abdul Aziz) currently is President of Muslim Youth Movement Malaysia (ABIM) and Deputy Chairperson of the Coalition for Clean and Fair Elections (Bersih). He is a lawyer by profession and previously served as the Head of Litigation Department focusing on public interest litigation and criminal defenses. He also represented cases involving refugees and asylum seekers with full cooperation by United Nations High Commissioner For Refugees (UNHCR) and various Embassies. He was also a Member of the Successor Generation Initiative (SGI) Advisory Board of the British High Commission and a Panel Consultant in drafting the National Human Rights Action Plan (NHRAP) for Malaysia. He is a columnist for Malaysiakini portal and has authored the book 'Islam and the Future of Reformist Thought'. He is also active on twitter with the username @faisalazizfa.

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SESSION 2

RELIGIOUS, POLITICAL AND ECONOMIC FREEDOM: INTER-RELATIONSHIPS



Rebecca Shah
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Rebecca Samuel Shah serves as Senior Fellow and Associate Director of the South and Southeast Asia Action Team for the Religious Freedom Institute. A pioneering scholar of the impact of religious belief and practice on the social and economic lives of poor women in the Global South, Shah currently serves as Research Professor at Baylor University's Institute for Studies of Religion, where she is the Principal Investigator for the Religion and Economic Empowerment Project (REEP), funded by the Templeton Religion Trust. Shah holds a Bachelor's of Science in Economics and Economic History and a Master's of Science in Demography, both from the London School of Economics. She is also an associate scholar with Georgetown's Religious Freedom Project, and is Project Leader of the Holy Avarice Project on religion and modern capitalism at Georgetown's Berkley Center for Religion, Peace &

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Does Democracy positively affect Religious freedom? A case Study of Pakistan

For understanding how democracy affects religious freedom Pakistan is one of the best suited case studies because during its existence of seventy-two years since its birth in 1947, Pakistan has experienced almost equal length of democratic and dictatorial regimes. In liberal philosophy 'liberty' (Locke, 1980 and Mill, 1978) and 'equality' (Rawls, 1993) which includes the religious liberty and equality are considered fundamental political values that define the core principles of liberal democracy. Therefore, it could be hypothesized that the religious minorities in Pakistan should have experienced more religious freedom during the democratic phases in the history of Pakistan. But looking at the policies and legislations of different democratic and non-democratic regimes in Pakistan this does not appear as simple and straightforward as it should be. One military dictator, General Zia-ul-Haq's period (1977-88) is considered the worst in terms of religious freedom, while that of the other General Pervez Musharraf (1999-2008) is credited for several pro-minorities policies and legislations. Similarly, during the democratic regime of Zulfikar Ali Bhutto of Pakistan Peoples Party (PPP), Ahmadis (the followers of Mirza Ghulam Ahmed) were declared non-Muslims through a constitutional amendment in 1974, on the other hand the PPP regime of 2008-13 is credited for taking several administrative steps for the minorities and making serious efforts for addressing the lacunas in anti-blasphemy law Section 295-C which was added to the Pakistan Penal Code (PPC) during general Zia-ul-Haq's military rule. With the help of Pakistani case study in this paper I have tried to explain how a regime type affects religious freedom in same country. Does personality of the ruler and his political vision matter as well? What type of complexities are created by the changing international environment? What kind of new forums and avenues are available to the religious minorities in democratic dispensation that cannot be provided by the dictatorial regimes.



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Jani Kinnunen is a researcher at Åbo Akademi, Finland. His research interests include data science related to economics and political science; application work has focused on freedoms in economic and political systems, mergers and acquisitions and real options. He has circa 50 publications from international conferences and journals.

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The Role of Freedom of Religion and Political Regime for Human Development Indices

This paper studies how the combination of political regime and religious freedoms are related to human development indices, HDIs. United Nation provides publishes its HDI [1] and Islamic scholars have constructed Islamic human development indices I-HDIs (cf. [2], [3]). We construct and report (cf. Appendix 1) an I-HDI for the period 2006-2017 mostly in line with [3] for 33 Islamic countries and use it together with the UN's HDI for comparison and to withdraw more generalisable conclusions potentially reducing controversy, which could follow by using only either type of measure for human development. Similarly, we build indices of political and economic freedoms using the OECD's composite index methodology [4] applied earlier by the authors in the context of Islamic countries in [5] and [6], world [7] and OECD [8]. We use political and economic freedom indices as the intertwining factors between the hypothesised causality from the combination of level of democracy (a proxy we use for political regime) and religious freedoms to the outcome, human development measured by HDI and I-HDI. Figure 1 depicts the used working framework. We test separately the different relationships, directions of causality, based on broad evidence from research literature relating together firstly religion and democracy (0 in Fig. 1) and secondly from religion and democracy to wellbeing (1) and to other freedoms (2 and 3), and thirdly from freedoms to well-being (4 and 5, and directly 1), by linear and logistic regressions (cf. [7] and [9]) to find out statistically significant relations on different quartile levels of both human development and religious freedoms-political regime combination. The working hypothesis is that the higher the quartile of religion-democracy combo, the higher the quartiles of economic and political freedoms, as well as, the human development.



Nasarudin Umar
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Prof KH Nasaruddin Umar is Imam Besar Masjid Istiqlal, Jakarta. Before this, he was at the Minister of Religion for Indonesia from the year 2011 to 2014. He also was the founder of the interfaith organization for Masyarakat Dialog antar Umat Beragama and has served as the Director General of Direktorat Jenderal Bimbingan Masyarakat Islam at the Department of Religion/Ministry of Religion, Indonesia. He is a member of the UK-Indonesia Advisory Team, founded by UK prime minister Tony Blair, and has authored many books.



Waqas Ahmad
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Waqas Ahmad is Assistant Professor at Faculty of Management Sciences, International Islamic University Islamabad, Pakistan. He consider himself as social scientist and interest in age old elusive question of why some nations are rich and others are poor, the complexity of the question require insights not only from economics but also from psychology, sociology, politics and history.

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**Religious Freedom and Economic Development.
A Conceptual and Empirical Review**

Economist has uncovered numerous factors that can lead to higher economic growth. These include; natural resources, physical infrastructure, human capital, technology and the role of law among others. In this paper, the idea of religious freedom and its implications for economic growth will be identified and documented. The government restrictions and social hostilities involving religion has been increasing in the last few years across the globe. A report published by Pew Research Center in 2016 indicates that 83 countries have high or very high level of overall restrictions on religion; resulting from both government regulation and societal factors. The economic consequences of these religious hostilities and restrictions include reduced foreign and local investment, instability and more corruption as nine out of ten most corrupt countries has very high government restrictions on religious freedom. Religious freedom not only result in peace and stability but also create the conditions for socio-economic development like other forms of freedom (Amartya Sen 1999) The paper will have three main sections. The first section will look at the concepts of religious freedom; its definition, scope and implications for economic outcomes. The second section will cover the comprehensive review of conceptual and empirical literature in this area and untangle the causal pathways between religious freedom and economic prosperity. The theoretical section will analyze the underpinning of religious freedom from economic theory and empirical review will look at the causal studies which try to establish the link between these variables. Finally, in the third section, keeping in view the relevant literature, policy recommendations will be presented. The lesson can be learned from country case studies, where by changing government regulations and social norms, they are able to reap the benefits of religious freedom.

SESSION 3

NON-MUSLIMS IN MUSLIM MAJORITY COUNTRIES

Eugene Yapp Malaysia



He is currently the Director of RFL (Religious Freedom & Liberty) Partnership, a centre for the promotion of religious freedom for all persons. He also serves as board member of Kairos Dialogue Network, a faith based non-profit organisation dedicated to the advancement of Christian-Muslim relations in Malaysia. In addition, he is the Executive Committee member in the coalition of civil society organisations in Malaysia called Plan of Action for Malaysia and oversee their Unity in Diversity programmes which involves issues of religious freedom and harmony. He is also the Senior Fellow of the Religious Freedom Institute of the South and South East Asia Action team and formerly the Secretary-General of the National Evangelical Christian Fellowship Malaysia (the evangelical alliance of Malaysia). Eugene Yapp holds a Bachelor of Laws (LL.B Hons), Uni-

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Jews in Iran since the Islamic Revolution: Social Status and Anti-Semitism.

The appearance of Judaism dates back to 721 BC with the deportations of thousands of Jews from their homeland Judea (Israel) by Assyrian rule and their enforced settlement in Media and later to South-west Persia. The first marked improvement in the legal status of the minorities was during the Constitutional Revolution (1905-1907) following which Persian people were declared as equal before eyes of law. The Quranic concept of ahl-al-kitab (People of the Book) laid the foundation for the recognised religious minorities (RRM) in the Islamic Republic of Iran and rights of the Jews, Christians and Zoroastrians are guaranteed under the 1979 constitution. Following pre-revolution practice, the recognised religious minorities (RRMs) in the Islamic Republic are given representation in the 290-member majlis (Parliament); reserving them five seats of which one belongs to the Jews.

The exodus of Jewish population, even though, can be traced way before the establishment of the State of Israel in 1948, the emigration of Jewish population from Persia are majorly seen to be immigrated to countries like America, Israel and other countries of Europe. This exodus increased significantly following the Islamic Revolution of 1979 and the subsequent establishment of the Islamic Republic. The reason behind exodus is not the persecution of Jewish population, as was witnessed during Holocaust period, but because of the effect the revolution had on the social and economic status of Jews in the country. Ayatollah Khomeini, seen to have non-favourable opinions on Jews in his various speeches before the revolution, however, has issued a fatwa differentiating Jews from Zionists and declared Jews in Iran as Iranians. Nevertheless, one notices a change in the treatment of religious minorities, specially Jews, before and after the establishment of the Islamic Republic. While the concept of impurity was stereotyped before the revolution in dealing with Jews, something the Pahlavi rulers have sought to remove, the Islamic Republic has found a new way for its ill-treatment of its Jewish population, that is, by framing Jews as espionage of the Zionists, or has those who has links to Israel. Moreover, anti-Semitism is found to be present in portraying Jews in Iran through its education system. This paper therefore, seeks to analyse the reason behind Jewish exodus from Iran after 1979, the treatment of Jews in terms of religious freedom, social status and education, the prevalence of anti-Semitism in the country and the perspectives of the state authorities in Iran noticed since 1979.

SESSION 4

MUSLIMS & NON-MUSLIM RELATIONSHIP



Md. Moniruzzaman
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M. Moniruzzaman is an Associate Professor in the Department of Political Science at the International Islamic University Malaysia (IIUM). His research interests cover comparative politics and political economy of the Muslim world. He has published more than 25 articles in reputed journals such as Commonwealth and Comparative Politics, South Asian Survey, Journal of Economic Cooperation and Development and South Asian Development. Moniruzzaman has contributed chapters in books published by reputed international publishers such as Springer and SENGAGE Learning. He has authored and translated three books- The Islamic Theory of Jihad and the International System (2000); Nationalism and Internationalism in Liberalism, Marxism and Islam (translated) (2008), and Politics and Government in the Central Asian Muslim Republics (in progress). He sits on the

editorial boards of International Journal of Islamic Thoughts, Journal of Administrative Science and Issues in Social Science. He has presented research papers in various international conferences in Malaysia, Thailand, USA, and UK. Apart from academic writings, Moniruzzaman also has published 11 literary works (novels, poetry, travelogue etc.). Earlier he headed the Department of Political Science, IIUM (2012-2013). He received the Japanese government scholarship (Monbusho) and International Islamic Relief Organization (IIRO) Scholarship for higher education.

Minority at Home and Abroad: The Islamic Theory and its Challenge

The Islamic minority laws were developed more than a millennium ago. Since then social, political and legal composition and structure of the society have drastically changed. The modern state-system is multiethnic, multicultural and multireligious and is based on the idea of universal citizenship with equal socio-political, economic and legal rights. The classical Islamic laws relating to minority rights are clearly short of universal citizenship. In addition to this the Islamic laws face a new issue which is the Muslim minority in a non-Muslim state where they face the dilemma of enjoying universal citizenship rights and following Islamic code of life. This second issue gives rise to a conflict between local municipal laws and Islamic universal shari'ah laws. The compatibility of Islamic political order in the modern state system depends on its ability to address these fundamental issues. This article highlights on two issues namely- the question of universal citizenship rights of minorities in a Muslim state, and the question of shari'ah laws for Muslim minorities in non-Muslim majority states. In so doing this research will apply documentary analysis method to shed light on the discourse of Islamic laws with regard to non-Muslim minorities and the Muslim minorities in non-Muslim countries; and secondly, it will use case studies on the discourse and initiatives of possible introduction of the shari'ah laws in some 'western' countries.



Dr. Almut Besold
Indonesia

Dr. Almut Besold worked at University of Leipzig, Oriental Institute as a Lecturer at the Arabic Department. Her PhD thesis was titled "Sanctions against Libya". Dr. Almut Besold holds a Major in Oriental Philology/Arabic Studies and Minor Comparative Religious Studies, Political Science. She is currently in Indonesia for her professional work.



Dr. Md. Ataur Rahman Miazi
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Attitude of Muslim Ummah towards Non-Muslims: Theory and Practice

“O mankind, We created you all from a male and a female, and made you into nations and tribes so that you may know one another” (Al-Qura’an 49:13). The verse clearly indicates that there should not be any discrimination based on clan, creed, race or religion. Islam negates distinction on the basis of racial, linguistic and national grounds, while it identifies diversity as a sign of God. The word Islam refers to peace. Every Muslim has to greet other person on meeting “peace be upon you”. The Muslims should believe in the Torah, Psalms and the Gospel as book of God revealed to Moses, David and Jesus respectively. They should believe in all prophets like Prophet Muhammad (pbuh). Islamic teachings contain many injunctions for settling disputes between the people and nations with the aim of establishing peace. Islamic history shows that Muslims and non-Muslims existed in peace in Medina (first Islamic State) and the successive states. The Charter of Medina declared by the Prophet Muhammad (pbuh) in 622 A.D., was the best example to establish communal coexistence of different beliefs. This policy had also been exercised by the successive rulers in different Muslim territories, which set good examples of socio-religious coexistence in the history of Islam. Unfortunately, in the present world, establishment of peaceful coexistence has become a big challenge. Several Muslim countries have been suffering from the internal conflict and resistance even within the different Muslim groups. And sometimes, the Muslims are characterized as ‘Terrorist’. Hence, the review of Islamic attitude towards coexistence deemed important. With this global perspective, it becomes a question, what are the original views of Islam regarding the attitude of Muslim Ummah towards non-Muslims, social coexistence and tolerance among diverse religious groups and even among different groups in Muslim society. What does the Muslim history tell us about it during its golden period? Hence, the review of Islamic theory regarding the attitude of Muslim Ummah towards non-Muslims deemed important. With this context, the paper aims at exploring the view of Islam directing the attitude of Muslim Ummah towards non-Muslims which ultimately aimed at the establishment of peaceful coexistence of diversified social, ethnic and religious groups in the society. In this support, the paper presents some practical examples from the history of Muslim societies particularly during the early time of Islam. The methodology used in this conceptual study is a critical analysis of literature survey. The literature on the concept of Islam about the attitude of Muslim Ummah towards non-Muslims, peaceful coexistence of different groups and its practices in the history of the Muslim societies are read to understand the injunctions of Islam in this regard and its application in the context of present world.



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The Jurisprudential Principles of Equality between Muslims and Non-Muslims in Islamic Sharia

A brief review of Islamic jurisprudence reveals the fact that in Islamic Sharia Muslims and non-Muslims are not equal. The inequality can be seen, among others, in the following cases: retaliation (qisās), indemnities (dīya), inheritance (irṭh), marriage (nikāh), testimony (shahāda), judgement (qidāwa) etc. It is remarkable that the inequality is not limited only to the jurisprudential issues. It has even spread to ethical issues. Some Muslim Fuqahā also believe that infidels, with some differences between infidel under protection (al-Kāfir aldhimī) and infidel deserving to be fought (al-Kāfir al- harbī), do not have inviolability (hurma), therefore, Muslims can backbite them (jawāz al-ghayba). Considering the increasing prevalence of the concept of human rights in the contemporary socio-political life and the necessity of taking a stand on this issue by Muslims, the question of this paper is that: whether there is a basis for equality between Muslims and non-Muslims according to Islamic Sharia. In order to provide an answer to this question, the paper will briefly review some jurisprudential principles such as stipulation (al-shart aldimnī lil'aqd), distress and constriction (al-'usr wal haraj), and weaken of Islam (wahn alIslam). After that, it will demonstrate that the best jurisprudential basis for the equality of Muslims and non-Muslims is Fiqh al-Maslaha (the jurisprudence of public expediency/interest). Explaining Fiqh al-Maslaha, the paper will illustrate the various components of it such as utility welfare not explicitly supported by the holy texts (masālih al-mursala), block the means which might possibly lead to undesired consequences (sad al-dharāy'), the removal of worst loss (daf' ashadd al-dararayn), replacing the cause of something rather than the thing itself (iqāma mazanna al-shay' maqām nafs al-shay'), and the principle of validity of objectives (asl i'tibār al-maāl). Finally, the paper will come to the conclusion that, through applying these principles, Islamic sharia can provide a basis for the equality of Muslims and non-Muslims.

