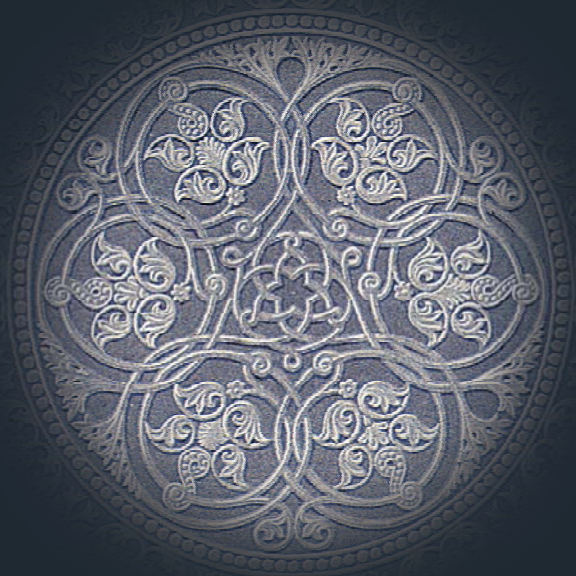# al-jāmi'ah

JOURNAL OF ISLAMIC STUDIES

ISLAMISM, GOVERNMENT REGULATION,
AND THE AHMADIYAH CONTROVERSIES IN INDONESIA
Ismatu Ropi

PERSATUAN PEMUDA MUSLIM SE-EROPA (PPME):
Its Qualified Founders, Progression, and Nature
S u j a d i

ISLAMISM IN POLITICS: Integration and Persecution in Egypt
Christina DeGregorio

al-jāmi'ah

JOURNAL OF ISLAMIC STUDIES

Al-Jāmi'ah Journal of Islamic Studies is a biannual peer-reviewed journal published in June and December by the State Islamic University (UIN) Sunan Kalijaga Yogyakarta-Indonesia. It is a multi-disciplinary publication dedicated to the scholarly of all aspects of Islam and of Islamic world. The journal warmly welcomes contributions from scholars of related disciplines.

Al-Jāmi'ah Journal of Islamic Studies has been accredited with the grade "A" by the Ministry of National Education of Republic of Indonesia with Keputusan Direktur Jenderal Pendidikan Tinggi No. 83/DIKTI/Kep/2009.

CONTENTS

Editorial:
ISLAMISM AND POLITICS

Indonesia has witnessed the growing role of Majelis Ulama Indonesia (MUI—Indonesian Ulama Council) and excessive introduction of *sharī'a* in Aceh in the last decade. Undoubtedly, the MUI has played important role in defining Islam, or, to be precise, Islamic orthodoxy in the country especially after the downfall of Soeharto regime. Considering itself as the inheritor of the prophet, MUI claims to hold the sole religious authority for guiding Muslim *umma* in the country in all aspects of life, including people's beliefs. In this current volume of Al-Jamiah, an articles deals with the MUI discussing its controversial *fatwa* on Ahmadiyah that is charged of spreading deviated beliefs. Ismatu Ropi in his writing analyses the fatwa of Majelis Ulama Indonesia (MUI) on Ahmadiyah and its impacts on more stained relationship within Muslim community in Indonesia. He examines socio-political natures before and after the fatwa on Ahmadiyah reissued in 2005 (the first fatwa was issued in the 1980s) in the lights of the emergence of new model of Islamism in Indonesia and the more conservative shift within the MUI itself particularly after the collapse of Soeharto regime.

In other respect, Eka Srimulyani examines the impact of the exessive introduction of *Sharī'a* in Aceh in the last decade on the the existing matrifocality practices in Aceh community. She analyses the intersection of the Islamic values, *adat* (custome) and gender state ideology that shapes or even changes that practices. She argues that the absortion of matrifocality has been made possible due to the roles of *adat*, wich has been so far perceived as "*zat ngeun sifeut*" (inseparable) with Islam. It is the state patriarchal ideology and the penetration of nuclear family models followed by modernity that have questioned Acehnese matrifocality. As long as *adat* and Islam are inseparable, Srimulyani argues, matrifocality will survive or transform into a new model of matrifocality.

Apart from Indonesia, Egypt is an important land of Islam. Christina DeGregorio argues that Moderate Islamists in Egypt have attempted to integrate into the political process and have consistently been met with persecution and resistance by the presiding regimes, ranging from the age of Gamal Abdul Nasser through to the present under President Hosni Mubarak. It is this denial of integration and subsequent persecution of Islamists that has fuelled the growth of radical Islamist groups in contemporary Egypt. One of the most important Egyptian scholars who has international reputation is Yusuf Qardhawi. He wrote an important book on *zakāt* (alms giving), which is widely read in Muslim countries. Euis Nurlaelawati discusses Qardhawi's concept of *zakāt* and its relationship with the concept of ownership. Qaradawi's understanding of *zakāt* brings insight that as the earliest concept of mutual social responsibility in Islam, *zakāt* has not only religious function as a ritual, but also roles of social security and solidarity, which are essential in developing the Islamic economics system.

Islam in the West has generated many studies. In the context of Western Europe, *Persatuan Pemuda Muslim se-Eropa* (PPME, Young Muslims Association in Europe), the largest Indonesian Muslim organization in Europe, has received less attention from European scholars. Sujadi tries to fulfill the lack by studying the historical presence of PPME in the Netherlands and Germany and its strategies of survival and expansion. Unlike Sujadi, Munirul Ikhwan examines Western scholars' interest in studying the Qur'ān. He observes the shift from studying the history and sources of the Qur'ān to studying it as literary text. In the context of Qurānic narrative, Western scholars have moved from paralleling with the Judeo-Christian narrative traditions to studying the contents and styles of the Qur'ānic narrative by analyzing its discourse and narrativity.

We present as well articles in Arabic. Ali Mabrook, lecturer at Cairo University, deals with Ibn Taymiyya's book entitled *Minhāj al-Sunna al-Nabawiyya*, in which the latter criticized Shī'a and Shi'ism. Whereas, Ḥamza 'Abd al-Karīm Ḥammād examines the Islamic penal law of *qiṣāṣ* (retaliation) for wounds and fractures which happens between father and his son in various Islamic law schools.

These are the articles we present to you. We hope you enjoy the reading.

PERSATUAN PEMUDA MUSLIM SE-EROPA: Its Qualified Founders, Progression and Nature

Sujadi

Faculty of Adab, Sunan Kalijaga State Islamic University Yogyakarta, Indonesia

Abstract

> *This article concentrates on the history of Persatuan Pemuda Muslim se-Eropa (PPME, Young Muslims Association in Europe), depicting its founders' qualifications, historical founding, and nature, which has been against practical politics, and restructure and expansion. This association remains the largest Indonesian Islam-oriented Muslim association in Europe. However, there has been little research done on this association, despite its significant contributions to the socio-cultural and religous activities of Indonesian Muslims in Europe, particularly in the Netherlands and Germany. Therefore, this article aims to fill the gap in academic research, dealing with its creation and development up till the present. To deal with this subject, a historical method emphasizing a chronological approach is applied. In addition to historical evidence, oral sources were primarily used due to the scarcity of written documents.*

Keywords: Indonesian nationalism, traditionalists, modernists, progressive muslims

A. Introduction

This article is concerned with the process of the foundation of *Persatuan Pemuda Muslim se-Eropa* (PPME, Young Muslim Association in Europe) and its development over time. To gain an understanding of this subject, it is important to start with a discussion of the ideals and actions of its founders. Additionally, its nature and objectives, structure

and expansion, status and activities will be another concern.

To begin with, it is necessary to be acquainted with the reasons for taking a trip to the Netherlands or Germany and the socio-educational backgrounds of some of the founders. Familiarity with these figures will assist in gaining the proper understanding of the abovementioned topics. The founders of the association were mostly Indonesian. Two were non-Indonesians, with one being Dutch and the other Yamani. Nevertheless, they, at least, still had a historical relationship to Indonesia. The Dutch founder was of Indonesian descent, and the Yamani's father had participated in the struggle for Indonesian independence.

The founders were youths,[1] not all had graduated from university but they had similar ideals. They craved for the preservation and strengthening of Islamic brotherhood among Indonesian Muslims residing in the Netherlands, through *da'wah* activity, unconditioned networking and joint activities, and the creation of social endeavors. The following were prominent figures.

The first figure was H. Abdul Wahid Kadungga, a founder who was later elected the first leader of the new organization. His travel to Germany aimed at furthering his higher education. He left Indonesia around the end of the 1960s and studied at Cologne University, Germany.[2] He did not graduate from university but the *Sekolah Menengah Ekonomi Atas* (SMEA, Senior High School for Economics) in Makassar, South Celebes.[3] He was a former activist of *Pelajar Islam Indonesia* (PII).[4] He was very concerned with *da'wa* activities and Islamic politics. This cannot be

---

[1]   The definition of youth varies. The United Nations defines a person who is 15 to 25 as a youth. However, in some countries the definition of youth is extended, according to William D. Angel, downward to include young people who are 11 or 12, and upwards to the 30-35 age group. William D. Angel, *Youth Movement of the World* (UK: Longman, 1990), p. xii. The last classification was chosen to label the founders of PPME as youths because they, especially those who graduated from university, were more than 25 years old.

[2]   *http://counterterrorisminfo.wordpress.com/2002/12/24/abdul-wahid-kadungga*, quoted on 23 July 2008 at 1:27 a.m., Leiden.

[3]   Herry Nuhdi, "Berdiri Melawan Amerika", in *Sabili*, No. 16, Year XII, 27 February 2004, p. 62.

[4]   *Interview* with A. Hambali Maksum, the Secretary of the First Period of PPME's Board, 17 May 2008 at His Apartment, The Hague.

disassociated from his involvement in the PII, given his studies at the *Sekolah Menengah Islam* (Islamic Junior High School) and SMEA in the aforesaid city, and his participation, as the leader of PII on behalf of the Makassar branch, in its national congress held in Medan, 1962. This student association had led him to meet Adam Malik, the former vice president of the Republic of Indonesia.[5] It is worth mentioning that the PII was one of the Muslim organizations involved in the solidarity demonstrations held on 13 September, 1965, for *Himpunan Mahasiswa Islam* (HMI), which was discredited by *Partai Komunis Indonesia* (PKI) as anti-Soekarno.[6] After a few years in Europe, in Germany and the Netherlands, he returned to Indonesia and worked for *Dewan Dakwah Islam Indonesia* (DDII). He became the private secretary of M. Natsir. In 1974, he was arrested and put in prison, together with other Islamic activists, on the instruction of the New Order government. Having been released, despite his being ordered to stay in the city, he traveled to the Netherlands as an asylum seeker, due to the treatment of the ruling Indonesian government. From then on, the regime no longer recognized him as Indonesian. In response, he said, "actually I do not wish to be a black Dutch [possessing coloured skin and black hair]. I am not the rebellious of the state and the enemy of the nation".[7] It is also worth noting that he was a son-in-law of Kahar Muzakkar, a leader of the *Darul Islam,*[8] for the region of Celebes.

The second figure was H. Ahmad Hambali Maksum, the first secretary of the board of PPME. After completing his primary school,

---

[5]   Herry Nuhdi, "Berdiri", *Sabili*, p. 61-62.

[6]   Dwi Purwoko, *Pemuda Islam di Pentas Nasional* (Jakarta: Bonafida Cipta Pratma, 1993, p. 122-124.

[7]   Herry Nuhdi, "Berdiri", in *Sabili*, p. 61-63

[8]   *http://www.munindo.brd.de/artikel/artikel_04/000129_3.htm*, quoted on 23 July 2008 at 1:11 a.m., Leiden. It is also important to mention here that during the 1940s, Kahar Muzakkar was "one of the local [South Celebes] leaders of the Pemuda Muhammadiyah,… the Hizbul Wathon, the Muhammadiyah Boy scout movement". C. van Dijk, Rebellion under the Banner of Islam: the Darul Islam in Indonesia, The Hague: Martinus Nijhoff, 1981, p. 155. In 1954, he founded Pemuda Islam Jihad, shortly after he had proclaimed Celebes part of Negara Republik Islam Indonesia (in 1953); *Ibid.*, p. 189. Therefore, the founding of this association cannot be divorced from his struggle for Islamic Revolution through the new Islamic state.

he learned Islam in various *pesantren*s such as *pesantren* Tebuireng and the modern *pesantren* Gontor, Ponorogo. [9] Then, in 1957, he furthered his learning in the pesantren Jamsaren.[10] Afterwards, he traveled to Mecca, Saudi Arabia to continue his studies in a senior high school called *Dāru'l-'Ulūm*, at which *madhhab*s in Islamic jurisprudence were still taught. His interest in organizational activities can be seen in his active involvement in the PPI of the country. Furthermore, he enrolled himself in *al-Jāmi'ah* (university) of Bagdad for his undergraduate program. During his time in this city, his interest in joining organizational activities continued. He joined an organization of Muslims called *Keluarga Pemuda Nahdlatul Ulama* (KPNU).[11] Finally, he graduated from the university in 1969. Having completed his studies, he chose to live in the Netherlands, where he had resided for one year. In this country, he finally got a job as a teacher in the *Sekolah Indonesia Nederland* (SIN, The Netherlands Indonesian School).[12] Starting in 1971, he was a part time teacher in the school. In addition, he was also a part time official for a Dutch insurance company. Then, in 1974, he moved to Germany, where he lived for a year and

---

[9]   *Interview* with A. Hambali M, 17 May 2008, The Hague.

[10]   See: Mufti Ali, "The Contextualization of Fiqh al-Ibādah among Indonesian Religious Teachers and Their Communities in the Circle of PPME in Amsterdam and The Hague", in Sadia Rashid (Ed.), *Hamdrad Islamicus,* April-June, Vol. XXX, No. 2, Pakistan: Hamdrad Foundation, 2007, p. 68.

[11]   *Interview* with A. Hambali M, 17 May 2008, The Hague.

[12]   This school was founded on 15 June 1965, and was inaugurated by His Excellency Indonesian Ambassador, Mr. Soedjarwo Tjondronegoro on 17 August 1965. The name 'SIN' was officially based upon the Decision of Minister of Education and Culture dated on 15 August 1995. This school aimed to provide official education to Indonesian children and youths in the Netherlands. It consisted of primary, junior high and senior high schools following the curriculum of Indonesia's national education system. It used Indonesian as the introductory language. It was managed by the Ministry of Foreign Affairs through the Indonesian Embassy, and was technically supervised by the Attaché of the Department of Education and Culture. In 2003, the number of registered students was 36, with 15 teachers. Read: Abdul Manan Zaibar, *The Indonesian Program for the Islamic Religious Education of the Indonesian Children in the Netherlands (Thesis)*, INIS: Leiden, 2003, p. 151-153. Now, its level of primary school no longer exists. *Interview* with Sitti Atikah Zofwaan, a Recently Retired Teacher of this SIN, Sunday 11 August 2008 at 20.30, at Her House, The Hague.

half[13] studying philosophy and German language at Cologne University. Then, because of a company regulation obliging its officials to work full time, he made the decision to leave his job as a teacher at the school in 1975. As an Islamic activist and one of the founders of PPME, in the mid-1990s, he joined the branch of ICMI in the Netherlands. From the outset of his stay in the Netherlands, he had no intention, however, to reside permanently in the country. This was in opposition to the fact that he had been living in the Netherlands since the early 1970s, up to the present while enjoying his life as a pensioner of the insurance company, and as an Islamic preacher and *imam* for the Indonesian community in the Netherlands.[14]

The third was H. Mochammad Chaeron. He traveled to the Netherlands in the early 1970s, through Saudi Arabia, in order to be able to further his tertiary education in Germany, in addition to his craving to have a proper job. During his studies at Gadjah Mada University, he was an activist of *Ikatan Mahasiswa Muhammadiyah* (IMM). Additionally, he was a journalist for *Abadi*, the Masyumi's newspaper. He graduated from Gajah Mada University, specializing in publicity, in August 1967. Because of his involvement with *Abadi*, he traveled, together his colleagues, to Saudi Arabia and other Middle Eastern countries, before finally residing in the Netherlands. His goal of further studies was not achieved due to financial problems and his involvement in the SIN, as a teacher, which took a lot of his time and occupied his attention. He became the headmaster of the school in 1972, after his involvement in the preparation process of founding PPME. This figure was also a member of ICMI in the Netherlands, founded in the early 1990s. As the Indonesian embassy limited the profession as a teacher at the age of 60, Chaeron retired from his position as a teacher in 2003 and never took another job afterwards, although he was willing to teach. Two years after his resignation, Chaeron passed away due to sickness in 2005.[15]

---

[13] See: Mufti Ali, "The Contextualization of Fiqh al-Ibādah among Indonesian Religious Teachers and Their Communities in the Circle of PPME in Amsterdam and The Hague", in Sadia Rashid (ed.), *Hamdrad,* p. 68-69.

[14] *Interview* with A. Hambali M, 17 May 2008, The Hague.

[15] *Interview* with S. Atikah Z., 11 August 2008, The Hague.

The last was Abdurrahman Wahid (Gus Dur), who was later elected as a *formateur* of the new organization, given the right, together with other two *formateurs,* to design and compose the board of the new organization. To begin with, in the mid-1960s, soon after arriving in Cairo for studies at Al-Azhar, he was elected as the chairperson of PPI (the Association of Indonesian Students) in Egypt. This led him to develop social networks of Indonesian students across the Middle East. Another important experience was his regular work at the Indonesian Embassy in Cairo, mainly as a translator from Indonesian to Arabic or English. Through this employment, he had inside access to important and actual issues such as the tension between Islam and communism and the allegedly 1965 communist revolt in Indonesia. He was also ordered by the embassy to investigate and to deliver a report on the political leanings of Indonesian students in the Middle East. Having completed his studies for an undergraduate program at *al-Jāmi'ah* (university) in Bagdad, he traveled, from Iraq, to the Netherlands in the early 1970s to further his studies. He was extremely eager to enroll in Leiden University, yet, despite spending six months in the country, the university would admit him only for the undergraduate, not graduate, program. This fact bothered him because he could not further his tertiary education in Europe. He finally returned to Indonesia in May 1971, after the establishment of the PPME.[16]

Based upon these facts, the founders of PPME cannot be precisely grouped into one of Twanna A. Hines' classifications of immigrant populations in the Netherlands, namely, "guest workers recruited to fill low to unskilled occupations starting after World War II, migrants from former colonies, and post-Cold war refugees from newly independent Eastern European".[17] To categorize them into this group required bilateral agreements[18] despite some of the founders' intention to find a job. They were, however, not under such an agreement. They, also,

---

[16] Greg Barton, *Gus Dur: the Authorized Biography of Abdurrahman Wahid* (Jakarta-Singapore: Equinox, 2002), p. 83-101. Read also: DPP PPME, *Laporan DPP Musyawarah I* (The Hague: PPME, 1973).

[17] Twanna A. Hines, "The Myth of Ethnic Equality", in Maura I. Toro and Marixsa Alice, *Migration and Immigration: a Global View* (USA: Greenwood Press, 2004), p. 149-150.

[18] *Ibid.*

could not be grouped into another group defined by Hines, namely the group that had "historical, social, cultural, and political relationship with the Netherlands due to its colonial past".[19] They were merely migrants, some of whom craved a proper job, while others aimed to further their studies, without the aforesaid connections, with the exception of the political relationship between the colonial power, the Netherlands, and the colonized, Indonesia prior to Indonesian independence. The depiction provided by Dassetto and Nonneman of Muslim immigrants who were 'mostly men and usually without families in between the early 1960s and the mid-1970s, particularly, for those in the Netherlands[20] could describe the founders of PPME, who were mostly unmarried despite some of them being more than 30 years old.[21]

B. Worthy Characteristics of PPME's Founders

Prior to the establishment of PPME, its founders lacked of legal and political knowledge of the Netherlands and the prevailing Muslim and student organizations in the country.[22] They had, also, no permanent residence permit.[23] Accordingly, these conditions hardly afforded them the opportunity to become the forerunner youths i.e. those "who challenge the existing civilization by injecting ideas, values, actions to promote a new and more equitable order and to promote unity, integration and understanding between ethnics and civilizations of different socio-economic, cultural and/or religious background".[24] As a matter of fact, they did not struggle for the aforementioned subjects

---

[19] *Ibid.*

[20] Felice Dassetto and Gerd Nonneman, in "Islam in Belgium and the Nether-land: towards a Typology or 'Transplanted' Islam", in Gerd Nonneman et. al., *Muslim Communities in the New Europe* (UK: Garnet Publishing, 1996), p. 191.

[21] *Interview* with A. Hambali Maksum, 12 August 2008, The Hague and *Interview* with Saleh al-Nahdi, the nephew of Amir al-Hajri who was one of the PPME's founders, stated that his nephew was already married before its establishment. 12 August 2008, at 22.30 at His House, Leiden,

[22] Read: DPP PPME, Kronologis Sekitar Berdirinya "PPME", in DPP PPME, *Laporan, 1973.*

[23] *Interview* with A Hambali M, 17 May 2008, The Hague.

[24] William D. Angel, *Youth*, p. 8.

but their own concerns.

In the first place, they had realized and were committed to Islamic teaching, conducting *da'wah* and upgrading *ummah*. These characteristics and the success of some of the founders in their studies[25]could have undermined their aforesaid handicaps. Their fellow Indonesian Muslims, who had been residing in the Netherlands and performing their religious teaching under difficult conditions in a non-Muslim society with a lack of Indonesian experts on Islam, drew their attention.[26] Their fellow Indonesian Muslims were mostly not students. This was based upon the clarification that one of the primary concerns of their Muslim friends was their marital status. They strongly desired to renew their wedding ceremony on an Islamic basis. In addition, they wished to be buried with an Islamic funeral.[27]

Such socio-religious conditions differed from those of the Muslim soldiers of KNIL (*Koninklijke Nederlandse Indische Leger*) of Ambon, part of Moluccas, Indonesia. Initially, they resided in Friesland and subsequently in Walwijk and Ridderkerk. These Muslims were socio-religiously well organized in their new country. Their problems were being addressed by a Muslim leader, Akhmad Tan and they had had their own mosque. Lastly, their funerals were being performed according to Islamic teaching.[28]

The problems of these, mostly non-Moluccan, Indonesian Muslims appeared to fall outside the concerns of many Indonesian students, who had resided since1950s in Europe. In addition to being away from their family and the opportunities of their homeland, Indonesia, they were of the opinion that the cultural, political and social structures differences, found in their host countries, had prevented them from fully adapting to their new social and intellectual environment.[29] This fact suggested

---

[25] Interview with A. Hambali M, 17 May 2008, The Hague.

[26] *Interview* with A. Hambali M, 17 May 2008, The Hague. Also read: Muhamad Hisyam, *Persatuan Pemuda Muslim Se Eropa* (The Hague: YMAE, 1996), p. 21.

[27] *Interview* with A. Hambali M, 17 May 2008.

[28] See: N.J.G. Kaptein, "Islam in Present-Day Dutch Society", in W.A.L. Stokhof and N.J.G. Kaptein (Eds.), *Beberapa Kajian Indonesia dan Islam* (Jakarta: INIS, 1990), p. 201-202.

[29] Panitia, *Konperensi Pelajar Indonesia se-Eropa* (Hennef: Panitia Konperensi, 1955), p. 62-64.

that they had not prioritized religious affairs. They preferred to concern themselves with social and political matters, not religious consciousness.[30]

Secondly, the goal of creating a vehicle aimed at Islamic *da'wa* activities[31] in the Netherlands was in the founders' minds.[32] To achieve this goal they only had the spirit and belief that God would bestow assistance on them for such a good objective.[33] It seemed that the conducive political situation in Indonesia after the Communist revolt had encouraged them to embody this dream. In Indonesia, during the early years of New Order regime, *da'wa* activities were under strict control of the regime, and required official permission. The best example of this was the establishment of *Dewan Dakwah Islamiyah Indonesia* (DDII) in 1967, which chose the name *Yayasan Dakwah* (Da'wa Foundation) instead of being a political party or mass organization. One reason for this was that its founders' activities were censored by the government. In addition, the founding of a new organization had to obtain permission while a foundation required no membership but only founders, supporters and sympathizers, all of whom were so-called *Keluarga Dewan Dakwah*. No official permission was required, only a notary's decision.[34]

These conditions created an uncomfortable atmosphere for some Islamic preachers in Indonesia. On the contrary, in the Netherlands, there were no significant external barriers from the government for the realization of their goals.[35] The existence of other Muslim organizations

---

[30] Basuki Gunawan, *Indonesische Studenten in Nederland* (The Hague: N.V. Uitgeverij W. van Hoeve, 1966), p. 169.

[31] When describing about youth movement William D. Angel defined the term 'movement' as "a large number of people banding together in order to alter, supplement, or preserve some portion of the existing order". William D. Angel, *Youth*, p. xii. Therefore, this term was not apt for their goal, namely performing Islamic propagation and upgrading *umma,* due to their small number i.e. twenty two youths. However, this number has recently continued to increase, and their goals have changed. They were concerned not only with the abovementioned subjects but also with social, cultural, and academic affairs. Thus, the term of movement applies to PPME.

[32] *Interview* with A Hambali M., 17 May 2008, The Hague.

[33] Muhamad Hisyam, *Persatuan,* p. ii.

[34] Read: Asna Husin, *Philosophical and Sociological Aspects of Da'wah: a Study of Dewan Dakwah Islamiyah Indonesia* (USA: UMI, 1998), p. 31.

[35] *Interview* with A. Hambali M., 17 May 2008, The Hague.

encouraged the goals of the founders.[36] As a matter of fact, in the 1960s and early 1970s, Muslim organizations of nationals from Morocco and Turkey, living in the Netherlands, had been created.[37]

It is worth noting that, between the 1960s and 1983, societies in the Netherlands faced an ambiguous policy from the government. The Dutch 'Pillarization'[38] system of the late nineteenth century had eroded by the 1960s. After this period, 'de-pillarization' was taking over it. Nonetheless, the system remained powerful. Political parties, trade unions, schools, hospitals, media, and universities remained under the organizational lines of the traditional pillars.[39] This situation encouraged Muslims in the country to create their own organizations. Seemingly, the goals of the founders of PPME were in line with the 'Pacification' process to which the government had, at the time, been attempting through social participation and integration within society. This process enabled leaders, including *imam*s or Muslim leaders, to "develop an extensive network with elites of other pillars, deal effectively with them, and contain conflicts between pillars".[40] The founders' goal clearly showed their rational calculation of the prevailing political situation both in the host country and in their home country. Therefore, their goals were not utopian.

Lastly, their volunteerism should not be ignored. Their willingness to attend a series of gatherings for the founding of the new organization

---

[36] *Ibid.*

[37] M. Ali Kettani, *Muslim Minority in the World Today* (London and New York: Manshell Publishing Limited, 1986), p. 44.

[38] This system was based on different life styles. People from different backgrounds-Catholics, Protestants, Liberal and Socialist-were regionally concentrated and lived in different social compartement. It emerged in the period between 1870-1920. It functioned as the vehicle for democratization and emancipation in various fields. Pacification, through the development of extensive networks in such a way that conflicts among the pillars could be reduced was, then, the logical result. Despite its erosion since the 1960s, through depillarization, it remained functional. This system was called a pillarized society. The presence of Muslims in the Netherlands triggered the emergence of a re-pillarization process, in which 'migrat-pillar' was created, and included by the government. Read: Ruben Gowrichan and Bim Mungra, "The Politics of Integration in the Netherlands", in W.A.R. Shadid and P.S. van Koningsveld, *Muslims in the Margin* (Kampen: Kok Pharos, 1996), p. 114-120, and 123-129.

[39] *Ibid.*, p. 116-117.

[40] *Ibid.*

and their desire to share ideas serves as evidence.[41] Their volunteerism is even more evident in their willingness to travel from city to city, and country to country, Germany to the Netherlands, in order to attend meetings for the establishment of PPME.[42] They did not even object to giving their belongings for the sake of Islamic propagation. The demand for their socialization as a migrant group should not be, in this case, put aside.[43]

The aforesaid concerns hint at their consciousness of how their beliefs differed from that of the majority in their host country, and their great solidarity, despite their various citizenships, in responding to the socio-religious needs of Indonesian Muslims in the country. This consciousness and solidarity was useful as social capital for their existence as "a religious minority group".[44] These were extremely important for coping with the barriers in their new environment even though they remained politically inferior. [45]

C. PPME: the Result of Progressive and Democratic Actions

The establishment of a new Muslim organization called '*Persatuan Pemuda Muslim Se-Eropa*' (PPME) was the result of the progressiveness of its founders. The many meetings which would eventually lead to its founding took place from early January to the middle of April 1971. In each gathering their ideas always moved ahead. Their idealism and fighting spirit of founding a Muslim organization strengthened their progressiveness. Then, it was intensively discussed in a series of meetings, with participants coming from the Netherlands[46] and Germany. [47]

In early January 1971, the first meeting was held in the house of a Dutch man, Rahmat Zitter, in Barenstraat 4, The Hague. In this house,

---

[41] See: Muhamad Hisyam, *Persatuan Pemuda Muslim se-Eropa* (The Hague: DPP PPME, 1996), p. 23-25.

[42] DPP PPME, *Laporan, ,* 1973.

[43] *Interview* with A. Hambali M., 17 May 2008, The Hague.

[44] M. Ali Kettani, *Muslim,* p. 1-3.

[45] *Ibid.*

[46] It was worth mentioning that one of them was Dutch in citizenship. He was Rahmat Zitter. *Interview* with A. Hambali Maksum, 17 May 2008, The Hague.

[47] See: Muhamad Hisyam, *Persatuan,* p. 23.

Indonesian youths frequently gathered. Therefore, it was called their youth's headquarters.[48] Thirteen youths participated in the meeting, which commenced at midnight.[49] Some of them resided in Rotterdam and The Hague, the Netherlands, and some others in Germany.[50] They proposed critical ideas that should be considered before establishing a new Muslim organization, including ideas on Dutch rules on Muslim organizations, the possibility of founding a new Muslim organization, current Muslim organizations, and the connection to PPI [*Perhimpunan Pelajar Indonesia*]. At the end, they came to an agreement that the effort to found an organization for Muslim youths should move ahead. The meeting came to an end at 3:00 a.m.[51]

Then, in the beginning of February 1971, a second meeting was held, resulting in an agreement on the formation of a commission for the design and composition of the statutes and bylaws of the new organization.[52] This commission consisted of four people, Moh. Sayuti Suhaib, Moh. Chaeron, Rahmat Zitter, who were living in the Netherlands, and Abdul Wahid Kadungga, who resided in Germany.[53] It should be mentioned that the number of participants was smaller than that of the first meeting. In this meeting, Kadungga was one of the representatives residing in Germany. It is also worth mentioning that from the Netherlands, only some of the participants could attend the second gathering.[54] Nevertheless, the creation of the commission indicates that the conditions did not undermine their goals and efforts to create a vehicle for their *da'wa* activities.

Having working hard from February to March, the commission, assisted by a new member, Ahmad Hambali Maksum, finally accomplished their task, preparing the design and composition of the statutes and

---

[48]   Read: DPP PPME, *Laporan,* 1973.

[49]   Exactly at 12 p.m. See: DPP PPME, *Laporan ,* 1973.

[50]   Such as Kadunngga, Ali Baba, and A. Doni. See: Muhamad Hisyam, *Persatuan...*, p. 23.

[51]   DPP PPME, *Laporan,* 1973.

[52]   *Ibid.*

[53]   Muhammad Hisyam, *Persatuan*, p. 24

[54]   See: DPP PPME, *Laporan,* 1973.

bylaws[55] for a new Muslim organization. On 11 April 1971, the last meeting was held, commencing at 12:00 p.m.[56] The gathering, consisting of twenty one participants, agreed on a name 'PPME', the abbreviation for *Persatuan Pemuda Muslim se-Eropa* (Young Muslim Association in Europe), for their new organization.[57] In addition to the chosen name, there were, in fact, other choices put forward such as *Gerakan Pemuda Islam Eropa* (Islamic Youth Movement in Europe), and *Organisasi Pemuda Islam Eropa* (Islamic Youth Organization in Europe).[58] It was said that the reason for the chosen name was due to the first word '*Persatuan*', which applied to the necessity of the moment. Besides, the choice, especially related to the word "*Eropa*", accommodated a Dutch founder, Rachmat Zitter[59] whose house was frequently used for gatherings of Indonesian youths, and the citizenship of another founder, Amir al-Hajri, from the Republic of South Yaman.[60] Therefore, the choice could not be disassociated from their life in Europe, rather than Indonesia. This historic gathering ended with the declaration of its establishment as follows:

"*Bismillahirrahmanirrahim*"

Pernyataan

Kami yang hadir dalam pertemuan yang diadakan pada saat dan tempat ini, menyatakan berdirinya organisasi yang bernama Persatuan Pemuda Muslim se Eropah.[61]

Barenstraat 4, Den Haag, 12/4-71".[62]

---

[55] The writer wished to depict them in another section discussing the nature and objectives of PPME.

[56] A. Hambali Maksum was, even though he was not a member of the commission, also involved in finishing the composition of preparatory statute and bylaws. Read: DPP PPME, *Laporan 1973*.

[57] See: Muhamad Hisyam, *Persatuan,* p. 24.

[58] Read: DPP PPME, *Laporan,* 1973.

[59] *Interview* with A. Hambali M, 17 May 2008.

[60] *Interview* with Saleh al-Nahdi, 12 August 2008.

[61] In Hisyam's work of 1996, the word Eropah was replaced with Eropa. Nonetheless, although they were different in spelling, they had the same meaning. This word 'Eropah' was used before *the Ejaan Yang Disempurnakan* (EYD, the Perfected Indonesian Alphabet) of 1972.

[62] DPP PPME, *Laporan.*

In addition to the twenty one participants[63] in the last meeting, there were two other important figures who could not take part. One of them was Moch. Chaeron. He was an active and creative figure in this new organization from the very beginning. He was both a founder and a member of the commission for the statutes and bylaws, and the creator of the logo for the organization. He was absent from the meeting due to his new job in Groningen, Netherlands. The other person not present was the owner of the Indonesian youth's headquarters, and a member of the board in charge of welfare affairs in the new organization, Rachmat Zitter, who was in Brussels, Belgium.[64]

The elected chair person of the new Muslim organization was Kadungga, who just passed away in December 2009,[65] a son in law of Kahar Muzakar, a key figure of the *Darul Islam* movement in South Sulawesi.[66] The process of election mirrored their understanding of democracy. Before the election, Kadungga demonstrated his leadership abilities in organizing the voting of the participants in the election, beginning with proposing the names of certain figures,[67] considered capable of running the new organization. The candidates were Abdurrahman Wahid - who passed away in December 2009 -, Moh. Suyuti Suhaib, A. Hambali Maksum, Yus Muchtar and Abdul Wahid Kadungga. According to the rules of the election, the voices of the founders were classified in three methods i.e. the first was direct election; the second was to elect *formateur*[s]; and the third was to elect the semi-*formateur*[s].

---

[63] They were 1). M. Sayuti Suhaib 2). Abdul Wahid Kadungga 3). Imam 4). Ozir M. Isa 5). Rusli Bena 6). A. Hambali Maksum 7). Ujang HS. 8). Azmihardi S. 9). T. Razali 10). Husni Basuni 11). Ali Khalik 12). S. Abidin 13). I. Idram 14). M. Rais Mustafa 15). A. Muiz 16). Suwardi 17). Abdurrahman Wahid 18). Moh. Syukur 19). Machfud Muchtar (Yus) 20). Moh. Amir and 21). Ade Baharuddin. DPP PPME, See: DPP PPME, *Laporan,* 1973.

[64] *Ibid.*

[65] *Ibid.*

[66] *Interview* with A. Hambali M., 17 May 2008. Also read: Muhamad Hisyam, *Persatuan,* p. 24-25

[67] It was mentioned that Abdurrahman Wahid was reluctant to run the new organization because he desired to return to Indonesia. See: Muhammad Hisyam, *Persatuan*, p. 25. Nonetheless, he had no objection to be involved in the discussion about figures for the board of the new organization.

They came to an agreement of choosing the third way, whose rules were that if a figure gained more votes than the others he would automatically become both the leader of the *formateurs* and of the new organization. Furthermore, leading figures who received votes but not enough to win, were not obliged, but possibly became the elected leader's partners serving to design and position certain figures as the board of the new organization. After each participant voted by putting the desired name on a ballot, the result was that fourteen votes went to Kadungga, ten to Wahid, eight to Suhaib, seven to Muchtar and three to Hambali. Having elected its leader, the participants agreed that Wahid and Suhaib should become the partners of Kadungga in order to form the board of the new organization.[68]

D. Natures and Objectives: Passing over Indonesian Nationalism

To identify the nature and objectives of PPME, it is not only important to consider the statutes and bylaws but also the nationalities of the members, and their socio-cultural and religious background. Its official statute proclaimed that the sole basis of its struggle was "Islam" not "Indonesian Nationalism".[69] In reaching this decision, there were disagreements among its founders.

There were at least two conditions behind the desire for the new organization to be based upon "Indonesian Nationalism". The first was the spirit of "Indonesian Nationalism" that reached its peak with the revolt of *Partai Kommunis Indonesia* (PKI). The other was that the already existing Indonesian organizations had made use of the label "Indonesia", such as *Perhimpunan Pelajar Indonesia*[70] (PPI) and *Persekutuan Kristen Indonesia*

---

[68] DPP PPME, *Laporan,* 1973.

[69] For this fact the author preferred to use this source: The State Secretary of Justice, *Bijvogsel van de Nederlandse Staatscourant,* dated 14 August 1974 instead of other versions of PPME's statute and bylaws. The reason for this choice is that its official statute and bylaws of PPME existed in the former version. The significant difference is that in the Dutch version, according to article 1: verse 2 of its statute, its existence was restricted for 29 years, and could be prolonged when it remained important. In the other versions the restriction was, however, absent. Hisyam's work did not mention these variant documents.

[70] In Hisyam's work (1996, p. 25) the abbreviation of PPI meant *Persatuan Pelajar Indonesia*. This is mistaken. The right was *Perhimpunan Pelajar Indonesia*. This cor-

(Perki).[71]

Despite the strong push for nationalism, the final agreement excluded the words "Indonesian Nationalism" in the statute of PPME of 1971. This exclusion can be easily understood if the goals of the association are considered. It was founded to perform Islamic teaching through Islamic propagation, creating free-networking and conducting joint activities, and performing academic, cultural and social activities.[72] These goals and endeavors strongly suggested that political activities lay outside the scope of the organization, that it was autonomous, with no affiliation to either the Indonesian or Dutch governments. This basis also signified a desire to pass over ethnic and nationality boundaries. This would be in line with the following arguments for the exclusion. The new organization could, without such Nationalism, reach a broader geographical area with more members, not preventing any Muslim from being a member or participant. Islam, as the basis of struggle, then, possessed wider reaching values than nationalism.[73] Another salient argument related to the word "*Eropa*", which accommodated the nationality of a founder of the association who was not Indonesian but Dutch, in spite of having Indonesian blood from one of his grandparents. He was R. Zittter, who merited special attention due to his generosity in terms of providing a place for the gatherings of the founders.[74] This also accommodated the nationality of Al-Hajri, as a Yamani not Indonesian.

---

rection was based upon information the interview with the secretary general of the PPI, Christian, when attending the Stuned Day held in Indonesian Embassy on 31 May 2008, and with the activist of the first generation of PPME, A. Hambali Maksum in his apartment, 17 May 2008, the Hague..

[71] See: Muhamad Hisyam, *Persatuan,* p. 25

[72] See: Article 4: verse 1,2 and 3. The State Secretary of Justice, *Bijvogsel van,* dated 14 August 1974. See also: Article 4 verse 3, in DPP PPME, *The Statute of PPME* (The Hague: PPME, 1976 and 1979).

[73] See: Muhamad Hisyam, *Persatuan,* p. 26.

[74] *Interview* with A. Hambali M., 17 May 2008

In its bylaws,[75] the logo of PPME,[76] created in 1972 and officially recognized in 1973,[77] was a crescent facing the European continent, framed in a circle. This circle symbolized the strong commitment of the Muslim youth in performing and presenting Islamic teaching in their daily life. The crescent represented the Islamic teaching originating from the Middle East and frequently discussed by intellectuals in Europe. The European continent was the target for their *da'wa* activities.[78]

This logo had colours with specific meaning. White for the crescent signified the holy and perfect Islamic teaching. The light blue for the European continent signified the inhabitants starting to accept the truth of Islam. The last colour, dark blue, aimed to depict the high standard of morality of those who spread Islam on the continent.[79]

PPME's founders came from various islands such as Java, Sumatra, Celebes, Moluccas, Borneo, etc. The diversity was not merely in ethnicity but also in nationality. As mentioned above, R. Zitter was Dutch,[80] and Amir al-Hajriy was Yamani. Recently, there have been Dutch members actively participating in branches of PPME, especially in The Hague, Amsterdam, Rotterdam, and Heemskerk.[81] In addition to those holding Dutch citizenship, other members hold citizenship from Malaysia and Philippines.[82] Another group that cannot be neglected are those coming

---

[75] DPP PPME, *The Bylaws of PPME*, The Hague: PPME, 1979.

[76] The logo of PPME was created by Mochammad Chaeron. This logo had been agreed on in 1973 by the participants of the General Meeting, the highest level gathering attended by the delegates of regional and branches executive committees of PPME. *Interview* with the wife of late M. Chaeron, S. Atikah Z., 11 August 2008 at 20.30, The Hague. The similar recognition was delivered by Kadungga, a founder and the first chairperson of PPME, also recognized him as its creator. Read: DPP PPME, *Laporan,* 1973.

[77] During the first general meeting held on August 25-26, 1973 in Indonesian Embassy, The Hague. Read: *Ibid.*

[78] See*:* Muhammad Hisyam, *Persatuan*, p. 27.

[79] See: *Ibid.*, p. 28

[80] *Interview* with A. Hambali M, 17 May 2008.

[81] *Interview* by phone with Listi, the Chairperson of PPME Heemskerk, Wednesday 2 July 2008 at 20.32.

[82] *Interview* with Ruud Pourchez, the Chairperson of PPME Rotterdam, Friday 27 July 2008, at 15.00, Rotterdam.

from Suriname. This group was Javanese in origin but mostly Dutch in nationality.[83] Last but not least, there were those who were of Arab descent,[84] either holding Indonesian nationality or having some historical connection with Indonesia.

Pertaining to this diversity, what Shadid and Koningsveld claimed, that PPME belonged to the Indonesian community,[85] was not fully mistaken. This was due to the fact that the majority of its members were, at the time, Indonesian. Nonetheless, members having other nationalities have recently multiplied in number.

This diversity was the logical consequence of PPME's basis in Islam, welcoming Muslims, regardless of their nationality, to be its members and participants. As a result, on the one hand, this diversity was an opportunity for building the imagined Islamic *umma*. On the other hand, to a great extent, it would be a challenge for its board, in particular, in making policies and strategies, and programs for their members who were diverse in nationalities and languages, and in playing the social, cultural and institutional roles of PPME.

Regarding the objectives of the new association, with its non-political orientation and its political independence, this association could not be easily classified according to the categories of Waardenburg. It could not, firstly, be considered "a more spiritual association," the first category, which was concerned with the spiritual well-being of its members and providing better knowledge of religion, tending to keep a distance from politics and the state,[86] such as the *Jamā'at al-Tablīgh* founded in Northern India.[87] This was because PPME, also, intended to improve

---

[83] Their examples were Riboet Kasan, a member of the board of PPME Amsterdam, and Amin Dijo, a member of PPME al-Ikhlash Amsterdam.

[84] Their examples were Aziz Balbaid, the advisor and central figure of PPME Amsterdam, and Amir al-Hajri, a person attending the declaration of its establishment.

[85] Shadid and Koningsveld, "Institutionalization and Integration of Islam in the Netherlands", in W.A.R. Shadid and P.S. van Koningsveld (Eds.), *The Integration of Islam and Hinduism in Western Europe* (Kampen: Kok Pharos, 1991), p. 100-101.

[86] J.D.J. Waardenburg, "Muslim Association and Officials Bodies in Some European Countries", in *Ibid,* p. 32.

[87] F. Dassetto and G. Nonneman, "Islam in Belgium and The Netherlands: towards a Typology of 'Transplated' Islam", in Gernad Nonneman et. al., *Muslim*, p. 206-207.

the social and cultural conditions of its members. Nevertheless, this new association could be categorized into his second category,[88] with some modification, that is, the absence of loyalty to Indonesian or Dutch governments. In addition, to some extent, it functioned as the vehicle for some of its founders' dissatisfaction[89] with the restrictive policies of the Indonesian government, in connection with the freedom to perform *da'wah* activities. This function was part of the characteristics of Waardenburg's third categorization of Muslim organizations in Western Europe. Therefore, PPME cannot be easily categorized according to the first, second or third classification, but rather some combination.

In addition to ethnic and national diversity, its members were heterogeneous in profession. As a matter of fact, early in its development, the main actors of this new association were students and alumni of universities. This changed as the founders grew older and some of them passed away. Recently, its members and participants have included officers,[90] unskilled labourers,[91] business people,[92] and pensioners.[93] In addition, this organization welcomed students to enroll in this socio-

---

[88] This second classification was directed to associations that intended to improve "the social, cultural and educational conditions or their members and Muslims at large, at least those from the same country of origin". This kind conditioned the loyalty to "the existing state of affairs in the country of origin and of course to the state in which they live"; J.D.J. Waardenburg, "Muslim Association and Officials Bodies in Some European Countries", in Shadid and Koningsveld, *The Integration,* p. 32.

[89] His third category was aimed at organizations which had similar concerns to those of the second one with dissatisfactory expression with "public affairs and government policies in their countries of origin"; *Ibid.*

[90] The examples for this group were William Satriaputra de Weerd, the officer of Korean Company, Samsung, and Ruud Pourchez, the officer of Akzo Nobel were some examples

[91] Those who worked without the necessity of using a high level of skills such as cleaning service, waiters, etc.

[92] Budi Santoso, the central figure of PPME *al-Ikhlash* Amsterdam and the owner of Indonesian Restaurant, Aziz Balbaid, the importer of foods, and the like, were some examples.

[93] A. Hambali M, the pensioner of Dutch insurance company, S. Atikah Z, the pensioner of the SIN and Riboet Kasan, the Pensioner of Teken en Ontwerp Buro: Marilu Engineering are the examples.

religious organization, as well.[94] Registered students were, in general, the family members of PPME members.[95] Nonetheless, it remains possible for a student to participate and register him or herself as a member despite having no familial relation with the families affiliated to PPME.[96] The statement of Shadid and Van Koningsveld that students were the largest group in prayer-halls used by PPME[97] seems to be incorrect. From the outset, this new organization was not aimed at Indonesian students temporarily residing in the Netherlands but Indonesian Muslims who had resided in the country.[98]

Lastly, the religious background of its members and participants will be described. Since the establishment of the association, the socio-religious backgrounds of members and participants have never played a main role in developing and expanding it.[99] Traditionalists and modernists[100] were hand in hand in running this new organization. Recently, its members and participants have even included 'statistical' Muslims.[101] Therefore, affiliation to NU, *Muhammadiyah,* or other Islamic organizations, was never the main focus of PPME. Furthermore, even those who had no religious knowledge or background could be active members. In this way, they maintained their unity from 1971 till the end of 2005, when the

---

[94] *Interview* with Ruud Pourchez, 27 July 2008.

[95] *Interview* with William Satriaputra de Weerd, the chairperson of PPME the Netherlands, 25 May 2008, Rotterdam.

[96] *Interview* with Ruud Pourchez, 27 July 2008.

[97] Shadid and Koningsveld, "Institutionalization and Integration of Islam in the Netherlands", in W.A.R. Shadid and P.S. van Koningsveld (Eds.), *The Integration,* p. 100-101.

[98] *Interview* with A. Hambali M., 17 May 2008, The Hague.

[99] *Ibid.*, and *interview* with William Satriaputra de Weerd, 25 May 2008, Rotterdam.

[100] *Interview* with A. Hambali M., 17 May 2008, The Hague.

[101] This term was aimed at those Muslims who were not *santri* and not devout. Read: C. van Dijk, "Communist Muslims in the Dutch East Indies", in C. van Dijk and A. H. de Groot (eds.), *State and Islam* (Leiden: CNWS, 1995), p.78. Furthermore, *the santri* could mean the fanatic Muslims "who stress a strict adherence to religious rules; read: Kees van Dijk, "Dakwah and Indigenous Culutre: the Dissemination of Islam", in B. Arps et. al, (eds.), *Bijdragen*, No. 154.2 (Leiden: KITLV,1998), p. 222. Nonetheless, the *santri* could also, here, mean Muslims who had learned Islamic knowledge in the *pesantren.*

conflict of religious orientation reached its peak, bringing about a split in PPME Amsterdam into two congregations, the PPME Amsterdam and the PPME al-Ikhlash Amsterdam.

From the outset, the main actors running the association were mostly alumni and students. This phenomenon could have endured up to now. Most of its board members came from the middle class and were graduates of universities or higher education institutions, and this continues to be the leading group in it, without mosques or halls for worship. Shadid's and Koningsveld's classification of the association as a grass roots organization for Indonesian Moluccans in the Netherlands, having local autonomous mosques,[102] seems to be true of PPME's congregations only in terms of economics, not education.

The germ of world youth culture had been embraced by the founders of this new organization. The characteristics of its mission and logo, passing over nationality, are the evidence. Therefore, international activity was extremely likely. Furthermore, PPME, since its establishment, set out to be an independent socio-religious organization with diverse backgrounds and not an instrument of a nation-state foreign policy. These characteristics seem to be part of the nature of a world youth movement.[103] These however applied only till they reached the age of 35. Afterwards, they could no longer be considered youth.

E. The Re-structure and the Expansion of PPME: against Political-Orientation

Less than two years, exactly 20 months, after the establishment of PPME in The Netherlands, on 13 January 1973 Indonesian Muslims in Germany were motivated to establish their own PPME in the country. Therefore, there existed two PPMEs. Organizationally, their status

---

[102] When elaborating Muslim organizations focusing on one or more ethnic communities as a whole they classified them in four categories, namely "organizations which mainly resort under the authority of the governments of one of the countries of origin, organizations depending upon the governments of various Muslim countries, organizations which are attached to internationally organized religious movements of a specific confessional nature and which are independent of foreign governments, and grass root level organizations"; W.A.R. Shadid and P.S. van Konigsveld, *Religious Freedom and the Position of Islam in Western Europe* (Kampen: Kok Pharos, 1995), p. 50.

[103] Read: William D. Angel, *Youth*, p. 3-8.

necessitated a re-structure in such a way that the position of each was lucid. No less importance was also their structural development over time at which their expansion can be clearly identified.

1. The Netherlands

Having been formed in 1971 in The Hague, the board of PPME was later renamed, *Dewan Pimpinan Pusat* (DPP, the Central Executive Committee) due to the presence of the board of PPME in Germany. Then, in 1974 the board of *Dewan Pengurus Wilayah* (DPW, the Regional Executive Committee) of the Netherlands was formed, and was led by M. Surya Alinegara.[104] DPW, furthermore, founded branches in Amsterdam, The Hague, Rotterdam, Heemskerk and Breda-Tilburg. In 1975, branches of PPME in The Hague, Rotterdam, and Amsterdam were founded.[105] These three branches of PPME played significant roles in developing this organization.

The Hague was the city in which the declaration of the establishment of PPME was made. In addition, PPME in the Hague had a strong relationship with the Indonesian embassy. In 1997, its active members included 83 families.[106] By 2008, however, the number of its members was not clear.[107]

Rotterdam was the first headquarter which produced and distributed brochures and a bulletin, entitled *al-Falah*. It was also this branch that experienced a split in the mid-1980s, due to different orientations among its members i.e. political versus non-political orientation.[108] The PPME branch in this city was under the leadership of Hisyam Pula, alias Abu Jihad, who pushed to make the organization more politically oriented, but

---

[104] See: Muhamad Hisyam, *Persatuan,* p. 29-30

[105] *http://www.ppme.nl/Nederland/Geschied.htm,* accessed on 20 July 2008, at 19.02 p.m.

[106] DPC PPME, *Laporan Pertanggungjawaban PPME Cabang Den Haag 1996-1997* (The Hague: PPME, December 1997), p. 14.

[107] The chairperson of PPME The Hague branch, Aaman Sulchan estimated that the number of its member has recently reached more than active seventies families. *Interview* with Aaman Sulchan, 17 May 2008, in Al-Hikmah Mosque, The Hague.

[108] DPW PPME the Netherlands, *Laporan Umum Pengurus PPME Wil. Nederland 1984-1986* (The Hague: PPME, 1986), p. 23.

was not recognized by the DPW of the Netherlands due to his absence, though invited, from the resolution gathering held by the DPW. As a result, the DPW recognized the branch under the leadership of Tjen A. Kwoei, who kept it away from political issues. This leader attended the gathering.[109] In this city, PPME's members in 2008 included only sixty families.[110] Nevertheless, this branch has frequently conducted joint activities, particularly, with people from Surinam.[111]

PPME Amsterdam was considered to be a well-developed branch before internal conflict led to disunity at the end of 2005. Its members' strong commitment and independence in developing their PPME is worth noting. This attitude led them to establishing their own place for worship and socio-cultural activities in 2005.[112] In spite of internal conflict[113] the socio-religious commitment and self-help of members of the PPME Amsterdam branch - not PPME *al-Ikhlash* Amsterdam - increased. Evidence of this can be seen in an electronic web-based *da'wah* program directly delivered by their Indonesian ulama both from Saudi Arabia and Indonesia. In 2008, its member included 268 families.[114]

On 18 April 1998, the formation of a new branch of PPME in Heemskerk took place. A small group who had been interested in Islamic subjects led to the emergence of this branch. This group frequently worked together before becoming a branch.[115] This branch, in 2008, included 15 families. It was run by a female leader. This was due to the fact that, from the outset, most of its members were Indonesian wives whose husbands were Dutch. Before 1988, when they decided to join

---

[109] DPW PPME the Netherlands, *Laporan Pertanggungjawaban Program Kerja PPME Nederland 1992-1994* (The Hague: PPME, 1994), p. 7.

[110] *Interview* with Ruud Pourchez, 27 July 2008, Rotterdam.

[111] DPC PPME, *Proposal for the Construction of a Mosque for the Indonesian Community in the Netherlands (Rotterdam)* (Rotterdam: PPME, January 2004), p. 12.

[112] *http://achmad-supardi.blogspot.com/2005_10_01archive.html,* quoted at 11.59 of 21 July 2008. The writer was a journalist of the newspaper "Rakyat Merdeka".

[113] One was called PPME Amsterdam Branch and the other was called PPME al-Ikhlas Amsterdam

[114] *Interview* with Aziz Balbaid, 28 July 2008, Amsterdam.

[115] DPW PPME the Netherlands, *Laporan Pertanggungjawaban Program Kerja PPME Wilayah Nederland Periode 1997-1999* (The Hague: PPME, Juni 2000), p. 6.

PPME, the wives had formed a group to discuss Islamic subjects meeting in their apartments or houses. Their husbands, who were mostly converts, usually drove their wives to the place in which the activity was held. Before joining PPME, the number of families that joined the group had reached 40. Nonetheless, this new branch has recently included a male group separate from the female group, due to different languages being used, with Indonesian for the females and Dutch for the males. Their activities have been held monthly in a leased hall. In addition to activities for adults, there have been religious activities for their children.[116]

On 30 December 2005, a branch of PPME called *al-Ikhlash* was founded in Amsterdam.[117] The number of members of this branch recently reached 125 families.[118] The members of this new branch had previously been part of the PPME Amsterdam branch. This new branch was formed because of different religious understandings among the members of PPME Amsterdam branch regarding activities such as reciting the *sūrat yāsīn* and conducting the tradition of *tahlilan* for certain occasions. This new branch included such activities, conducting them in the apartments or houses of members. The differing views between the two sides reached a critical point when the PPME Amsterdam branch raised money to buy a building for their religious and socio-cultural activities. All members donated money, and with donations from other sources, the group was able to buy the building. Because of their financial contributions, the holders of the tradition, the PPME *al-Ikhlash,* wanted to move their activities from their own houses and apartments, into the new building. However, the other side, those who did not conduct the aforesaid traditions, argued that the activities which could be performed in the new building should be agreed to by all.[119] One of them pointed out that such traditions should not be performed in the new building because

---

[116] *Interview* by phone with Lusti, the chairperson of PPME Branch of Heemskerk, 2 July 2008.

[117] Siti Fatimah, *Laporan Notulen Rapat ke-Empat Pengurus Majlis Dzikir* (Amsterdam: PPME Majlis Dzikir), 31 December 2005.

[118] DPC PPME al-Ikhlash, *PPME al-Ikhlash Amsterdam Ledenlijst* (Amsterdam: PPME, n.d).

[119] DPW PPME Nederland*, Keputusan PPME Wilayah Nederland*, No. 2/PPMENL/XII/2005 (The Hague: DPW PPMW, 18 December 2005), appendix 2.

not all members wanted to participate in such activities.[120] Another said that the traditions should continue to be performed in the homes of participants because there were differing views regarding the Islamic jurisdictional foundations of the activities.[121] The boards of Regional PPME in the Netherlands finally came to the decision that the two sides should be divorced on the basis of the fact that the two groups were firm in their points of view, and could not exist under one umbrella, the PPME Amsterdam branch.[122]

Lastly, in 2005,[123] the PPME branch of Breda-Tilburg was founded. Since the year 2000, reciting Quranic verses, the *sūra yāsīn*, and the *tahlilan* for families that had experienced calamity, had been occurring. While the registered number of families was around 35, about 15 to 20 families actively participated in programs held by this branch in the houses or apartments of members. [124]

2. *Germany*

The establishment of PPME in the Netherlands motivated Indonesian Muslim youths in Germany to found their own PPME. It is important to note that the youths were students, making the situation very different from that of the organization in the Netherlands, whose founders were, for the most part, no longer students.[125]

On 19 January 1973, this new PPME was established in Otto Eger Heim, Giessen, Germany, and was led by Rasyid Suparwata, who up to 2008, led the Pimpinan Cabang Istimewa Muhammadiyah (PCIM, the Special Branch of Muhammadiyah). This new organization was witnessed by fourteen youths who released the following statement:

---

[120] *Interview* with Riboet Kasan, a member of PPME Amsterdam's board, 10 May 2008, Amsterdam.

[121] *Interview* with Aziz Balbaid, 28 May 2008, Amsterdam.

[122] DPW PPME Nederland*, Keputusan PPME Wilayah Nederland*, *No. 2/ PPMENL/XII/2005* (The Hague: DPW PPMW, 18 December 2005), appendix 1.

[123] *http://www.ppme.nl/Nederland/Geschied.htm,* accessed on 20 July 2008 at 19.02 p.m

[124] *Interview* by phone with Hansyah, the chairperson of PPME Branch of Breda-Tilburg, 30 June 2008.

[125] See: Muhamad Hisyam, *Persatuan,* p. 26

"*Bismillahirrahmanirrahim,*

Kami yang bertanda tangan di bawah ini, pendukung perintis pembentukan organisasi Persatuan Pemuda Muslim se-Eropah Jerman Barat, menyatakan kesediaan dan tanggung jawab terhadap kelangsungan hidup organisasi ini sejak didirikan pada tanggal 19 Januari 1973 atau 9 Dzul Hijjah 1392 H, di Otto Eger Heim, Glessen. Semoga kami tetap beriman, Islam dan mudah-mudahan Allah SWT melindungi organisasi ini serta kami dalam melaksanakan tugas kewajiban sebagai Muslim[,] amien".[126]

The founders of the PPME in Germany wished, not merely to found their own PPME, but also to expand it. This can be seen in their choice of appointing coordinators from different cities, such as Marzuan Umar from Giessen, Rasjid Widodo from Darmstadt and Naunas Salam from Offenbach. This concern was not as important for their brothers in Islam in the Netherlands, who focused more on strengthening their unity. The formation of the division of art and welfare in the PPME the Netherlands was proof of this. Through this division, various socio-religious needs of its members could be accommodated.

On 21 December 1975, with the DPP and DPW of the Netherlands, the PPME's board in Germany became another DPW, in addition to those of the Netherlands. For this new DPW, Suparwata remained leader.[127] In Germany, in between 1973-1976, branches were formed in Dortmund, Frankfurt, Darmstad, Offenbach, Giessen, Berlin[128] and Heidelberg.[129] By 1982, there were branches in Clausthal and Bochum, and members in Hamburg and Bonn, as well.[130] The existence of these branches followed the spirit of expansion.

The DPP of PPME, previously headquartered in the Netherlands, moved to Germany in 1979. This was because S.A. Rangkuti lived in Germany. It is worth mentioning that for almost ten years there was unity between PPME of the Netherlands and Germany. However, their

---

[126] Read: DPP PPME, *Laporan,* 1973.

[127] Read: DPP PPME, *Laporan,* 1976, p. 4-5.

[128] See: Muhamad Hisyam, *Persatuan,* p. 29-30.

[129] DPW PPME Germany, *Laporan Kerja DPW PPME* (Darmstadt: PPME, July 1976), p. 2.

[130] DPP PPME, *Daftar Peserta Musyawarah Umum IV* (The Hague: PPME, November 1982).

differences in nature and orientation[131] created divisions and finally led to their disunity. This suggested that their commitment for the *shi'ar* of Islam [in Europe] was neglected.[132]

This disunity led to the non-functioning of the DPP since 1982. There were several reasons for this. First, the policies and strategies of PPME were in need of clarity. Secondly, its statutes and bylaws needed revision to accommodate the needs of branches.[133]

Then, in September 1992, the DPP was revived, due to the efforts of the DPW of the Netherlands. The elected leader in the Fifth General Meeting in Rotterdam was M. Zubaidi, from PPME of Germany.[134] However, five months later after the re-starting the DPP, Zubaidi, the elected chairperson, crossed out the words '*Berdasarkan Pancasila',* written by Munawir Syadzali, the former minister of the Republic of Indonesia in the preface of *Al-Qur'an dan Terjemahannya* (the Quran and Its Translation) given by the government of Saudi Arabia.[135] According to the DPW of the Netherlands, this action was not in line with the statute of PPME article 3 stating that PPME was an organization for education and *da'wah,* and was independent. It was not a political organization.[136] The difference in vision between PPME the Netherlands and Germany brought about their separation, except for a few individuals who shared a similar vision to that of their friends in the Netherlands.[137] Due to this difference,

---

[131] The proponents of PPME in the Netherlands, who were mostly no longer students, had firmly run this new organization for *da'wa*-oriented activities in Europe. This differed from the wishes of their fellow Muslims living in Germany, who wanted it to respond to the political situation in Indonesia. This difference in orientation seems to have been the result of differences in status, with those in Germany being students and having temporary residence, while those in the Netherlands were not students and residing longer.

[132] Muhammad Hisyam, *Persatuan*, p. 34-35.

[133] DPW PPME, *Ikrar Musyawarah Wilayah Luar Biasa 1982* (Germany: PPME, November 1982).

[134] DPW the Netherlands, *Laporan Pertanggungjawaban Program Kerja PPME Periode 1992-1994* (The Hague: PPME, November 1994), p. 6-7.

[135] *Ibid.,* p. 14-15.

[136] DPW the Netherlands, *Surat untuk M. Zubaidi, No. 0X/KWN/01/93 dated 08-01-1993* (The Netherlands: PPME, 1993).

[137] Muhammad Hisyam, *Persatuan*, p. 38-39.

since the 1990s, there have been no activities of PPME in Germany. It is true that some activists of PPME of Germany can be found in the country. However, their number is not sufficient to re-activate PPME. The absence of their boards, whose members had returned to Indonesia after finishing their study, was the main reason for the dissolution of PPME in Germany.[138]

3. Other Countries

The efforts to expand the new organization drew the attention of Indonesian youths in European countries such as in Great Britain, France, Sweden, and Belgium, through personal networks, irregular visits, and attending scientific discussions. However, these efforts were generally not fruitful.

It was claimed that personal contacts had been made in various cities in Europe such as in Brussels, Helsinki, Paris, and London.[139] However, PPME was never founded in these countries.[140] In fact, there was a member of PPME that resided in London, M. Fadhol Arofah. He was an active and critical member of PPME during the 1970s.[141] Yet, establishing contact persons or representatives in these countries was never seriously discussed. This was due to the fact that no branches of PPME were established outside of the Netherlands and Germany.

F.   The Status of PPME and Its Activities: Progressive Muslims

The following are the salient activities conducted by PPME's central, regional and branches boards since its establishment in 1971. These activities can serve to measure its presence and development both prior to and after gaining official recognition from the Dutch government.

---

[138] *Interview* with A. Hambali M, 17 May 2008 and William Satriaputra de Weerd, 25 May 2008.

[139] See: Muhamad Hisyam, *Persatuan,* p. 29-30.

[140] DPP PPME, *Laporan,* 1976, p. 5.

[141] One of his critical thoughts delivered in General Meeting II could be found on his short paper entitled *Sumbangan Pemikiran kepada Musyawarah Umum PPME II*. He emphasized that the limited time of its board should not be exposed as a reason for its stagnancy and the lack of its cooperation with other sides. Maryadie, M F A, *Sumbangan Pemikiran kepada Musyawarah Umum PPME II* (London, 21 July 1976), p. 1-3.

Therefore, through these activities, its dynamism can also be seen.

1. *Prior to May 1974*

A strategic step taken by the board of PPME was to propose the legalization of the new organization to the Dutch government. This step required the assessment of the principles the founders held regarding their socio-religious commitment, idealism, and volunteerism. In this regard, they had to satisfy legal and organizational requirements, such as changing the content of its statutes in connection with article 1: verse 2 about the time limitation of the existence of PPME,[142] the replacement of its functionaries who did not possess a permit for permanent residence in the Netherlands,[143] and the formation of a team authorized to execute these tasks.

On the basis of a letter no. 004/PPME/SEK/73, a team responsible for these tasks was formed. This team, headed by Jus M. Muchtar, had to make ready the necessary documents, and to write and propose a letter requesting legal recognition of PPME from the Dutch government.[144] The team, then, started writing the letter directed to the government.[145]

Having delivered the letter to the government in February 1973, the response came two months later. The government required a meeting with the board of PPME to gain clarification on article 1: verse 2. The Ministry of Justice required a clear idea of how long PPME would exist.[146] For this, they chose twenty nine years as the limit, though this could be extended as long as necessary.[147]

---

[142] On Mochamad Chaeron's notes it was written that the words '*voor onbepalde tijd*' in article 1: verse 2 of PPME's statute should be changed. The end of its existence should be determined.

[143] *Interview* with A. Hambali Maksum, 30 June 2008, The Hague.

[144] See: Muhamad Hisyam, *Persatuan,* p. 30-31.

[145] DPP PPME, *Laporan* ..,1973.

[146] *Interview* with A. Hambali M, 30 June 2008.

[147] The 29 years as the time limitation was as the result of initiative of the founders. *Interview* with A. Hambali M., 30 June 2008, The Hague.

Another task pertained to article 4: verse 1 on the words: 'Performing Islamic *da'wah*.[148] These words might be considered clear enough if it was proposed to Muslim governments, but not for the Dutch government. Having clarified that the phrase meant speaking and writing about Islam in PPME gatherings and bulletins, the Dutch government was satisfied and no longer raised any objections to the words.[149]

Although the PPME did not gain legal recognition yet from the Dutch government, the priciples of its founders can be clearly seen. It was claimed that unity, in particular among the board, had been a priority.[150] The following relevant activities might be evidence for their strongly held principles. Since its establishment, the board had carried out many beneficial activities such as designing and composing the statutes and bylaws of PPME on April 12, 1971,[151] producing a bulletin called *al-falāh* in March 1972, commemoration of the Prophet's birth in April 1972, creating formal and non-formal networks with an Islamic center in Geneva and the Indonesian Ambassador for Switzerland, and Indonesian students in Munich, Germany in the beginning of May 1972, and performing Ramadan activities in the same year. Collecting *zakat* together with Indonesian embassy and performing *'idu'l-fiṭri* and *'idu'l-aḍḥā* in the Hague were also part of its activities.[152] Since early 1973, PPME had been working towards legal recognition from the Dutch government. By the middle of 1973, the revision of its statutes and bylaws was done.[153] In the same year, *Badan Usaha Dana* (BUD, the Board for Enterprise and Fund Raising) was formed. In June 1973, PPME's representative visited Libya to attend the conference held by the World Assembly of Muslim Youth (WAMY). Still in 1973, meetings with Persatuan Pelajar Indoensia (PPI, the Indonesian Students Association) of Cairo and Medina were held. Then, contacts with *Mu'tamar Ālam Islāmī* (Pakistan), *Rābitat al-*

---

[148] Read: *Laporan Kerja*, 1973.

[149] See: Muhamad Hisyam, *Persatuan,* p. 31-32.

[150] *Interview* with A. Hambali M., 30 June 2008.

[151] DPP PPME*, The Statute,* 1973, p. 2.

[152] DPP PPME, *Laporan,* 1973.

[153] The absence of the time limit of PPME existence for 29 years was the main revision of its statute. Read: The State Secretary of Justice, *Bijvogsel van de Nederlandse Staatscourant,* dated 14 August 1974.

Ālam Islāmī (Saudi Arabia), and Muslim Student Association (America and Canada) were initiated. A representative of PPME also attended a conference in London held by an Islamic Center. [154] The facts pertaining to PPME's activities show that during these three years, 1971-1973, there were important actions carried out by this new organization. Initially, although the new organization was structurally independent from the Indonesian Embassy in the Netherlands, they maintained a relationship through joint activities with the embassy. PPME also began creating international connections.[155] Networking with the foreign organizations mentioned above, without the aid and interference of the Indonesian government, is the proof. Networking was also carried out with Indonesian friends in various countries throughout Europe, America, and Asia. No less important was the request for legal recognition. This recognition hinted at the significant efforts of the boards and supporters of the new organization, despite lack of knowledge of their new milieu as guests in the Netherlands.

2. *After May 1974*

In 1974, PPME was legally recognized by the government on the basis of the Dutch Queen's Letter no. 38 of May 6, 1974 with the status of "*vereniging*" [association].[156] As a matter of fact, most Muslim organizations in the Netherlands had the status of *stichting* not *vereniging*. Therefore, the status of the new organization completely differed from them.[157] Nevertheless, this new Muslim organization benefited from this status. Because of it, PPME required the presence of both its boards and members.[158] Branches that emerged in cities in the Netherlands and

---

[154] DPP PPME, *Laporan,* 1973.

[155] William D. Angel elaborated that the transnational interaction took place when at least one of the actors of the interaction was neither a government nor an intergovernmental organization, and individuals or organizations in a given society could, therefore, interact with foreign governments and foreign societies. They bypassed their own government. William D. Angel, *Youth*, p. 3-5.

[156] In Hisyam's book (1996, p. 32) the letter numbered 58 of may 4, 1974. However, according to the *Bijvoegsel* of 1974 and the Queen Letter on the legalization of PPME, it is clearly stated that it was legalized on the date the writer mentioned above.

[157] See: Muhamad Hisyam, *Persatuan,* p. 32.

[158] *Interview* with William Satriaputra de Weerd, 25 May 2008, Rotterdam.

Germany were the result of its status of *vereniging,* enabling its boards to expand and increase its membership. Besides, the branches could operate on the basis of their own characteristics and uniqueness as far as they comported with the guidelines of PPME's mission.[159]

Another advantage was that it reserved the right to create a *stichting* (foundation). This right was, on the contrary, not given by the *stichting.* This right was in line with the presence of its members.[160] This new association had created a *stichting,* called *al-Ittihad,* to handle its membership whose number had gone on increasing.[161] This creation was possible due to the fact that in a *vereneging,* its member could actively play certain roles.[162]

Despite its flexibility, the status of a *vereniging* had, unlike a *stichting,* placed PPME in a problematic position. Important policy, strategies and programs of the organization had to be based upon the decision of a General Meeting, Regional Meeting, Branch Meeting or Extraordinary Meeting. This required the association to take certain and, sometimes, long procedures when making fundamental policies or strategic steps.[163] This completely differed from the nature of the foundation, which required no membership.

Another problem was the absence of clarification on specific sectors to which the association was directed. Therefore, it was hard for it to receive Dutch subsidies,[164] in particular for socio-cultural activities rather than religious domains. As a matter of fact, subsidies were frequently given to non-governmental organizations or foundations on the basis of specific socio and cultural needs.

Besides, subsidies or other financial assistance, according to the statutes of PPME, should not bind the association to its donors.[165] Therefore, assistance was evaluated as to whether it would harm the nature of the association or not. The voices of its branches should be,

---

[159] Read: Muhamad Hisyam, *Persatuan,* p. 32-33

[160] *Interview* with William Satriaputra de Weerd, 25 May 2008, Rotterdam.

[161] Read: Muhamad Hisyam, *Persatuan,* p.. 32-33

[162] *Interview* with William Satriaputra de Weerd, 25 May 2008, Rotterdam.

[163] Read: "Chapter V-VII", in DPP PPME, *Bylaws of PPME,* 1979.

[164] Read: Muhamad Hisyam, *Persatuan,* p. 33

[165] Read: "Article VII on Finance", in DPP PPME, *the Statute of PPME,* 1979.

also, taken into consideration in order to be in line with the statutes of PPME.

The new status of *vereniging* for PPME seemed to be the best choice. Its statutes and bylaws, and the nature of its membership were the reasons for it. Nonetheless, the impact of this status can be seen from subsequent activities. After the new status, this new association started thinking of possessing a mosque.[166] In addition to *al-'īdain, maulid al-nabiyyi*, since the mid-1974-1975, the Islamic commemoration such as *isrā' mi'rāj, nuzūl al-qur'ān* could have been held. At the end of 1974 and 1975, PPME organized a program for the *hajj* pilgrimage for some of its members. Still, at the end of 1974, Islamic lessons for children were started. These activities were supported by the Indonesian embassy in the Netherlands. Beginning in 1975, Islamic lessons were provided for its adult congregation.[167] In December 1975, it held leadership training.[168] On February 25, 1976, the PPME of Germany[169] visited the Indonesian embassy in Germany in order to introduce themselves and their plans. In March 1976, it conducted a survey, collecting data on Indonesian students in universities in Frankfurt, Giessen, Offenbach and Darmstadt. Still in the same month, on 9 March 1976, a meeting with the representatives of Indonesian student organizations was held. The representatives of *Perhimpunan*[170] *Pelajar Indonesia (PPI), Keluarga Mahasiswa Katholik Indonesia (KMKI), Persekutuan Kristen Indonesia (Perki)* attended the meeting to discuss the possibility of joint activities. On April 17, 1976, leadership training for Indonesian Muslim youths in Frankfurt was held. In August 1976, the revision of PPME's statutes and bylaws was conducted. The main points of revision were to some of the goals and the addition of its honorable member.[171] In May 1979, the statutes and bylaws of PPME were, again,

---

[166] DPP PPME, *Laporan Kerja 1973-1976* (The Hague: PPME, 1976), p. 10.

[167] *Ibid.*, p. 8

[168] *Ibid.,* p. 4-5.

[169] DPW PPME Germany, *Laporan Kerja DPW Germany* (Giessen: PPME, 1976).

[170] This term is usually employed, in the case of Indonesian students' organizations in the Netherlands, to an association coordinating the prevailing students' organizations in the country.

[171] DPP PPME, *The Statute and Bylaws of PPME* (The Hague: PPME, August 1976), p. 2.

revised. In this revision, new controlling and autonomous bodies were formed. In addition, special bodies and committees for certain urgent cases were also put forward.[172] Then, in the beginning of 1985, the regional executive committee of PPME the Netherlands published a bulletin *al-ittihād*.[173] In September 1992 *Dewan Pimpinan Pusat* (DPP, the General Executive Committee) was re-formed after its absence since 1982.[174] In the same month, the revision of its constitution was, for the third time, conducted. At the beginning of 1993, a bulletin called 'Euro Moslem' was published by PPME of Amsterdam Branch.[175]

As can be seen, over a period of almost eighteen years, from April 1974 - January 1993, this association increased its activities. On the other hand, international interactions decreased, beginning in the early 1980s. During this period, this organization apparently recommended the performing of commemorations of historic Islamic events as mentioned above. This accommodation hinted at the openness of its members who, in fact, came from heterogeneous socio-religious backgrounds. Then, the relationship with the Indonesian government became more intimate. Its relationship with the Indonesian Embassy in Germany, in addition to that in the Netherlands, is evidence. The openness of this organization was also proven. It even passed over the religion of Islam. This can be seen from its meeting with the Catholic and Protestant organizations of Indonesian students as mentioned above. Lastly, this period also produced many flyers that played a significant role in the publication, networking, as the media of information exchange, and expression of members' aspirations of PPME.

3. *After August 1993*

According to the letter of the Dutch Chamber of Commerce and Industry, dated December 14, 1994, on *vereniging* and *stichting*, PPME had been, since 1 September 1993, registered as a *vereniging* with a limitless amount of time to operate. This new status was extremely significant

---

[172] DPP PPME, *The Statute and Bylaws of PPME* (Giessen: PPME, 1979).

[173] PPME, *Al-Ittihaad*, No. 19 (The Hague: PPME, Maart-April 1988).

[174] DPW the Netherlands, *Laporan Pertanggungjawaban Program Kerja* (The Hague: PPME, 1994), p. 6-7.

[175] DPC PPME Amsterdam, *Euro Moslem*, No. 8 (Amsterdam: PPME, 1994).

for its boards and members. The Dutch government, at least through this letter, continued to recognize PPME as an active and responsible Muslim organization. The letter also suggested that its existence in the Netherlands was needed by its people, who were mostly Indonesian. The following activities would show whether they could benefit from this new status or go in the opposite direction.

In October 1994 the association was recognized as an active member of WAMY (World Assembly of Muslim Youth). This did not take place by accident but as the result of its involvement as a member of the world assembly since 1977. [176] Then, *Al-Mu'minun*, the Islamic teaching for a group of Dutch speakers, was founded on 2 July 1995. [177] From September 1995 to April 1996, PPME was involved in the process of obtaining possession of a mosque, called later al-Hikmah in The Hague. This mosque had been, since July, under the management of the Indonesian Embassy in The Netherlands.[178] In 1995 *Zikra*, another bulletin owned by PPME, was published. [179] For the second generation,[180] the *Jeugdkamp* (youth camp) program was held in 1995 and 1996. Islamic education and organization subjects were intensively taught in the program. Besides, in 1996 and 1997, a contest of reciting

[176] DPW PPME the Netherlands, *Laporan Pertanggungjawaban Program Kerja PPME Wilayah Nederland 1992-1994* (The Hague: PPME, 27 November 1994), p. 22.

[177] DPC PPME Den Haag, *Laporan Pertanggungjawaban Program Kerja 2000-2002* (The Hague: PPME, September 2002), p. 5.

[178] Read: The Caretaker of Masjid al-Hikmah, *Memorandum Akhir Jabatan*, KBRI: The Hague, 1997, p. 3-5. It is worth mentioning that the success of KBRI in owning the building functioned as the place for worship and social activities could not be disassociated from the efforts of PPME's figures. *Interview* by phone with the former leader of PPME the Netherlands, Naf'an Sulchan, 10 May 2008, at 20.00. His opinion was in line with that of the chairperson of Regional PPME the Hague 1994-1996 stating that in the program of commemorating of The Prophet's birth in 1995 PPME initiated the effort to found a mosque. Read: DPW PPME the Netherlands, *Laporan Pertanggungjawaban DPW Nederland 1994-1996* (PPME: The Hague, 1997), p. 9.

[179] DPC PPME, *Zikra*, The Hague: PPME, 1997.

[180] The experience that had been undergone by *Persatuan Umat Islam*, the predecessor of PPME, was not in the hope of PPME boards and members. It structurally existed but was meaningless. It was merely a document. DPW PPME the Netherlands, *Laporan Pertanggungjawaban Program Kerja PPME Wilayah Nederland 1997-1999* (The Hague: PPME, 2000), p. 8.

al-Qurān for the successors of the first generation was also held. The bulletin *al-Ittihad* served as the vehicle for the publications of PPME.[181] At the end of 1996, PPME set out to perform the program of *'umrah*, particularly, for the second generation. However, this program was delayed due to the participants not yet reaching the minimum number required.[182] On January 26, 1997, one of PPME's central figures was involved in the program of *pesantren kilat* (short Islamic school) aimed at improving the Islamic knowledge and understanding of Indonesian Muslims in the Netherlands. This program was held in the *al-Hikmah* mosque.[183] On August 10, 1997, PPME of Amsterdam conducted a sport day for its members which aimed at the strengthening of social relations.[184] Additionally, between 1997-1999, other activities occurred. There was an initiative to publish other bulletins as the vehicle for academic and *da'wah,* paying more attention to other branches. "Euro Muslim" for the Amsterdam branch and "*Iqra'*" for Rotterdam branch were prioritized.[185] This association was also concerned with improving the performance of the pilgrimage.[186] Between the years 2000-2002, Islamizing a non-Muslim was permitted to be handled by PPME. Over these two years, there were 135 registered converts. It conducted and witnessed mixed nationality marriages under Indonesian Islamic law, in particular, the marriage of an Indonesian to a Dutch person. These marriages were nine in total. [187] On October 2004, in Ramadan activities, the method of *dawrah* was introduced to the teachers of PPME Amsterdam. The Quranic recitation competition was held for the Islamic students of the

---

[181] Read: DPW PPME the Netherlands, *Laporan Pertanggungjawaban,* 1997, p. 8

[182] *Ibid.*, p.12.

[183] The Caretaker of Masjid al-Hikmah, *Pesantran Kilat Ramadhan 1417 H* (The Hague: Pilar, 1997), p. 5-14.

[184] PPME Amsterdam, *Laporan Kegiatan Musim Panas Barbeque dan Budaya Periode 1996-1997* (Amsterdam: PPME, 1997).

[185] DPW PPME the Netherlands, *Laporan Pertanggunganjawab DPW PPME Wilayah 1997-1999* (PPME: The Hague, 2000), p. 7.

[186] *Ibid.*, p. 9.

[187] DPC PPME Den Haag, "Lampiran 4", in DPC PPME, *Laporan Pertanggungjawaban,* 2002, p. 1-3.

PPME Amsterdam.[188] Beginning in November 2005, monthly Islamic lectures, both in Indonesian and Dutch, were held.[189] Still in this year, the PPME Amsterdam purchased a large building for religious activites. Lastly, during 2006-2009, PPME attempted to establish contacts with Indonesian and Dutch organizations for transnational activities.[190]

From these facts, it can be asserted that this association paid special attention to the presence of Dutch speaking Muslims. They were mostly Dutch, and were well organized in a group called "*al-Mu'minun*". Furthermore, it was very concerned with the religious knowledge of PPME's second generation. The intensive programs provided for them are proof of its concern. This period is also notable for the purchase of a place for worship and socio-cultural activities. No less importance was that this association had been able to frequently perform Islamic marriage and legalize a person who wished to be Muslim according to Islamic *Syari'a*. Last but not least, it seemed that in this last period, its boards did not maximize its status as an association with no time limits on its operations. This can be seen in the lack of international co-operations, particularly, with non-Islamic adherents. Nevertheless, the biggest achievement of this last period was the purchase of a house made to function as a mosque in 2005.

---

[188] PPME Amsterdam, *Jadwal Kegiatan pada Minggu Ketiga dan Minggu Ke-empat Ramadhan Th. 2004* (Amsterdam: PPME, 2004).

[189] PPME Majlis Dzikir, *Mededeling* (Amsterdam: PPME, 2005).

[190] DPC PME Al-Ikhlash, *Tugas, Tanggungjawab, dan Program Kerja* (Amsterdam: PPME al-Ikhlas, February 2006).

BIBLIOGRAPHY

Angel, William D., *Youth Movement of the World,* UK: Longman, 1990

Arps, B. et. al, (eds.), *Bijdragen*, No. 154.2, Leiden: KITLV, 1998.

Barton, Greg, *Gus Dur: the Authorized Biography of Abdurrahman Wahid*, Jakarta-Singapore: Equinox, 2002.

van Dijk, C., *Rebellion under the Banner of Islam: the Darul Islam in Indonesia*, The Hague: Martinus Nijhoff, 1981.

van Dijk, C. and de Groot A. H., (eds.), *State and Islam*, Leiden: CNWS, 1995.

DPC PPME Amsterdam*, Euro Moslem*, No. 8, Amsterdam: PPME, 1994.

DPC PPME, *Laporan Pertanggungjawaban PPME Cabang Den Haag 1996-1997*, The Hague: PPME, December 1997

DPC PPME Den Haag, *Laporan Pertanggungjawaban Program Kerja 2000-2002*, The Hague: PPME, September 2002.

DPC PPME, *Proposal for the Construction of a Mosque for the Indonesian Community in the Netherlands (Rotterdam)*, Rotterdam: PPME, January 2004.

DPC PPME al-Ikhlash, *PPME al-Ikhlash Amsterdam Ledenlijst*, Amsterdam: PPME, n.d.

DPC PPME, *Zikra*, The Hague: PPME, 1997.

DPC PPME, *Laporan Pertanggungjawaban Program Kerja PPME The Hague Branch 2000-2002*, PPME: The Hague, September 2002.

DPC PME Al-Ikhlash, *Tugas, Tanggungjawab, dan Program Kerja*, Amsterdam: PPME al-Ikhlas, February 2006.

DPP PPME, *Laporan Kerja 1973-1976*, The Hague: PPME, 1976.

----, *The Statute and Bylaws of PPME*, The Hague: PPME, August 1976.

----, *The Statute and Bylaws of PPME*, PPME: Giessen, 1979.

----, *Daftar Peserta Musyawarah Umum IV*, The Hague: PPME, 1982.

----, *The Bylaws of PPME*, The Hague: PPME, 1979.

----, *Laporan DPP Musyawarah I*, The Hague: PPME, 1973.

DPW PPME Germany, *Ikrar Musyawarah Wilayah Luar Biasa 1982*,

Germany: PPME, November 1982.

----, *Laporan Kerja DPW PPME*, Darmstadt: PPME, July 1976.

----, *Laporan Kerja DPW Germany*, Giessen: PPME, 1976.

DPW PPME the Netherlands, *Laporan Umum Pengurus PPME Wil. Nederland 1984-1986*, The Hague: PPME, 1986.

----, *Laporan Pertanggungjawaban Program Kerja PPME Nederland 1992-1994,* The Hague: PPME, 1994.

----, *Laporan Pertanggungjawaban Program Kerja*, The Hague: PPME, 1994.

----, *Laporan Pertanggungjawaban Program Kerja PPME Wilayah Nederland 1992-1994*, The Hague: PPME, 1994.

----, *Laporan Pertanggungjawaban Program Kerja PPME Periode 1992-1994*, The Hague: PPME, November 1994.

----, *Laporan Pertanggungjawaban DPW Nederland 1994-1996*, PPME: The Hague, 1997.

----, *Laporan Pertanggungjawaban Program Kerja PPME Wilayah Nederland 1997-1999*, PPME: The Hague, 2000.

----, *Laporan Pertanggunganjawab DPW PPME Wilayah 1997-1999*, PPME: The Hague, 2000, p. 7.

----, *Keputusan PPME Wilayah Nederland*, No. 2/PPMENL/XII/2005, The Hague: DPW PPMW, 18 December 2005.

----, *Laporan Pertanggungjawaban Program Kerja PPME Wilayah Nederland Periode 1997-1999*, The Hague: PPME, Juni 2000.

----, *Surat untuk M. Zubaidi, No. 0X/KWN/01/93 dated 08-01-1993*, The Netherlands: PPME, 1993.

Fatimah, Siti, *Laporan Notulen Rapat ke-Empat Pengurus Majlis Dzikir*, Amsterdam: PPME Majlis Dzikir, 31 December 2005

Gunawan, Basuki, *Indonesische Studenten in Nederland*, The Hague: N.V. Uitgeverij W. van Hoeve, 1966.

Hisyam, Muhamad, *Persatuan Pemuda Muslim Se Eropa*, The Hague: YMAE, 1996.

http://achmad-supardi.blogspot.com/2005_10_01archive.html, quoted at 11:59 of 21 July 2008.

http://counterterrorisminfo.wordpress.com/2002/12/24/abdul-wahid-kadungga,

quoted on 23 July 2008 at 01:27 a.m.

http://www.munindo.brd.de/artikel/artikel_04/000129_3.htm, quoted on 23 July 2008 at 01:11 a.m.

http://www.ppme.nl/Nederland/Geschied.htm, quoted on 20 July 2008.

Husin, Asna, *Philosophical and Sociological Aspects of Da'wah: a Study of Dewan Dakwah Islamiyah Indonesia,* USA: UMI, 1998.

Kettani, M. Ali, *Muslim Minority in the World Today*, London and New York: Manshell Publishing Limited, 1986.

Konperensi Pelajar Indonesia se-Eropa, Hennef: Panitia Konperensi, 1955.

Maryadie, M, F, A, *Sumbangan Pemikiran kepada Musyawarah Umum PPME II*, London, 21 July 1976.

Maura I. Toro and Marixsa Alice, *Migration and Immigration: a Global View*, USA: Greenwood Press, 2004.

Nonneman, Gerd, et. al., *Muslim Communities in the New Europe,* UK: Garnet Publishing, 1996.

PPME, *Al-Ittihaad,* No. 19, The Hague: PPME, 1988.

PPME Amsterdam, *Laporan Kegiatan Musim Panas Barbeque dan Budaya Periode 1996-1997*, Amsterdam: PPME, 1997.

----, *Jadwal Kegiatan pada Minggu Ketiga dan Minggu Ke-empat Ramadhan Th. 2004*, Amsterdam: PPME, 2004.

PPME Majlis Dzikir, *Mededeling*, Amsterdam: PPME, 2005.

Purwoko, Dwi, *Pemuda Islam di Pentas Nasional*, Jakarta: Bonafida Cipta Pratma, 1993.

Rashid, Sadia Rashid (ed.), *Hamdrad Islamicus,* April-June, Vol. XXX, No. 2, Pakistan: Hamdrad Foundation, 2007.

Sabili, No. 16, Year XII, 27 February 2004.

Shadid, W.A.R., and van Koningsveld, P.S., *Muslims in the Margin*, Kampen: Kok Pharos, 1996.

----, *Religious Freedom and the Position of Islam in Western Europe*, Kampen: Kok Pharos, 1995.

----, (eds.), *The Integration of Islam and Hinduism in Western Europe*, Kampen: Kok Pharos, 1991.

Stokhof, W.A.L., and Kaptein, N.J.G. (eds.), *Beberapa Kajian Indonesia dan Islam*, Jakarta: INIS, 1990.

The State Secretary of Justice, *Bijvogsel van de Nederlandse Staatscourant,* dated 14 August 1974.

The Caretaker of Masjid al-Hikmah, *Memorandum Akhir Jabatan*, KBRI: The Hague, 1997.

Zaibar, Abdul Manan, *The Indonesian Program for the Islamic Religious Education of the Indonesian Children in the Netherlands (Thesis)*, Leiden: INIS, 2003.

Sujadi

ISLAMISM, GOVERNMENT REGULATION, AND THE AHMADIYAH CONTROVERSIES IN INDONESIA

Ismatu Ropi

*PhD Candidate at the Australian National University (ANU) Canberra,
Lecturer/Researcher at UIN Jakarta/PPIM UIN Jakarta*

Abstract

*Over the past three decades, Ahmadiyah has been at the center of one of the most significant controversies within the Indonesian Muslim community, particularly after the issuance of MUI's (*Majelis Ulama Indonesia/*The Council of Indonesian Ulama) Fatwas in 1980 and 2005 respectively. This paper undertakes a discussion of Ahmadiyah, reviewing its initial contacts with several Muslim organizations such as Muhammadiyah and Syarikat Islam, its roles in disseminating the idea of progressive and modern Islam among Muslim scholars in 1940s to 1960s. The second part will review internal and external factors contributing to the issuance of MUI Fatwa 1980 in the light of preserving orthodoxy within the Indonesian Muslim community. It will also highlight in brief the government response toward the Ahmadiyah's case. The last part focuses mainly on the Fatwa 2005 and its impact on the more strained relationships within the Muslim community in Indonesia. It will examine socio-political conditions before and after the Fatwa 2005 in light of the steady rise of a new model of Islamism in Indonesia and the conservative shift within the MUI itself, particularly after the downfall of the New Order's regime in 1998. The arguments 'pro and contra' Fatwa 2005, as well as the 'awkward position' of the new government on this issue, will be analysed in detail.*

Keywords: Ahmadiyah, MUI, Fatwa, Mirza Ghulam Ahmad

A. Introduction

Compared with abundant research dealing with indigenous Indonesian Muslim organizations, the Ahmadiyah movement[1] in Indonesia is a subject that has been little discussed by scholars. It is 'a forgotten dot' *(sebuah titik yang dilupa)* in Indonesian history according to Margaret Blood.[2] Despite the fact that the first mission of the group started almost eighty years ago, its existence in the archipelago is still negligible. Historically, the hostile environment for the Ahmadiyah has stemmed from various causes. *Theologically*, there are doctrinal differences between the Ahmadiyah and other Muslim groups concerning prophecy and the role of *jihad* in modern times. *Politically*, there have been allegations that the group is part of colonial aims to weaken Islam from within. *Socially*, there is their 'exclusive sectarian attitude' towards other Indonesian Muslims regarding prayer and marriage.

Hence, for decades, the relationship between the Ahmadiyah and other Indonesian Muslim organizations has been complex. Nevertheless, despite these conflicts, there are recorded accounts of many cases where these groups have some shared points in common in disseminating the ideas of Islamic modernism on Indonesian soil, particularly in the

---

[1] Ahmadiyah movement was founded in 1898 by Mirza Ghulam Ahmad (1839-1908) in Qadian (Qadiyan) Punjab India. In 1889, Ahmad declared himself as the messiah, *maw'ud* and *mahdi* for the Muslims, who received a divine revelation for world restoration. In 1914, upon the death of Maulana Hakim Nuruddin, the First Successor *(Khalifah),* the Ahmadi community split into two major branches due mainly to internal disputes in interpreting Mirza Ghulam Ahmad's teachings and prophetic claims. The majority, known as *Jamaat-i Ahmadiyyah* or the Qadianis remained in Qadian while another smaller one, known as *Ahmadiyyah Anjuman Ishaat-i-Islam* or the Lahores began to consolidate the group in Lahore (now in Pakistan). In 1984, the Qadiani head-quarter was then moved to London after facing more hostile religious accusation and strong political pressure (particularly after Pakistan parliament declared the Qadiani to be non-Muslim minority). The current figure of the Qadiani membership in the world is around 10 millions, while for Lahore the membership seems still limited and small as this group is very 'fluid' and likely more simply as a new Muslim missionary society requiring less loyalty and strong attachment to its Lahore headquarter.

[2] Blood used this allegory by quoting the title of journalist report published in *TEMPO* magazine in 21 September 1974. See Margaret Blood, "The Ahmadiyah in Indonesia: Its Early History and Contribution to Islam in the Archipelago," (Honours Sub-thesis, The Australian National University [ANU], 1974).

formative period between the 1920s and 1940s.

In view of the paucity of studies on the topic, analyzing the Ahmadiyah history in archipelago (both the Qadian and Lahore groups) is of benefit in providing a better understanding of the early nomenclature of Indonesian Muslim organizations in forming the ideology of modernism particularly in the beginning of the twentieth century. In this sense, this historical study serves as background for current controversies involving the group, particularly after the issuance of the *fatwa*s from the Indonesian Ulama Association (*Majelis Ulama Indonesia*/MUI) in 1980 and 2005. In the last part of this paper, the most current government regulation (*Surat Keputusan Bersama*/Joint Ministerial Decree) on 9 June 2008 which added fuel to the already heated debates on the issue, will also be examined in detail.

B. History and Encounters

One of the few works that has touched on the history of the Ahmadiyah movement in Indonesia is Margaret Blood's thesis, which provides a comprehensive analysis of the group, from its arrival up to the 1970's. A more recent contribution is Beck's article published in the *BKI*. Beck aims to clarify the underlying factors that prompted the strained relation, in the 1930s, between the Ahmadiyah and Muhammadiyah, one of the reformist Muslim movements in modern Indonesia.[3] Others are that of Zulkarnain's[4] and Muryadi's.[5]

While Zulkarnain analyzes the historical development and doctrinal differences of the group, Muryadi's works, written in a popular journalistic style, paints a general portrait of the life of Indonesian indigenous Ahmadis, particularly after the Parung's incident in 2005. Some sketches of the general history of the group in the archipelago, from an Ahmadiyah perspective, are found in Ahmad's book, published

---

[3]   Herman L. Beck, "The Rupture Between the Muhammadiyah and the Ahmadiyya, "*Bijdragen tot de Taal-, Land- en Volkenkunde (BKI) 161-2/3 (2005): p. 210-46*

[4]   Iskandar Zulkarnain, *Gerakan Ahmadiyah di Indonesia* [Ahmadiyah Movement in Indonesia] (Yogyakarta: LKiS, 2005).

[5]   Wahyu Muryadi, et.all, *Ahmadiyah: Keyakinan yang Digugat* [Ahmadiyah: a Questioned Belief] (Jakarta: Pusat Data dan Analisa TEMPO, 2005).

in 1964,[6] as well as in a brief leaflet published by Indonesian Ahmadiyah Association (Jemaat Ahmadiyah Indonesia/JAI)[7] and a recent publication by Suryawan in 2005.[8]

In addition to this, there are some other books on the issue written by other fellow Indonesian Muslims. Nevertheless, all these works give little attention to the long history in Indonesia, and unsurprisingly its contents are 'too biased,' trying to provide a warning to the Muslim community in Indonesia regarding the 'deviant' nature of the Ahmadiyah teachings.

1. The Arrival of the Qadiani Group

Ahmadiyah missions to Africa and Asia started in the early 1920's. Rahmat Ali was sent to the archipelago by Mirza Bashiruddin Ahmad, the Second *Khalifatul Masih* of Qadian, in October 1925, in response to an invitation from Indonesian students who studied in Qadian. Ali landed in Tapaktuan, in the southern part of Aceh, and then travelled to Padang in early 1926.[9] Prior to his arrival, there are accounts of three students, Ahmad Nuruddin, Abubakar Ayyub and Zaini Dahlan, with the encouragement of Zainuddin Labai el-Yunisiah,[10] traveling from Sumatera Thawalib school to India, in 1922, for advanced Islamic studies.

---

[6] Mirza Mubarak Ahmad, *Ahmadiyyat in the Far East* (Rabwah: Ahmadiyya Foreign Missions Office, 1964).

[7] Jemaat Ahmadiyah Indonesia (JAI), "75 Tahun Jemaat Ahmadiyah Indonesia", brief historical leaflet available at *http://www.ahmadiyya.or.id*, accessed on 14 May 2008.

[8] M.A. Suryawan, *Bukan Sekedar Hitam Putih: Kontroversi Pemahaman Ahmadiyah* [Not Just Black and White: Controversy on Ahmadiyah Doctrines (Jakarta: Azzahra Publishing, 2005),

[9] JAI, "75 Tahun Jemaat Ahmadiyah Indonesia"; and Muryadi, *Ahmadiyah: Keyakinan yang Digugat,* p. 72.

[10] El-Yunusiah also once cited in *Al-Manar* magazine 23 December 1923 that Ahmadiyah group was *pintar mengembangkan Islam dan pintar menarik orang-orang Kristen ke dalam Islam* (keen in developing Islam and in atracting Christians into the fold of Islam). For that, *lebih dahulu kita pujikan setinggi-tingginya karena mereka itu sangat berjasa di dalam Islam* (we should firstly praise them highly for their contributions to Islam). See small leaflet "Ahmadiyah Menurut Kata Orang Dulu dan Sekarang [Ahmadiyah in the Views of Past and Current Opinion]," available at *http://denagis.wordpress.com/2008/04/21/ahmadiyah-menurut-kata-orang-dulu-dan-sekarang*, accessed on 15 May 2008.

They had heard that studying Islam in India was *'tidak kurang hebatnya'* (as good as) studying in the Middle East.[11]

Those three Thawalib graduates, who later served as the first contingent of the Qadiani missionaries activists in the archipelago, landed in Lahore and were initially impressed with the teachings of the *Anjuman Ishaat-i-Islam,* or the Lahore group. However, they became bored and decided to leave Lahore, as they discovered that studying Islam in this region was *'sama saja dengan yang sudah mereka pelajari'* (almost similar with their previous studied [in archipelago]). They then moved to Qadian, not only to find new approaches in Islamic studies, but also to learn about the Ahmadiyah from its 'original source'.[12] Not long after, they took the *Bai'at* directly under the Second *Khalifatul Masih* as they possibly found the Qadiani teachings more attractive than that of the Lahore. In the following years, due to generous financial assistance from the Qadiani group and affordable living cost in India, the number of Indonesian students in this region steadily increased.[13] In 1926, *Perkumpulan Ahmadi Indonesia*, an Indonesian Ahmadi student association in India, was inaugurated.

From initial contact, the mission of Rahmat Ali in Aceh and Padang was inevitably arduous and slow. They met fierce and hostile opposition from traditional Sumatera *ulama*s who, according to Hamka, had previously heard about this movement from their readings and, supposedly, also from their brief contacts with other Muslims in Saudi Arabia, while doing pilgrimage. Their motives in resisting the Ahmadiyah varied, ranging from the religious to the political. The group was contemptuously referred to as loyal to Queen Victoria, or 'pro-hollandaise', and seen as part of *divide et impera* policies meant to weaken the Muslim community.[14] Gradually, the forms of rejecting the Ahmadis also expanded, from the simple practice of labeling Ahmadis as infidels and refusing permission for burial in Muslim cemeteries, as seen in the order of Sultan Deli in 1936, to more sophisticated arguments in

---

[11] Hamka, *Ayahku* (Jakarta: Umminda, 1968), p. 109 as quoted by Blood, "The Ahmadiyah in Indonesia", p. 17-8.

[12] JAI, "75 Tahun Jemaat Ahmadiyah Indonesia".

[13] Muryadi, *Ahmadiyah: Keyakinan yang Digugat*, p. 70-1.

[14] Blood, "The Ahmadiyah in Indonesia", p. 21 and p. 52.

sermons *(khutbah)* and publications, such as Syeikh Abdullah's and Haji Abdul Karim Amrullah's (better known as Haji Rasul) *al-Qawl al-Sahih* (the True Word) in 1927.[15] This book was very polemical in nature and the first printed document of its kind, consisting of a theological rebuttal of the Qadianis doctrines in the archipelago.[16]

Rahmat Ali and his fellow Indonesian Ahmadis moved to Jakarta in 1930 to find new members for the group.[17] However, their arrival met with negative responses from the local *ulama*s in the region, similar to what they had previously experienced. Ahmad Hassan, from the Persatuan Islam (Persis), was one of the *ulama*s in Java who initiated open debates with the group, from December 1933 to early 1934.[18] According to accounts, one debate, held in Jakarta between Hassan and Abubakar Ayyub, a leading indigenous Qadiani missionary, was attended by more than 2000 people from both sides. Equipped with an extensive understanding of Qadiani teachings and familiarity with Qadiani literature, his artful speech and skillful arguments were undoubtedly impressive and typically novel, signifying a new intellectual genre of debate and polemic for Indonesian Muslims at that time.

In doing so, Hassan mostly drew his logical and lexical argument from Ahmadi books without ever referring to any opinion from traditional mainstream Islam. However, his conclusion was unsurprisingly apparent at the end. After having confirmed with his counterpart that the arguments he was using were indeed from 'their sources', he began to compare one teaching with another to convince his audience of the

---

[15] Upon this publication, Rahmat Ali published a response entitled *Iqbal al-Haq* (Accepting the Truth) which some months later was quickly responded by Haji Rasul's article entitled *Boeka Mata* (Opening Eye). Hamka, *Ayahku,* p. 112 as quoted by Blood, "The Ahmadiyah in Indonesia", p. 23.

[16] In the following decades, some assumed that when MUI issued the first *fatwa* in 1980 against Ahmadiyah, this book was accordingly used as one of nine 'mysterious references' which until today MUI is always very 'reluctant' to reveal. Personal e-mail communication with an Indonesian Ahmadi activist in Jakarta 30 May 2008.

[17] At the same year the Qadian Headquater sent another contingent consisting four Qadiani activists (Muhammad Sadiq, Abdul Wahid, Malik Aziz Ahmad and Syed Shah Muhammad) to strengthen this mission. Blood, "The Ahmadiyah in Indonesia", p. 38

[18] Blood, "The Ahmadiyah in Indonesia", p. 34.

'inconsistencies' and 'lack of credibility' of those teachings.[19] Not only an agile orator and polemist, Hassan published books on Ahmadiyah as well, including *an-Nubuwah* [The Prophecy], a refutation of the prophecy claim of Mirza Ghulam Ahmad, and *Nabi Yang Masih Hidup* [the Prophet who still Alive], a response to the Ahmadiyah doctrine on the death of Jesus.[20] Similar publications against the Qadianis, by other Muslim thinkers, began to appear in periodicals like *Pembela Islam* and other journals, which were widely accessible to the general public.

Rahmat Ali left Indonesia in 1950, and the Qadiani mission was carried on mainly by Indonesian graduates from the *Perkumpulan*. Three years after Ali's return to India, on 13 March 1953, the Qadiani group obtained its legal status based on the Decree No. JA/23/1095 from the Ministry of Justice which was later inserted into the State Gazette *(Lembaran Negara)* on 31 March 1953. After the enactment of Law No. 8 Year 1985 on Mass Organization, the group again received legal recognition based on the Decree from the Ministry of Internal Affairs.

Today's Qadiani members are spread throughout the archipelago, with the main base for missionary training, upgrading and management (before the 2005 incident) being in Parung, in the southern part of Jakarta. Its current following is estimated to be about 200.000 members, mostly in Jakarta, West Java and West Nusa Tenggara.

2. The Arrival of the Lahore Group

Unlike members of the Qadianis, Mirza Wali Ahmad Baig and Maulana Ahmad, from the Lahore group, travelled to Java independently in 1924 and received a very warm welcome from fellow Indonesian Muslims in Yogyakarta.[21]

---

[19] Tamar Djaja, *Riwayat Hidup A. Hassan* [An Autobiography of A. Hassan] (Jakarta: Mutiara, 1980) as quoted by Yusuf Badri, "Persis dan Ahmadiyah," article posted on 11 March 2008 available at *http://pwkpersis.wordpress.com/2008/03/20/persis-dan-ahmadiyah*, accessed on 15 May 2008.

[20] Blood, "The Ahmadiyah in Indonesia", p. 35.

[21] There were various accounts concerning their main reason for travelling to the archipelago. Some said that they intended to go to Manila but lacking enough money, they decided to stay in Java instead. Others, like Pijper, noted that Hong Kong or China was the final destination where Java was only a mere transit route after their short visit in Singapore. See GF Pijper, "De Ahmadiyyah in Indonesia," in van Ronkel

Whilst Maulana Ahmad soon returned to India for health reasons, Baig began his mission in Java and maintained very good contacts with the Muhammadiyah elites. His fluency in Arabic and English, together with his keen interest in mastering the Indonesian language, as well as his vast knowledge in Islamic studies, made him very popular among the youth. Soon, he became an admired speaker, giving speeches on modern Islam in Muhammadiyah's internal discussions as well as its Congress. Hence, Baig attracted a number of Muhammadiyah figures who became loyal students, including Raden Ngabehi Djojosoegito and Muhammad Chusni, who at the time served as first and second general secretaries of the Muhammadiyah Central Board. Omar Said Cokroaminoto, the leader of Sarekat Islam, was also his 'in and out' student and later translated *The Holy Qoran* written by Maulana Muhammad Ali (the Second *Amir* of Lahore group) into Indonesian.[22] His influence over the *Jong Islamieten Bond* (Youth Muslim Association) was similarly apparent. He not only attended the First JIB Congress in 1925, Baig's articles on Ahmadiyah teachings were also published in the *Het Licht*, a journal belonging to the JIB and well-known for its role in disseminating the ideas of progressive Islam.[23] In addition to this, it was Baig who initiated the sending of some Muhammadiyah youths to study in Lahore,[24] one of whom was Jumhan,

---

(ed.), *Bingkisan Budi* [Package of Virtue] (Leiden: A.W. Sijthoff's Uitgeversmaatschappij, 1950), p. 151 as quoted by Blood, "The Ahmadiyah in Indonesia", p. 5. Nevertheless, whatever reason initiated the journey, as Beck argued, it was the strong zealous spirit to fight Christian missionary activities everywhere which led to the first arrival of this Lahore mission on the island. Beck, "The Rupture", p. 220-1.

[22] Zulkarnain, *Gerakan Ahmadiyah*, p. 6; Blood, "The Ahmadiyah in Indonesia", p. 43.

[23] Blood, "The Ahmadiyah in Indonesia", p. 41.

[24] While Blood noted three junior Muhammadiyah members (Maksum, Sabit and Erfan Dahlan) who travelled to Lahore for their advance studies, Beck provided another name (Junbad) in addition to the three mentioned names. Maksum and Junbad studied there for about 7 months before they decided to return back to Yoyakarta. In following decades, Maksum joined Persatuan Islam (Persis) and later became an activist in the Darul Islam movement in South Sulawesi under Kahar Muzzakar. While Junbad's career afterwards was unclear, Sabit left the Lahore group and was later associated with the Partai Komunis Indonesia (PKI). Only Erfan Dahlan continued his activity in the Lahore group however. He served with the mission to the southern part of Thailand and spent his entire life in that region. See Blood, "The Ahmadiyah in Indonesia", p.

better known as Erfan Dahlan, the son of the prominent Ahmad Dahlan, the founding father of the Muhammadiyah.[25]

The relationship between the Muhammadiyah and Ahmadiyah Lahore in this initial period was obviously very real and intense. As Flood observed, some prominent Muhammadiyah elites published numerous articles on the Ahmadiyah movement in such journals as *Bintang Timur,* praising its role as the prototype of a modern Islamic organization. Even more significant was an article published in *Javabode,* in 1925, which suggested the merger of the two groups.[26] The *Almanak Muhammadiyah,* in 1926, also included an article with clearly sympathetic attitudes and admiration for the movement and its founder, Mirza Ghulam Ahmad.[27]

This 'honeymoon' lasted for about 3 years, however. Strains in the relationship began to show after the Muhammadiyah circle detected discrepancies between mainstream traditional Islamic teachings and the Lahore's, in particular on the veneration and role of Mirza Ghulam Ahmad. Some speculated that the shift in the attitude of Muhammadiyah began after a fierce speech on the deviance of the Ahmadiyah was given by Indian traditional *ulama*, Abdul 'Alim Siddiqi, who visited Yogyakarta

---

27; Beck, "The Rupture", p. 227-8.

[25]   In this lineage context, it is worth mentioning also that Djojosoegito, Baig's loyal student who later founded the Indonesian Ahmadiyah Lahore Movement in 1928, was the second cousin to Hasyim Ashari, the founder of traditionalist organization Nahdlatul Ulama (NU). See Asvi Warman Adam, "Belajar dari Sejarah Ahmadiyah [Lesson Learnt from Ahmadiyah History]," *Jawa Post* 24 April 2008; and Beck, "The Rupture", p. 231.

[26]   See Blood, "The Ahmadiyah in Indonesia", p. 28.

[27]   On the movement and Ghulam Mirza Ahmad, the *Almanak* stated that "*Baru saja Mujadid buat abad yang ke-14 itu berdiri, maka yang pertama-tama sekali memanggil dia, ialah propaganda Islam adanya. Semenjak waktu itu, benar-benar ini, ia pun menjunjung tinggi akan bendera Islam itu. Dia punya hati ada menyala dengan pengharapan, bahwa pada suatu hari benderanya Islam akan berkibarkibar baik di Negeri Timur maupun di Negeri Barat* (p. 141) … "*Kalau kiranya Hazrat Mirza bukannya Mujadid bagi abad yang ke-14, siapakah lagi orang yang harus melakukan jabatan ini? Apakah kamu mengira bahwa janjinya Nabi yang Suci yang sungguh benar itu bakal tidak kepenuhan selama-lamanya?* (p. 143)". See *Almanak Muhammadiyah* (Yogyakarta: Taman Pustaka, 1926). Quotation is also found in "Ahmadiyah Menurut Kata Orang Dulu dan Sekarang."

in October to November 1927.[28]

About seven months after this meeting with Siddiqi, on 5 July 1928, the Central Board issued a circular to all branches prohibiting any teaching and publication on the Ahmadiyah in Muhammadiyah circles. The circular also included an order that those who believed in Mirza Ghulan Ahmad as the *mujaddid* should choose to either return to traditional Islamic belief or leave the Muhammadiyah. This order also applied to Djojosoegito and Chusni. According to records, after a heated and emotional internal discussion of the Central Board, both Djojosoegito and Chusni came to a decision to leave. Six months later, on 10 December 1928, they founded the first autonomous organization of Ahmadiyah Lahore group in Java, *De Indonesische Ahmadijah-Beweging* (Indonesian Ahmadiyah Movement/ *Gerakan Ahmadiyah Indonesia*). This new organization received a legal standing from the Colonial government on 4 April 1930.

The above incident nevertheless suggested a more strict attitude of Muhamadiyah towards the Ahmadiyah group, as evidenced soon after the 18th Muhammadiyah Congres in Solo 1929. In this Congress, the *Majlis Tarjih* anonymously issued 'the fatwa' *(Keputusan Kongres)* that anyone who believed in the existence of a prophet after Muhammad was regarded as infidel *(kafir)*. Although no explicit group was mentioned in this decree, there was no doubt that this *fatwa* was pointed towards the Ahmadiyah in general. This was the first *fatwa* against the Ahmadiyah from an indigenous Muslim organization in Indonesian.[29]

Nur Ichwan found a link between the Muhammadiyah decision against the Ahmadiyah teaching and the Egyptian Rashid Ridha's *fatwa*.

---

[28]   According to Hamka, as noted by Blood, it was his father (Haji Rasul), not Siddiqi, who revealed the 'truth' of Ahmadiyah teaching, along with Haji Rasul's debate with Baig a year earlier. However Beck seems to believe that it was Siddiqi's speech that greatly changed the Muhammadiyah elites' perception and attitude toward the group. See Hamka, *Ayahku*, p. 120 in Blood, "The Ahmadiyah in Indonesia", p. 30-31; Beck, "The Rupture," p. 230-6 and p. 240.

[29]   And after the issuance of this fatwa 1929, Muhammadiyah elites kept considerable distance in giving any comment or opinion in regard with Ahmadiyah in Indonesia until recently Syafi'i Maarif (the former Chairman of the Central Board) and Din Syamsuddin (the current Chairman of this modernist organization) began to break 'the decades of silence' on the Ahmadiyah controversies. Interestingly, both have very different and opposite stands in regard with this group.

He writes that prior to the issuance of this *fatwa,* Muhammad Basyuni Imran from the Muhammadiyah sent a letter to Ridha asking him about the usage of Muhammad Ali's the *Holy Qoran* for religious instruction. In response, Ridha published the *fatwa* in *Al-Manar* revealing the distortion of mainstream Islamic teaching in Ali's book. Moreover, he argued that Muslims should not make any use of this book or any books written by Ahmadiyah scholars for instruction.[30]

Why were the Ahmadiyah Lahore teachings so attractive to Muhammadiyah circle in these early and formative periods? The answer seems to be that the Muhammadiyah elites had limited knowledge and understanding of the entire teachings of the Ahmadiyah. Baig never revealed to his Indonesian audience the controversy surrounding Mirza Ghulam Ahmad's position in the group. This first impression of the Ahmadiyah movement without adequately understanding its main doctrines put the Muhammadiyah in "the disgrace" position. At a time when this reformist group was fiercely campaigning against religious innovations *(bid'ah),* with its well known TBC slogan (*takhayul* [superstition], *bid'ah* [innovation] and *churafat* [mythical], it entered into a close relationship with a group which allegedly practiced the so-called modern *bid'ah* teaching.

Another possible factor contributing to this was the nature of Muhammadiyah itself, which, at the time, was emerging as a modern Islamic organization for the Indonesian community. In this context, Baig's personality, his knowledge of Islam, as well as his familiarity with English and Arabic languages, were apparently compatible with the Muhammadiyah vision of what it meant to be a modern Indonesian Muslim. As well, in this formative period, when the movement was trying to define and consolidate its role as the model of a modern organization for urban based Muslims in Indonesia, this Lahore group appeared to be a model for this vision.

Moreover, Baig's zeal in his speeches in combating the intrusive Christian missionary activities in Java was also appealing to this new Indonesian Muslim organization. This was to some extent compatible with one of the motives for the establishment of Muhammadiyah earlier

---

[30] See Much Nur Ichwan, "Differing Responses to an Ahmadi Translation and Exegesis: The Holy Qur'an in Egypt and Indonesia," *Archipel* 62 (2001): p. 143-61.

in the decade. Both Baig and the Muhammadiyah elites were concerned with the deep penetration of Christian missions into Muslim communities in Java. For this very reason, it seemed understandable if both shared the same interest and spirit in providing solid and scholarly arguments against Christian evangelists who portrayed Islam as a backward religion incompatible with modernism and progress.[31]

In today's Indonesia, the Indonesian Lahore group headquarter *(Gerakan Ahmadiyah Indonesia)* is based in Yogyakarta. Its membership is still very limited, numbering approximately a few thousand, however. Unlike the Qadianis, traditional Indonesian Muslims are more likely to be receptive to their existence as they function simply as a new Muslim missionary society with less zeal to convert traditional Muslims into their religious fold.

3. *Ahmadiyah Contributions to Indonesian Muslim Scholarship: A Preliminary Observation*

Given the prolonged controversies with traditional Muslim *ulama*s and indigenous Islamic organizations like Persis and Muhammadiyah, an important question remains regarding the role and contribution of the Ahmadiyah movement in Indonesia.

In spite of opposition to the Ahmadiyah teachings from the beginning, their influences in Indonesian Muslim scholarship deserve sincere acknowledgement. Despite the popular view, which grossly underestimates their role in Indonesian history, as noted by Mukti Ali and Deliar Noer,[32] some accounts quite convincingly show that for decades, Ahmadiyah literature became a steady inspiration for Indonesian Muslim thinkers in reshaping the discussion on modern Islam. Blood

---

[31] See for the argument on the rise of Muhammadiyah as a counter for Christianization on Alwi Shihab's "The Muhammadiyah Movement and its Controversy with Christian Mission," (Ph.D dissertation, Temple University, 1995).

[32] Notable scholars like Mukti Ali, the former Minister of Religious Affairs, has once said that Ahmadiyah was making no important contribution to the development of modern Indonesian Islamic thought. And the like opinion was sounded also by Deliar Noer. See Mukti Ali, "The Muhammadiyah Movement: A Bibliographical Introduction," MA thesis at McGill University, 1957, p. 72; and Deliar Noer, *The Modernist Muslim Movement in Indonesia 1900-1942* (Singapore: Oxford University Press, 1973), p. 151.

rightly pointed out examples of this, mentioning Cokroaminoto's book on *Islam and Sosialisme,* which without doubt took ideas from the works of Muhammad Ali. His *Tarikh Agama Islam* was a 'duplicate' of Ali's book on *Muhammad the Prophet* as well.[33] Other prominent scholars like Agus Salim and Natsir also used Ali's *The Holy Qoran* as the main source in their books on *Isra Mi'raj* and the *Shalat* respectively. Hence, to quote Pringgodigdo, a notable early Indonesian historian, Salim once acknowledged that "amongst many Quranic *tafsir*s like that of from the Mutazilete school and sufi order from the previous period to the modern one like that the Ahmadiyah, Wahabi and Theosophy groups, *tafsir* from the Ahmadiyah group is the best account fulfilling the satisfaction of young Indonesian intellectuals."[34] Ali's *The Holy Qoran* was accordingly 'a must read' book found on the shelf of almost every Indonesian Muslim intellectual at that time.

Not only had some parts of Ahmadiyah literature been adopted into the works of prominent Indonesian Muslim thinkers, but also the translation of some Ahmadiyah books into Indonesian and Dutch have played considerable roles in shaping the discourse. Soedewo's works in Indonesian, like *Asas-Asas Perbandingan Islam,* and his numerous translations on Islamic subjects like the completed version of Muhammad Ali's *The Holy Qoran* and *The Religion of Islam,* into Dutch, were sometimes the main source for middle-class Indonesians wanting to learn about their own religion. In this context, this literature became the effective medium in transmitting Islamic knowledge to those who were educated in Western-style institutions - either in Indonesia or the Netherlands - but unfortunately had limited access to, or at worst were unable to read, material in Arabic. This situation was different for traditional Indonesian Muslims who graduated from Middle Eastern education institutions or were able to read Arabic.

They were the first generation of what we may now call 'the new born Muslim' having had a solid and convincing background in the secular sciences, like economics, law and engineering, but then 'shifted' to enrich

---

[33]   Blood, "The Ahmadiyah in Indonesia", p. 56.

[34]   See A.K. Pringgodigdo, *Sejarah Pergerakan Rakyat Indonesia* [History of Indonesian Society Movement] (Jakarta: Pustaka Rakyat, n.d.), p. 47 as quoted in "Ahmadiyah Menurut Kata Orang Dulu dan Sekarang."

their religious knowledge and consciences through independent readings. Given the fact of having gained their main education from a secular and modern system, these new middle class Muslims were eager to have their religion be compatible with modernity, science, and progress.

For this reason, Ahmad's claim that "the literature of the Ahmadiyah movement has played a most remarkable role in creating confidence among Muslims in regard to the ascendancy of Islam"[35] has, to some extent, a logical basis. At the very least, Ahmadiyah literature, written in English and Dutch, was being read by those exploring their new interest and desire in studying Islam. In this sense, one may argue that this literature played a role as 'alternative but convincing sources' for engaging in the discourse of Islamic modernism as well as of the rationality of Islam alongside the many works written in Arabic by modernist Muslims like Muhammad Abduh, Rasyid Ridha and Jamaluddin al-Afgani. These Arabic sources have obviously influenced Indonesian Muslim discourse on the same issues but were only accessible through the traditional *ulamas* network.

Correspondingly, Ahmadiyah publications also tacitly played an important function in shaping the arguments of Indonesian Muslim thinkers responding to Christian missionary activities in the archipelago. Even Haji Rasul, who wrote a fierce attack on the Ahmadiyah in his book *Qawl al-Sahih,* once gave humble recognition to the role of Ahmadiyah in attracting non-Muslims into the fold of Islam.[36] On this point, it is worth mentioning that the Ahmadiyah (either the Qadian and Lahore groups), to use Blood's words, were indeed 'militantly anti Christian'[37] and obviously antagonistic toward Christian missions in the archipelago. The groups were keen to publish articles and books attacking many elements of Christian doctrine as well as generously revealing to their fellow Muslims many effective methods of 'defeating' Christianity on the

---

[35]   Mubarak Ahmad, *Ahmadiyyat in the Far East,* p. 35 as quoted by Blood, "The Ahmadiyah in Indonesia", p. 54.

[36]   Haji Rasul said "*Di atas nama Islam dan kaum Muslimin sedunia kita memuji sungguh kepada pergerakannya Ghulam Ahmad tentang mereka banyak menarik kaum Nasrasi (Kristen) masuk agama Islam di tanah Hindustan dan lain-lain tempat,*" as quoted in "Ahmadiyah Menurut Kata Orang Dulu dan Sekarang."

[37]   Blood, "The Ahmadiyah in Indonesia", p. 54.

mission battlefield. Some books of this polemical kind were translated into Indonesian, such as Maulana Sadiq's *Jesus dalam Bijbel* (Jesus in the Bible), *Nabi Isa Anak Allah* (Jesus is the Son of God), and *Kebenaran Nabi Muhammad Menurut Bijbel* (The Truth on Muhammad in the Bible) in the late 1930s.

One can justifiably say that those polemical works written by Ahmadi scholars greatly influenced Indonesian Muslim thinkers in the following decades. The use of Ahmadi approaches and themes in refuting Christianity can be found in the works of Hasbullah Bakry, the leading Muhammadiyah thinker, in his book *Isa dalam Qur'an Muhammad dalam Bible* (Jesus Christ in the Qur'an Muhammad in the Bible) first published in 1959.[38] The same is true in the works of Hadikusuma and Natsir.[39]

In the mid and late 1960s, as Dawam Rahardjo noted, when Mukti Ali initiated a study group for young Muslim intellectuals in Yogyakarta, some Ahmadiyah activists like J.H. Lamardy from the Qadian group also joined in the discussions with other fellow Muslims to form new Islamic cultural movement in Indonesia.[40] Importantly, as *Tempo* magazine has specially investigated, the official Quran translation by the Ministry of Religious Affairs in the 1970s, relied heavily on both Qadiani and Lahore literature. Accordingly, the second chapter of this *tafsir* was the verbatim translation of Mirza Bashiruddin Ahmad's *The Holy Qur'an* from the Qadiani, while the approaches to the themes in this translation were

---

[38] This book was originally a rebuttal to F.L. Bakker, a prominent native-Dutch scholar, who wrote *Lord Jesus in the Religion of Islam,* which appeared in 1957. See Hasbullah Bakry, *Isa dalam Qur'an Muhammad dalam Bible* [Jesus in the Qur'an and Muhammad in the Bible] (Solo: Siti Syamsiah, 1959) and that of F.L. Bakker, *Tuhan Yesus dalam Agama Islam* (Jakarta: BPK Gunung Mulia, 1957). A detailed analysis of this polemical work is found in Ismatu Ropi, "Muslim-Christian Polemics in Indonesian Islamic Literature," *Islam & Christian Muslim Relations* 9, no. 2 (July 1998): p. 217-229.

[39] See Djarnawi Hadikusuma, *Di Sekitar Perjandjian Lama & Perjandjian Baroe* (On the Old and New Testaments) (Jogjakarta: Penerbit Persatuan, n.d.). On Muhammad Natsir see his book *Islam dan Kristen di Indonesia* [Islam and Christianity in Indonesia] (Bandung: CV Bulan Sabit & CV Peladjar, 1969).

[40] M Dawam Rahardjo, "Gerakan Ahmadiyah Dalam Krisis [Ahmadiyah Movement on the Crisis]," in M.A. Suryawan, *Bukan Sekedar Hitam Putih,* p. vii-xxi.

mainly inspired by Muhammad Ali's arguments on *The Holy Qoran*.[41]

In addition to this, it is worth mentioning that some of the works published in the 1980s, in response to Darwin's theory of evolution, such as Joesoef Sou'yb's *Adam Bukan Manusia Pertama*, show the influence of material from the Ahmadi group.[42] As well, Nurcholish Madjid, whose ideas on rational and modern Islam became the credo for the neo-modernist movement beginning in the 1970s, draws on Muhammad Ali's works, especially *The Holy Qoran*.[43]

Suffice it to say that for many Indonesian scholars, the Ahmadiyah literature, in particular the Lahore, was very attractive, rich and argumentative. In this sense, having followed the logic of these sources, these Muslim scholars were trying to show the compatibility of Islam with modern life. This vision, in its very essence, suggested a certain standard of selection for the works to be worth quoting for a larger audience, including Ahmadi literature. One can argue, though, that the use of Ahmadi sources by Muslim intellectuals was no more than reinforcing their own confidence in front of their religious and secular audiences, rather than propagating Ahmadi teachings or really embracing them.

---

[41] "Jiplak-Menjiplak Tafsir Qur'an [Plagiarism in the Qur'an exegesis]," *Tempo* 12 January 1974 as quoted by Blood, "The Ahmadiyah in Indonesia", p. 57-58. It is not difficult to discover how this Ahmadi literature 'infiltrated' the official translation of the Qur'an published by the Ministry of Religious Affairs. It was the retired Brigadier General Bahrum Rangkuti (the former General Secretary of the Ministry) who translated the works as he did the translation of some Indian continental works such as that of Iqbal's and Nehru's as well as some other Ahmadi books such as Mirza Bashiruddin Mahmud Ahmad's *Bentuk Dasar Ekonomi Islam* into Indonesian prior in the 1940s. Records show that he graduated from *Jamiah al-Mubashirin* in Rabwah, a school designed for Qadian missionary training. As Rahardjo stated in "Gerakan Ahmadiyah Dalam Krisis", Rangkuti is indeed a Qadiani member. Therefore, with his position as the 'second person' in the Ministry at that time, the use of some Ahmadi references in this official book seemed highly plausible.

[42] Joesoef Sou'yb, *Adam Bukan Manusia Pertama* [Adam is not the First Human Being] (Jakarta: Al-Husna, 1981).

[43] See for example Madjid's book, *Islam: Kemodernan dan Keindonesiaan* [Islam: Modernity and Indonesianism] (Jakarta: Yayasan Wakaf Paramadina, 1989).

C. The MUI *Fatwa* 1980, Government and the Rise of Orthodoxy

On April 1974, the *Rabithah A'lam al-Islami* (the World Muslim League) issued a *fatwa* against the Qadiani movement.[44] The three main doctrinal allegations were that the Qadiani group was intentionally damaging the very foundation of Islamic principles with its claim of new prophecy, distorting the meaning of some Qur'anic verses, and advocating the inapplicability of the *jihad* doctrine in modern times. It also claimed that the origins of Ahmadiyah lay in a British colonial initiative serving Imperialist's and Zionist's mundane interests. The Conference accused the Ahmadi group of operating in Muslim countries with help from 'anti Islamic forces' in building mosques, schools and orphanages for the purposes of disseminating misleading doctrines and an anti-Islam campaign. In addition, it also charged the Qadiani group of publishing and circulating corrupted versions of the Qur'an in many different languages. For these reasons, the Conference issued five recommendations against the Qadiani and one other recommendation directed to other alleged Islamic deviant sects:

> "(1) All the Muslim organization in the world must keep a vigilant eye on all the activities of Qadianis in their respective countries; to confine them all strictly to their schools, institutions and orphanages only. Moreover the Muslims of the world be aware of the true picture of Qadianism and be briefed of their various tactics so that the Muslims of the world be saved from their designs; (2) They must be declared non Muslims and ousted from the fold of Islam. And be barred to enter the Holy lands; (3) There must be no any dealing with the Qadianis. They must be boycotted socially, economically and culturally. Nor any marriage with or to. Nor they are allowed to be buried in the Muslims graveyards. And they are treated like other non Muslims; (4) All the Muslim countries must impose restrictions on the activities of the claimant of the prophecy of Mirza Ghulam Ahmad Qadiani's followers; must declare them a non Muslim minority; must not entrust them with any post of responsibility in any Muslim country; (5) The alterations effected by them in the Holy Quran must be made public and the people be briefed of them and all these be prohibited for further publication; (6) all such groups as are deviators

---

[44] "1974 Declaration by World Muslim League *(Rabithah al-'Alam al-Islami),*" available at *http://alhafeez.org/rashid/rabita.html*, accessed on 18 May 2008.

from Islam must be treated at par with the Qadianis."[45]

Hence, not long after this Conference, the *Rabithah* intensified their campaign in countering the intrusive Ahmadiyah missionary activities in many Muslim countries and nurturing orthodoxy, calling on Muslims to return to the 'pristine of Islam'. With strong support from the Saudi Kingdom, the *Rabithah* began to give generous aid to some Muslim organizations, not only financing the development of mosques and strengthening Islamic institutions, but also providing teaching materials for spreading the ideology of salafism. The *Rabithah* was also very active in disseminating the 1974 *fatwa* using government diplomatic relations as well as the existing *ulama* network. The *Rabithah* was in practice supportive of any public campaigns, seminars and conferences against the Ahmadiyah and other allegedly deviant groups, including Shi'ism.[46] In many cases, it generously financed the translation and production of books or manuscripts on the issue into many languages, including Indonesian.

The *Rabithah* mainly operated in Indonesia through the *Dewan Dakwah Islamiyah Indonesia* (Indonesian Islamic Mission Council/DDII) channeling its aid and other technical support to many Islamic organizations and *pesantrens*. The DDII, under Muhammad Natsir, who also served as the General Secretary of the *Rabithah*, was at the same time and up to the present, active in disseminating 'awareness' against the Ahmadiyah movement, and Christianization as well, through its publishing house, *Media Dakwah*. Its well known popular journal, *Media Dakwah* is undoubtedly consistent in reporting cases on both issues.

As the *Rabithah's fatwa* of 1974, had far-reaching consequences in predominantly Muslim countries, including Indonesia, and as a steady campaign against the Ahmadiyah intensified, it seemed logical for the MUI (*Majelis Ulama Indonesia*/ Indonesian Ulama Council), a government-initiative clerical body founded in 1975 for the Muslim community, to

---

[45] "1974 Declaration by World Muslim League."

[46] Although the sixth point in the recommendation mentioned no particular group, clearly it was directed at the Shi'ah group, which gained more popular support and sympathy from most predominantly Muslim countries. Given the fear of the spreading of this Shi'ate militant ideology, this recommendation constituted a block to continuing influences of the popular image of Shi'ism among Sunni Muslim youth.

issue a similar *fatwa* on the group dated on 1 June 1980.

The MUI's *fatwa* was very simple and clear. Quoting its main role as providing religious opinion and advices to the government and Muslim community in general, this *fatwa* surprisingly made no reference to any Qur'anic verses or any narration taken from the prophetic traditions *(Hadith)*. It stated that after discerning the report from the second Commission of this National Meeting and suggestions from the participants as well, the meeting came to the recommendation that:

> "In accordance with data found in nine books about the Ahmadi Qadian, the Council of Indonesian Ulama has decided that the Qadiani is henceforth excommunicated from the Islamic community; it is *deviant and misled*."[47]

The issuance of this *fatwa* drew considerable responses from Muslim organizations and intellectuals, including that of the Qadian group. Some questioned whether the *fatwa* was 'too general', lacking any clear references to what particular teachings of the Qadiani group was to be considered as deviant in relation to traditional Islamic doctrine. They furthermore inquired whether the *fatwa* was also applicable to the Lahore group whose teaching also centered on the veneration of Ghulam Ahmad.

The insertion of the so-called nine 'mysterious' references was also a subject of long dispute. The Qadiani activists in particular were very insistent that the MUI reveal the list of nine books in the making of this *fatwa*. The Qadiani group repeatedly invited the MUI for further clarification and discussion, but there was no response to these invitations. In regards to this controversial reference, some speculated that the books used were not written by Ahmadi scholars, but were traditional Muslim Arabic literature, which unsurprisingly depicted the deviant side of Ahmadiyah. This speculation seemed plausible given the fact that the *Rabithah* was at that time very generous in supplying books and other documents on the issue. Others argued that the nine references were mainly written by previous Indonesian scholars in forms of books, like that of Haji Rasul's *al-Qawl al-Shahih* and Ahmad Hassan's *an-Nubuwah*,

---

[47] See "Keputusan Musyawarah Nasional II Majelis Ulama se-Indonesian No. 05/Kep/Munas II/MUI/1980 Fatwa Tentang Ahmadiyah." Available also *http://www. khilafah1924.org/index2.php?option=com_content&do_pdf=1&id=468*, accessed on 14 May 2008.

and articles.[48]

The fatwa itself was poorly implemented as it received 'inadequate' support from the New Order regime. Support from the government was essential due to the statement in the fatwa that "regarding the Ahmadiyah case, Indonesian Ulama Council is *expected to be in constant contact with the government* (*Dalam menghadapi persoalan Ahmadiyah, hendaknya Majelis Ulama Indonesia selalu berhubungan dengan pemerintah*)." In this context, as the issuance of this fatwa was acknowledged by the Minister of Religious Affairs (who was the retired General Alamsjah Prawiranegara), the implementation of the fatwa was obviously dependent on the government's support. However, surprisingly the government did nothing significant with regards to implementing the fatwa.

Discerning that the government was very reluctant to take further steps with the case, some ulamas accordingly sent a petition to the Rabithah to put more 'pressure' on the regime. A year later, in 1981, the Saudi Kingdom sent a formal letter to the Ministry of Religious Affairs requesting the issuance of a legal prohibition of the Ahmadiyah operating in the archipelago. With 'diplomatic pressure' from the Saudi Kingdom and the expectation of government support for the 1980 fatwa on the one hand, as well as the appearance of many publications against the Ahmadiyah by Muslim orthodox groups, such as from *Media Dakwah* and other publishing houses like *Bulan Bintang* and *Alma'arif*,[49] the regime

---

[48] Personal e-mail communication with an Indonesian Ahmadi activist in Jakarta 30 May 2008.

[49] See for examples Dewan Dakwah Islamiyah Indonesia (DDII), *Tidak Ada Nabi Sesudah Muhammad SAW: Laporan Debate Pembela Islam dengan Ahmadiyah Qadian* [There is no Prophet after Muhammad: Report on Debate between Pembela Islam and the Ahmadiyah Qadianis] (Jakarta: Media dakwah, 1979) and *Laporan Dokumen-dokumen Resmi dan Keputusan Konperensi Islam Internasional tentang Ahmadiyah* [Report on Official Documents and Resolutions of International Islamic Conference on the Ahmadiyah] (Jakarta: Dewan Dakwah Islamiyah Indonesia, 1981); and books like Abu al-Husayn 'Ali al-Husni al-Nadwi, *Ahmadiyah* (Yogyakarta: Horison Press, n.d.); Abdullah Hasan Alhadar, *Ahmadiyah Telanjang Bulat di Panggung Sejarah* [Ahmadiyah Naked in front of History] (Bandung: Alma'arif, 1980); Hamka Haq Al-Badry, *Koreksi Total terhadap Ahmadiyah* [Total Correction on the Ahmadiyah] (Jakarta: Yayasan Nurul Islam, 1981); Fawzy Saied Thaha, *Ahmadiyah dalam Persoalan* [The Ahmadiyah in Question] (Bandung: Alma'arif, 1981); and Ahmad Hariadi, *Mengapa Saya Keluar dari Ahmadiyah Qadiani* [Why I left the Qadiani Group] (Bandung: Yayasan Kebangkitan Kaum Muslimin, 1984).

finally took a clearer position on the controversy. About four years after the MUI *fatwa*, on 20 September 1984, the Ministry of Religious Affairs (MORA), through the Directorate General for Islamic Guidance and the Hajj *(Dirjen Bimas Islam dan Urusan Haji)* issued a circular to all MORA offices in province and district levels stating that:

> "[A]fter a close examination to the Ahmadiyah, it comes to a conclusion that the Ahmadiyah Qadiani is regarded as deviant from the mainstreaming Islam as having the belief that Mirza Ghulam Ahmad is a prophet, so then the Prophet Muhammad is not for them the last prophet."[50]

It also further stated that:

> "[I]t should be kept a vigilant eye that the activities of Indonesian Ahmadiyah Community are only directed into their own fold in order to avoid the unrest within the society or to disharmonize religious life."[51]

Following the issuance of this circular, some district Attorney's offices *(Kejaksaan Negeri* or the *Kejari)* were more responsive in overseeing the activities of the Ahmadiyah group in their particular regions. The *Kejaris* of Sidenreng South Sulawesi in 1986), of Kerinci Jambi in 1989, of Tarakan East Kalimantan in 1989 and of Meulaboh in West Aceh in 1990, respectively issued decrees prohibiting the activities of the group after some incidents involving the Ahmadi members occurred in those regions.

At first glance, it appears that issuance of this ministerial-level circular and regional decrees provide the basis for the banishment of the Ahmadiyah movement from Indonesia. However, closer examination reveals that the circular and those decrees lacked 'credibility'. Having discerned that the ministerial policy on this controversy was in a lower level form and signed at the second level in the bureaucratic hierarchy (i.e. Dirjen Bimas dan Haji) and not by the Minister himself, one could argue that this circular was obviously insufficient to serve as the basis for any sanctioned action toward the group. The nature of a circular in

---

[50] "Surat Edaran Dirjen Bimas Islam dan Urusan Haji No. D/BA/01/3099/1984 tentang Ahmadiyah." See also *Departemen Agama*'s publication a year after this circular in *Faham Ahmadiyah: Hasil Telaah Kasus* [Ahmadiyah Belief: The Case Study] (Jakarta: Puslitbang Kehidupan Beragama Departemen Agama RI, 1985)

[51] See "Surat Edaran Dirjen Bimas Islam dan Urusan Haji."

the Indonesian legal system, or in general within particular Ministries, was for internal administrative portfolio, and more importantly was not legally binding on any external party. The use of the circular-form, and it being signed by a lower level of bureaucrat, signified that the government intended to keep the dispute over Ahmadiyah as being merely an internal Muslim affair rather an acute national problem, which required the involvement of a more authoritative governing body.

The decrees from some Kejaris had had limitations in practice however. Given the centralized tendency of the New Order regime, these were only applicable and operative in the local region (kabupaten) but had no legal implications at the provincial and national levels. In this context, an important reason for the regulations was to respond to the demands of Muslim groups in these particular regions and to address regional unrest and instability.

Hence, the policy, whether in the form of the circular or regional decrees, was not intentionally designed to 'solve' or 'end' the controversy at the national level. Rather, it was only an artificial solution but essential for the sake of improving the reputation of the regime, which was focused on political survival, and maintaining stability. These were important considerations for the regime during the period of the 1980's as it began to institute Pancasila as the *azas tunggal* (sole ideological basis) for all Indonesian organizations, and later in the early 1990's, when it forced all organizations to implement this *azas tunggal* policy. For this reason, one could say that the contest for hegemonic intervention over this law making tacitly served the interests of the regime itself. In this sense, through this policy, not only had the government given an adequate and elegant response to the inquiry of the Saudi Kingdom (and the *Rabithah*), but at the same time it successfully gained support from the Muslim majority group who believed that the regime had answered their demands to block Ahmadiyah teaching and activity.

D. The MUI *Fatwa* 2005, Government and the New Model of Islamism

On 29 July 2005, the MUI issued a second *fatwa* on the Ahmadiyah, signed by K.H. Ma'ruf Amin, the chairperson for the Fatwa Commission. The document of this new *fatwa* contained many references, not only

from the Qur'an and the *Hadith* narrations but also from previous recommendations from other institutions, including the *Majma al-Fiqh al-Islami* (Islamic Jurisprudence Council) of the *Munadhamah al-Mu'tamar al-Islami* (Organization of the Islamic Conference or the OIC) on December 1985, the *Majma al-Fiqh al-Islami* of the *Rabithah A'lam al-Islami* (the World Muslim League), and the *Majma al-Buhuts* (Expert Research Council), as well as the previous MUI *fatwa* 1980. There were three main recommendations in this new *fatwa*:

> "[First] Reinstate its previous *fatwa* of the 2nd National Meeting 1980 which declared that Ahmadiyah is out of the fold of Islam; deviant and misled, and therefore Muslims who followed it are heretic; [second] Those who have been following the Ahmadiyah sect are called to return to the righteous Islamic teaching in accord with the Qur'an and the Hadith; [third] The government has a duty to prohibit the spread of Ahmadiyah belief throughout Indonesia, to ban the organization and to close all centers for the activities."[52]

There is no doubt that the issuance of some current *fatwas* (and *tausiyah*s) on various issues signified a paradigm shift of the MUI from more or less serving the interests of the ruling regime in managing Islamic affairs, to occupying a more determined position in bargaining and negotiating with other parties.[53] It makes sense that after decades of serving under a powerful authoritarian regime, the Muslim community, as the dominant group, would try to assert itself in the process of decision making, and in some cases, to serve as a quasi-governing institution in protecting and preserving their interests and values. And in this context, the MUI repeatedly claimed its role as the 'sole' representative for all Muslim organizations in Indonesia or in the service of defending the interests of the Indonesian majority Muslim group.

However, the claim that MUI's service was for the sake of the majority is questionable particularly in light of the new composition

---

[52] See "Keputusan Fatwa Majelis Ulama Indonesia No. 11/MUNAS VII/15/2005 tentang Aliran Ahmadiyah," available at *http://www.mui.id/mui_in/fatwa. php?id=131*, accessed on 26 May 2008.

[53] Current studies on the MUI see Nadirsyah Hosen, "Behind the Scenes: Fatwas of Majelis Ulama Indonesia (1975–1998)," Journal of Islamic Studies 15:2 (2004) p. 147–179; and Moch. Nur Ichwan, "*Ulama*, State and Politics: Majelis Ulama Indonesia after Suharto," *Islamic Law and Society* 12, 1 (2005); p. 45-72

of MUI. It is a fact that soon after the fall of the New Order's regime, numerous new Islamic organizations were established in Indonesia and demanded representation in MUI. Some of these were very small and very conservative in nature, advocating for the manifestation of 'Islamic' symbols and the explicit application of Islamic law in the public sphere.

Hence, as the MUI's membership now consisted of representation from Muslim organizations, rather than individual independent Muslim scholar, all members in this organization were treated as equal in any decision making. Regardless of size or influence, represented organizations each have one vote in the voting process. With this inappropriate proportion in membership composition, when it comes to voting on social and religious issues, MUI itself unsurprisingly represents more 'conservative' and 'ultraorthodox' tendencies accumulated from the smaller groups, rather than the views of the moderate majorities.

In this vein, having seen the conservative outlook of these small groups which greatly influence and steer the direction of the MUI, one can easily argue that this organization maintains a determinant position in establishing the hegemonic model of what constitutes 'acceptable' and 'correct', according to 'Islamic', or more precisely, the *salafi*, doctrines. The issuance of *Fatwa* no. 7, opposing pluralism, liberalism and secularism, and *Fatwa* no. 11, on the Ahmadiyah case in 2005, as well as its apparent support of the controversial draft of the new law on anti-pornography in 2006, are examples of the persistent character of the current MUI.

The MUI issued its *fatwa* against the Ahmadiyah only a couple weeks after the Indonesian Ahmadiyah Qadiani headquarter in southern part of Jakarta (Parung West Java) had been attacked in early July 2005.[54] In this Parung incident, the 'Muslim' mobs injured some Ahmadiyah members, who were at the time participating in the Ahmadiyah Annual Meeting *(Jalsah Salanah)*, and destroyed property in the compound. Some activists and human rights observers saw a link between this incident and the wave of systematic attacks and destruction of Ahmadiyah property in 2005 and 2006.[55] In turn, the same violent pattern repeated itself

---

[54] See more in Muryadi, *Ahmadiyah: Keyakinan yang Digugat*, p. 1-33.

[55] Some attacks and destruction of Ahmadiyah property occurred in Cianjur West Java in 6 August 2005, in Majalengka West Java in 19 August 2005, in four locations of South Cianjur (West Java) in 19 October 2005 and 4 February 2006 in West

with other groups accused of being deviants or heretics, such as the communities of Yusman Roy, the members of *Yayasan Kanker dan Narkoba Cahaya Alam* (YKNCA), Lia Aminuddin's *Kerajaan Eden* and recently of al-Qiyadah al-Islamiyah. Others went further, linking these attacks with numerous attempts, over the same time period, to close down supposedly illegal churches in many regions, such as in Jakarta, Banyuwangi East Java and Bandung West Java.

There was speculation as to why these violent attacks were becoming the new pattern for 'problem solving' in Indonesia. Many blamed the inability of the new government to provide basic living needs and security as the main reason, and therefore the attacks on 'heretic' sects was a channel for expressing their accumulated social prejudice and frustration. Others saw a wider systematic campaign against heresy that represented a creeping 'shariatization' of Indonesia, with these 'deviant' sects as 'soft targets' before further negotiations to 'islamize' all aspects of Indonesian social and political life.

Whatever reasons motivated these attacks on the rights and property of groups in Indonesia, for many religious and human rights activists, it was the opinions of religious leaders which undoubtedly justified the violence, apparently referring to the MUI's *fatwa*. In the case of the Ahmadiyah, some have shown that attacks in many regions began with heated sermons on the dangerous nature of the Ahmadiyah for the Muslim community. The sermons unsurprisingly quoted the *fatwa* of the MUI as religious evidence against the group, arguing that, as zealous Muslims, they have a moral responsibility to 'follow up' in the form of 'physical action'.[56]

In line with this, some saw that, in the wider context of the central and regional levels, the MUI *fatwa*s triggered vigilantism in regions where

---

Lombok West Nusa Tenggara, in October 2005 September 2005, and in Leuwisadeng Bogor West Java in 6 January 2006. Numerous demonstrations against the Ahmadiyah group and the closing and burning of some Ahmadiyah mosques occurred between 2005 and 2007.

[56] Akh. Muzakki, "Fatwa dan Kekerasan [Fatwa and Violence]" *Koran Tempo* 28 December 2007; and Maksun, "MUI, Ahmadiyah dan Fikih Toleransi," *Harian Suara Merdeka* 16 April 2008; Imam Ghazali Said, "Membela Ahmadiyah yang Dizalimi [Defending the Accused Ahmadiyah]," *Jawa Pos* 28 April 2008.

law enforcement agencies were unable to maintain order.[57] It is also evident that the *fatwa* was the primary factor in some districts, such as in Kuningan West Java and Lombok West Nusa Tenggara, enforcing new regional regulations on the prohibition or limitation of Ahmadiyah activities in 2006.[58] Due to these far-reaching effects and unintended consequences, some activists requested that the MUI consider revising or revoking this *fatwa*.

While the consequences of the *fatwa* were clearly visible in social conflict, some scholars, like Effendi, also questioned the legal authority of the MUI to declare particular groups as deviant.[59] Not only was the *fatwa* merely an 'opinion' from Muslim scholars and not legally binding for Muslims, but also the standing of the MUI under Indonesian law was questioned by many liberal Muslim activists.[60] The MUI was not a 'super body' above the law with an autonomous right to excommunicate any particular religious group, given the fact that, as a social organization, this body is indeed in the same position as other organizations, including the Indonesian Ahmadiyah Community (JAI).

Moreover, a critique from Mustofa Bisri, a leading NU *kyai*, of the references to three previous international resolutions (the IOC, the *Majma al-Fiqh* and the *Majma al-Buhuts* is also worth mentioning. For Bisri, quoting *fatwa*s from these international Muslim organizations clearly indicated that the MUI's *fatwa* was not very authentic and genuine for the domestic needs of the local Indonesian Muslim community. According to him, this showed that the MUI lacked confidence and was more likely serving the interests of international organizations rather than domestic

---

[57] Achmad Munjid, "Mencegat Kebebasan, Memaksa Keyakinan [Blocking the Freedom, Forcing the Belief]," *Harian Tempo* 17 January 2008.

[58] Basyir Ahmad Suwarto, "Potret Minoritas Ahmadiyah Manislor yang Didiskriminasi [A Portrait of Discriminated Ahmadi Minority in Manislor (KuninganWest Java)]," article available at http://wahidinstitute.org. Accessed on 17 may 2008.

[59] Djohan Effendi, "Solusi Masalah Ahmadiyah Indonesia [Solution for the Ahmadiyah Case in Indonesia]," *Koran Tempo* 12 January 2008;

[60] Ulil Abshar-Abdalla, "Masih Tentang Ahmadiyah [Still about the Ahmadiyah]," article posted on 9 May 2008 available at http://islamlib.com/id/index.php?page=article&id=1044. Accessed on 15 May 2008; and Luthfi Assyaukanie, "Fatwa dan Kekerasan," article available at *http://islamlib.com/id/index.php?page=article&id=1220*, accessed on 16 May 2008.

interests.[61]

In addition to Bisri, Azyumardi Azra also argued that basing the *fatwa* on other *fatwa*s from other Muslim countries or international organizations was a clear sign of the MUI Board's lack of 'social' knowledge. MUI should seek advice and discuss the issue with those who are very keen and knowledgeable about the local context before making a decision about the Ahmadiyah.[62] Azra also pointed out that the MUI's reference to the IOC's *fatwa* was rather odd given the fact that Indonesia is not a member of this Conference, and Indonesia is, therefore, not legally bound by any legal decisions of this organization.

The MUI itself on many occasions has clearly neglected the reality that its *fatwa* has been the source of unrest and hostility towards the Ahmadiyah group. It has persisted in claiming the importance of *fatwa* for guarding the faith of the *ummah,* serving as a clear guide in preventing more conversions of traditional Muslims into the fold of Ahmadiyah. For the MUI and supporters from various Muslim organizations, this *fatwa* concerned the internal affairs of the Muslim community, warning groups from other religious traditions, who raised concerns, not to involve themselves in this debate.[63]

The MUI's firm stand on the issue was supported by numerous Muslim organizations and Islamic political parties. Support for it was also expressed in many forms, including online opinions and printed literature. Whether for the sake of religious zeal or commercial motives, many books and popular opinions were published in newspapers,

---

[61] Mustofa Bisri, "Fatwa MUI Refleksi Ketidakpercayaan Diri [MUI Fatwa is Mirror of a Lack of Confident]" in Ahmad Sueadi (ed.), *Kala Fatwa Menjadi Penjara [When Fatwa Becomes Prison]* (Jakarta: The Wahid Institute, 2006), p. 254-255; and his article, "Yang Sesat dan Yang Ngamuk [The Deviant and the Amok]," *Jawa Post* 23 April 2008 available at *http://jawapos.com/ index.php?act=detail_c&id=337871*, accesed on 14 May 2008.

[62] See Azyumardi Azra's comment available at *http://www.tempointeraktif.com/ hg/ nasional/2005/08/02/brk,20050802-64678,id.html.*

[63] See for example the statement from Forum Masyarakat Peduli "FOMPI Siap Bela Fatwa MUI [FOMPI is Ready to Defent the MUI Fatwa], *Harian Bangsa* 4 August 2005 as quoted by John Olle, "The Campaign Against 'Heresy': State and Society in Negotiation in Indonesia," paper presented to the 16th Biennial Conference of the Asian Studies Association of Australis in Wollonggong 26-29 June 2006, p. 3.

magazines and journals, describing the fallacies and inconsistencies of the Ahmadiyah teachings for the Muslim public.[64] Massive demonstrations and submission of petitions from these organizations and Muslim politicians to the government, created pressure for a more severe policy towards the Ahmadiyah, steering Indonesian Islamic discourse in 2006 and 2007.

The current government, in mid-2005, through the Coordinating Body of Monitoring and Supervision of Religious Sects *(Bakor Pakem/ Badan Koordinasi Pengawasan dan Perkembangan Aliran Kepercayaan),* under the office of the State Attorney *(Kejaksaan Agung),* indeed tried to settle this contentious debate by 'recommending' the prohibition of all organizations, activities, teachings and books of the Ahmadiyah in Indonesia.[65] With this intention in mind, the Ministry of Religious Affairs then initiated seven dialogues with the *Jemaat Ahmadiyah Indonedia* (JAI) "with the expectation to find the solution for the matter [of the Ahmadiyah]" accordingly.

There were seven 'options' offered to the JAI in the dialogues. Some of these options were unarguably very contentious from the beginning. The results of the 'dialogues' were apparent at the end, offering either the dissolution of the JAI by the government or by the court. Other softer options were that the Ahmadi members would be 'expelled' from the

---

[64] See for examples new books on the Ahmadiyah like M. Amin Djamaludin, *Ahmadiyah dan Pembajakan Al-Quran* [Ahmadiyah and Quran Plagiarism]*;* (Jakarta: 2002); *Ahmadiyah Menodai Islam: Kumpulan Fakta dan Data* [The Ahmadiyah Violates Islam: Collection of Facts and Data] (Jakarta: Lembaga Penelitian dan Pengkajian Islam [LPPI], 2004; Hartono Ahmad Jaiz, *Aliran and Paham Sesat di Indonesia* [Deviants Sects and Doctines in Indonesia] (Jakarta: Pustaka Al-Kautsar, 2002); Ahmad Lutfi Fathullah, *Menguak Kesesatan Aliran Ahmadiyah* [Uncovering the Deviance of the Ahmadiyah Sect] (Jakarta: Pustaka Array, 2004); and M. Yuanda Zara, *Aliran-aliran Sesat di Indonesia* [Deviants Sects in Indonesia] (Yogyakarta: Banyu Media, 2007); or numerous article like H.M. Amin Jamaluddin, "Menjawab Kebohongan Ahmadiyah," article posted on 16 January 2008 available at http://salafy.wordpress.com/2008/01/16/menjawab-kebohongan-ahmadiyah. Accessed on 15 May 2008.

[65] "Penjelasan Kepala Badan Litbang dan Diklat Departemen Agama tentang Perkembangan dan Penanganan Masalah Ahmadiyah di Indonesia [Statement of Chairperson of Research and Development Body Ministry of Religious Affairs on the Ahmadiyah in Indonesia," p. 1-2, available also at *http://www.depag.web.id/doc/get/10*, accessed on 20 May 2008.

Muslim community and then categorized as non-Muslims, as in Pakistan, or that the group would be regarded as a sect within the Indonesian Muslim community, abiding by 'some indispensible conditions'.[66] There was no surprise at all that JAI would choose the last option.

This last option had an immediate consequence as it required the group to provide a clear account of their religious beliefs and view of societal life, in order to gain 'recognition' and 'acceptance' as part of the Indonesian Muslim community. It was then on 14 January 2008, that the JAI released the Twelve Points of Statement from the JAI *(12 Butir Penjelasan JAI)* to the public, stating that:

> (1) We the Indonesian Ahmadiyah community from its beginning believe in and affirmed Islamic confession statements *(kalimat shahadat)* as taught by the Prophet Muhammad that there is no God but Allah and that Muhammad is truly the messenger of God; (2) For its beginning, we the Indonesian Ahmadiyah community believe that Muhammad is the last prophet; (3) Amongst our belief is that Mizra Ghulam Ahmad is the teacher, the religious adviser *(mursyid)*, the bearer of good news and warning, and the holder of good promises *(mubasyirat)*, the founder and leader of the Ahmadiyah community whose role is to strengthen Islamic mission that previously carried by the Prophet Muhammad; (4) We intact the word Muhammad with the word Rasulullah emphasizing that it was the Prophet of Muhammad in the ten [Ahmadiiyah] *Bai'at*s requested for and read by the new Ahmadi; (5) We the Indonesian Ahmadiyah community believe that [a] there is no revelation with *syariah* after the Qur'an which sent down to the Prophet of Muhammad; [b] The Qur'an and the prophetic tradition are our teaching sources we follow; (6) The book of Tadzikah is not the holy book for the Ahmadis, but the spiritual document of Mirza Ghulam Ahmad collected, bound and named by his follower in 1935, twenty seven years after his death in 1908; (7) We the Indonesian Ahmadiyah community have not and never regarded those outside the Ahmadiyah as the infidels in word and in action; (8) We the Indonesian Ahmadiyah community have not and never regarded any mosque we built as the Ahmadiyah Mosque; (9) We state that every

---

[66] Penjelasan Kepala Badan Litbang," p. 2. The dialogues were held on 7 September 2007, 2 October 2007, 8 November 2007, 29 November 2007, 6 December 2007, 19 December 2007 and 24 January 2008. All dialogues were in the Office of Badan Litbang in Jakarta, expect one (19 December 2007) was in the Central Police Office *(Mabes Polri)*.

mosque built and managed by the Ahmadiyah community is open for all Muslims from any group; (10) We the Indonesian Ahmadiyah community as the Muslims always register any marriage to the office of religious affair (KUA) and consult any divorce case and other cases with the Religious Court in accord with the existing law system; (11) We the Indonesian Ahmadiyah community will participate to strengthen social interaction and work together with any other Muslim group and community in the social service for the progress of Islam, nation and the NKRI; and (12) through this statement, we the executive body of the Indonesian Ahmadiyah community expect the Ahmadiyah community and Muslim community as well as Indonesian community to understand under the sprit of Islamic brotherhood, and for the sake of national unity."[67]

There is no doubt that the publication of the *12 Butir Penjelasan JAI* opened the way for the government to take further action against the Ahmadiyah if the group failed to fulfill the conditions in the *Penjelasan* within three months. Along with the socialization of this *Penjelasan* though out the country, MORA, on 24 Januari 2008, formed a special team to investigate and monitor the implementation of the *Penjelasan* in practice. This body consisted of members representing four offices of MORA, the Ministry of Internal Affairs, the State Attorney and the Indonesian Police.

It should surprise no one that this team would find discrepancies between Ahmadiyah teachings and that of traditional Muslims. Within three weeks, the team found evidence of this. On 18 February 2008, the team sent a letter to the JAI requesting a more clear statement on the issue of Muhammad as the last prophet and the position of Mirza Ghulam Ahmad in Ahmadiyah teaching, as they found that some books published by the JAI were not in accord with the JAI's *Penjelasan,* in particular Point 2 and 3.[68] As the JAI was unable to give satisfactory answers to these inquiries, the team came to the conclusion that the JAI had intentionally broken the 'covenant'. It recommended the *Bakor Pakem* take further action, arguing that the group had failed to fulfill all the points in the *Penjelasan*. On 16 April 2008, the *Bakor Pakem* gave a clear signal that the

---

[67] Pengurus Besar Jemaat Ahmadiyah Indonesia, "12 Butir Penjelasan Jemaat Ahmadiyah Indonesia," available at *http://www.ahmadiyya.or.id/index.php?option=com*, accessed on 14 May 2008.

[68] Penjelasan Kepala Badan Litbang," p. 11.

government would issue a new decision on Ahmadiyah,[69] unsurprisingly triggering a new heated controversy and causing groups to line up, either 'for' or 'against' the government's initiative.

From the beginning, the involvement of the government in the Ahmadiyah case in Indonesia raised severe responses and arduous critics from moderate Muslims and human rights activists. Some saw that the government's interest in managing religious activities would violate the basic freedom of citizens to believe in a particular religion and doctrine, as explicitly guaranteed by the Indonesian Constitution (UUD 1945). It also contravened existing laws in Indonesia, such as Article 22 of the Law no. 39 Year 1999 on Human Rights as well as international agreements like the International Covenant for Civil and Political Rights (ICCPR), which the Indonesian government ratified.[70]

Many regretted the involvement of the government in theological debates and its use of theological reasons for prohibiting the Ahmadiyah when in fact the Indonesian political system is 'secular'. Under the existing law, only if the group violated the order and created social unrest, could the government take action, but unfortunately, it was not the case for the Ahmadiyah group.

However, the proponents for further government action towards the Ahmadiyah included prominent Muslim political parties like Partai Persatuan Pembangunan (PPP) and Partai Keadilan Sejahtera (PKS) as well as many Muslim organizations such as Nahdlatul Ulama and Muhammadiyah. Many demonstrations were held and numerous petitions by many Muslim organizations were sent to the President to hasten the issuance of the decree prohibiting Ahmadiyah in the country.[71]

---

[69] See official notes on "Rakor Pakem [Coordinating *Pakem* Meeting]," in Aula Jaksa Agung Muda Intelijen Jakarta 16 April 2008, private circulation.

[70] See for examples Novriantoni, "Melarang Ahmadiyah: Apa Kata Dunia? [Banning the Ahmadiyah: What the World would Say?]," article posted on 22 January 2008 available at *http://islamlib.com/id/index.php?page=article&id=1319*, accessed on 15 May 2008; also Masykurudin Hafidz, "Mohon Maaf, Ahmadiyah [Sorry, Ahmadiyah]," *Koran Tempo* 22 April 2008; and Ismatu Ropi, "Kebebasan Agama dan Peraturan yang Bertabrakan [Religious Freedom and the Contradicting Regulations]," *Media Indonesia* 16 May 2008.

[71] "Surat Terbuka Forum Umat Islam Kepada Presiden RI untuk Pembubaran Ahmadiyah", available at http://forum.syabab.com/index.php; accessed on 15 May

At this point, altering its previously firm position, the government was evidently reluctant to take any considerable steps against the Ahmadiyah after having discerned the legal and political situation for them under existing Indonesian law, at the urging of moderate Muslims and human rights activists. However, political legitimacy before the Muslim majority was also undoubtedly essential for the government. It took some months to review the case, until finally a new regulation in the form of *Surat Keputusan Bersama* (SKB or the Joints Ministerial Decree) was signed by the Minister of Religious Affairs, the State Attorney and the Minister of Internal Affairs on 9 June 2008.[72]

The SKB was very subtle and appeared to be quite comprehensive. Referring to seventeen existing regulations in Indonesia, this SKB recommended six important points that:

> "[First] to give warning and to order all society not to inform, to persuade or to mobilize any attempt for interpreting any religion embraced in Indonesia or for doing any activities resembling religious activities which are deviant to that of foundation of religious doctrines; [Second] to give warning and to order followers, members, and/or members of the executive body of the JAI along with their confession as Muslims, to stop the spreading any interpretation and activities which are deviant to the foundation of Islamic doctrines such as spreading the belief on the existence of new prophet with new teaching after the Prophet of Muhammad; [Third] the followers, members, and/or members of the executive body of the JAI who ignore the warning and order as mentioned in Point 1 and 2 would be sanctioned in accord with the existing regulation, including to its organization and other legal bodies; [Fourth]

2008; "Surat Terbuka Hizbut Tahrir Indonesia (HTI) kepada Presiden tentang Pembubaran Ahmadiyah", available at http://musliminsuffer.wordpress.com. Accessed on 15 May 2008; "Pandangan Dewan Da'wah Islamiyah Indonesia terhadap Ahmadiyah", available at *http://hidayatullah.com/index.php?option=com_content&task=view&id=6192&Itemid=65*, accessed on 15 May 2008.

[72] As recorded that this regulation was issued only a week after the incident of Monas on 1 June 2008. In this incident, some human rights activists, who held a peace demonstration in support for religious freedom in Indonesia, was belligerently attacked by radical Muslim wing, the *Forum Pembela Islam* (FPI or Islamic Defender Forum). Some of those activists were badly injured, and the echo of this attack was far reaching and widely covered in national and international media. Some concerned that the effect of this incident would create a new horizontal conflict within the society.

to give warning and to order the community to preserve and maintain religious harmony and rest and order in societal life by not committing any activity and/or action against the law toward the followers, members, and/or members of executive body of the JAI; [Fifth] those members of community who ignore the warning and order as mentioned in Point 1 and 2 would be sanctioned in accord with existing regulation; [Sixth] to order the central and local government apparatus to take any measured steps in order to maintain and monitor this Joint Decree." [73]

One easily saw that this new regulation, issued after the incident, unsurprisingly ignited heated debates.[74] While this government action was supported by many Muslim organizations, this SKB was noticeably vague in its nature as well as ambiguous in its content. Hence, it seemed the SKB was not well-prepared, serving an *ad hoc* interest and not designed for the fair management of religious affairs in the country. There were some inherent weaknesses in the SKB itself regarding its implementation.

First, this SKB quoted verbatim Indonesian Law No. 1/PNPS/1965 as manifested in Point 1 and 2. For many scholars and activists, this Law was a nightmare due to its hegemonic and authoritarian nature, giving ultimate power to the regime for managing religious affairs in Indonesia. It was very apparent in the New Order era that this Indonesian blasphemy law was undoubtedly an effective tool for taking severe action against many alleged deviant sects in Indonesia. Records show that the regime vigorously prohibited more than 50 religious cases, based on doctrines and teachings, using this law.[75] Although this law has not been revoked, for many activists and legal scholars, its legal substance was outdated given

---

[73] "Keputusan Bersama Menteri Agama, Jaksa Agung, dan Menteri Dalam Negeri Republik Indonesia No. 3 Tahun 2008; No. KEP-033/A/JA/6/2008; No. 199 Tahun 2008 tentang Peringatan dan Perintah kepada Penganut, Anggota, dan/atau Anggota Pengurus Jemaat Ahmadiyah Indonesia (JAI) dan Warga Masyarakat [Joint Decree of Minister of Religious Affairs, the State Attorney, and the Minsiter of Internal Affairs on Warning and Order to the Followers, Member, and/or Members of Executive Body of Indonesian Ahmadiyah Community (JAI) and General Social Community," availabe at *http//www.depag.or.id*, accesed on 11 June 2008.

[74] See Ahmad Suaedy, "Ahmadiyah dan Pemerintahan yang Panik [Ahmadiyah and the Panic Government], *Koran Tempo* 12 June 2008

[75] Departemen Agama RI, *Peraturan Perundang-udangan Kehidupan Beragama* [Regulations on Religious Life] (Jakarta: Departemen Agama RI, 1998).

the enactment of Law No. 39/1995 on Human Rights and of the new Law No. 12/2005 on the Ratification of the ICCPR. It also, moreover, contradicted the spirit of the new amended Constitution (UUD 1945) which clearly guaranteed religious freedom for all citizens.[76] Hence, the verbatim use of this Law No. 1/PNPS/1965 as the main legal source strongly indicated that the government lacked any reasonable and contextual argument for the prohibition of the Ahmadiyah.

Second, some saw that the subject of the warning and order in this SKB seemed very strange and dubious. It was unclear whether it would be exclusively directed to Ahmadiyah group or was also applicable to the community and the government apparatus in general. Of six points in the SKB, only two points were apparently related to the Ahmadiyah group, while the remaining points were very broad in nature as general warnings and orders for the community or general orders for the government officers themselves.

Third, the content of the SKB, in particular Point 2 prohibiting any activities of the Ahmadiyah group which were deviant according to Islamic doctrines, was also ambiguous and controversial. Many activists inquired further as to what kind of activities were to be regarded as deviant in accordance with traditional Islamic teachings. If those Ahmadis, for example, performed prayers exactly as traditional Muslims prayed, should the government consider this as deviant activity and then take action to stop the prayers.

Fourth, and more importantly, the new *Tata Tertib Perundangan* as stated in Article 7 of Law No. 10/2004 on Making Law clearly pointed out that the SKB did not have much importance in the hierarchy of laws under the new Indonesian legal system. In this context, the SKB is loosely binding on parties and, therefore, inadequate for serving as a legal norm for any sanctioned action towards the group.[77] It would be impossible that these three Ministerial bureaucracies were not aware of this new formation of Indonesian law. Hence, some speculated that the government was intentionally using the form of the SKB to make this

---

[76] See for example Rumadi, "SKB Setengah Hati [A Half-Hearted Joint Decree]," *Kompas* 11 June 2008.

[77] See for example Ismatu Ropi, "SKB yang Cacat Hukum [the Defected Joint Decree]," *Koran Jakarta* 13 June 2008.

new regulation of the Ahmadiyah defective from the beginning and therefore inapplicable.

However, whatever its legal deficiencies, many activists went further, raising concerns that this policy in practice would justify more social conflict at the grass roots level and be used as a legal argument, in coordination with the religious argument from the MUI's *fatwa*.

It, nevertheless, seemed clear that the issuance of the SKB on the Ahmadiyah indicated the inability of the government to preserve its neutral position in managing religious affairs in Indonesia. Clearly, the government seemed handicapped by the steady pressure from Muslim groups wanting to apply their standardized values in the archipelago. For many, this was an apt example of an inappropriate political concession by a weak state to a strong civil society.

However, the legal battle ultimately found the government to be, surprisingly, the real winner and not the Muslim majority. Like the previous regulation of the Ahmadiyah in the mid of 1980s, this new decree was not designed to be easily implemented as this SKB was from the beginning proven to be legally defective as a legal basis. This new regulation was issued for the sake of improving the reputation of the regime and ensuring its political survival vis-a-vis the steady Muslim majority's demands. In this sense, through the issuance of this policy, not only had the government received political credit, but at the same time, like in the 1980s, it successfully gained support and warm applause from Muslim conservative groups who considered the regime to have given in to their persistent demands to block Ahmadiyah teaching and activity in Indonesia.

Even if the President of the Republic Indonesia as requested in the Law No. 1/PNPS/1965 would issue a 'real' decree to ban the Ahmadiyah group in Indonesia, a new problem would immediately arise regarding the management of the group's assets. According to Indonesian law, if an organization is outlawed and banned by the government, the assets owned by that group would be overseen by the government. In this sense, given the pressure from civil society on the weak state, one may imagine that ownership of the assets of the banned group would be the new

battleground. Each of them would claim itself as the most appropriate body to manage the assets and undoubtedly this would be a new source for more tension, social conflicts and apparent prejudice.

BIBLIOGRAPHY

"1974 Declaration by World Muslim League", available at http://alhafeez. org/rashid/rabita.html; accessed on 18 May 2008.

Abshar-Abdalla, Ulil, "Masih tentang Ahmadiyah", article posted on 9 May 2008 available at http://islamlib.com/id/index. php?page=article&id=1044; accessed on 15 May 2008.

Adam, Asvi Warman, "Belajar dari Sejarah Ahmadiyah", *Jawa Post*, 24 April 2008

Ahmad Hariadi, *Mengapa Saya Keluar dari Ahmadiyah Qadiani*, Bandung: Yayasan Kebangkitan Kaum Muslimin, 1984.

Ahmad, Mirza Mubarak, *Ahmadiyyat in the Far East*, Rabwah: Ahmadiyya Foreign Missions Office, 1964.

"Ahmadiyah Menurut Kata Orang Dulu dan Sekarang", available at http://denagis.wordpress.com/ 2008/04/21/ahmadiyah-menurut-kata-orang-dulu-dan-sekarang; accessed on 15 May 2008.

Alhadar, Abdullah Hasan, *Ahmadiyah Telanjang Bulat di Panggung Sejarah*, Bandung: Alma'arif, 1980.

Ali, Mukti, "The Muhammadiyah Movement: A Bibliographical Introduction", MA thesis at McGill University, 1957.

Almanak Muhammadiyah, Yogyakarta: Taman Pustaka, 1926

Assyaukanie, Luthfi, "Fatwa dan Kekerasan", article available at http:// islamlib.com/id/index.php?page= article&id=1220; accessed on 16 May 2008.

Badry, Hamka Haq, Al-, *Koreksi Total terhadap Ahmadiyah*, Jakarta: Yayasan Nurul Islam, 1981

Bakker, F.L., *Tuhan Yesus dalam Agama Islam*, Jakarta: BPK Gunung Mulia, 1957

Bakry, Hasbullah, *Isa dalam Qur'an Muhammad dalam Bible*, Solo: Siti Syamsiah, 1959.

Beck, Herman L., "The Rupture Between the Muhammadiyah and the Ahmadiyya", *Bijdragen tot de Taal-, Land- en Volkenkunde (BKI)* 161-2/3 (2005).

Bisri, Mustofa, "Fatwa MUI Refleksi Ketidakpercayaan Diri", Ahmad Sueadi (ed.), *Kala Fatwa Menjadi Penjara,* Jakarta: The Wahid Institute, 2006.

Blood, Margaret, "The Ahmadiyah in Indonesia: Its Early History and Contribution to Islam in the Archipelago", Honours Sub-thesis, The Australian National University, 1974.

Deparemen Agama RI, *Faham Ahmadiyah: Hasil Telaah Kasus*, Jakarta: Puslitbang Kehidupan Beragama Departemen Agama RI, 1985.

----, *Peraturan Perundang-udangan Kehidupan Beragama*, Jakarta: Departemen Agama RI, 1998.

Dewan Dakwah Islamiyah Indonesia (DDII), *Tidak Ada Nabi Sesudah Muhammad SAW: Laporan Debate Pembela Islam dengan Ahmadiyah Qadian*, Jakarta: Media Dakwah, 1979.

Djaja, Tamar, *Riwayat Hidup A. Hassan*, Jakarta: Mutiara, 1980.

Djamaludin, M. Amin, *Ahmadiyah dan Pembajakan Al-Quran*, Jakarta: 2002.

----, *Ahmadiyah Menodai Islam: Kumpulan Fakta dan Data*, Jakarta: Lembaga Penelitian dan Pengkajian Islam [LPPI], 2004.

Effendi, Djohan, "Solusi Masalah Ahmadiyah Indonesia", *Koran Tempo* 12 January 2008.

Fathullah, Ahmad Lutfi, *Menguak Kesesatan Aliran Ahmadiyah*, Jakarta: Pustaka Array, 2004

Fawzy Saied Thaha, *Ahmadiyah dalam Persoalan*, Bandung: Alma'arif, 1981

GF Pijper, "De Ahmadiyyah in Indonesia", in van Ronkel (ed.), *Bingkisan Budi*, Leiden: A.W. Sijthoff's Uitgeversmaatschappij, 1950

Hadikusuma, Djarnawi, *Di Sekitar Perjandjian Lama & Perjandjian Baroe*, Jogjakarta: Penerbit Persatuan, n.d.

Hamka, *Ayahku*, Jakarta: Umminda, 1968

Hosen, Nadirsyah, "Behind the Scenes: Fatwas of Majelis Ulama Indonesia (1975–1998)", *Journal of Islamic Studies* 15:2 (2004)

Husayn, 'Ali al-Husni al-Nadwi, Abu al-, *Ahmadiyah*, Yogyakarta: Horison Press, n.d.

Ichwan, Moch. Nur, "*Ulama*, State and Politics: Majelis Ulama Indonesia after Suharto", *Islamic Law and Society* 12, 1 (2005).

----, "Differing Responses to an Ahmadi Translation and Exegesis: The Holy Qur'an in Egypt and Indonesia", *Archipel*, 62 (2001).

Jaiz, Hartono Ahmad, *Aliran and Paham Sesat di Indonesia*, Jakarta: Pustaka Al-Kautsar, 2002

Jemaat Ahmadiyah Indonesia (JAI), "75 Tahun Jemaat Ahmadiyah Indonesia", brief historical leaflet available at http://www.ahmadiyya.or.id; accessed on 14 May 2008.

"Jiplak-Menjiplak Tafsir Qur'an", *Tempo* 12 January 1974.

Joesoef Sou'yb, *Adam Bukan Manusia Pertama*, Jakarta: Al-Husna, 1981.

"Keputusan Fatwa Majelis Ulama Indonesia No. 11/MUNAS VII/15/2005 tentang Aliran Ahmadiyah", available at http://www.mui.id/mui_in/fatwa.php?id=131; accessed on 26 May 2008.

"Keputusan Musyawarah Nasional II Majelis Ulama se-Indonesian No. 05/Kep/Munas II/MUI/1980 Fatwa Tentang Ahmadiyah", available also http://www.khilafah1924.org/index2. php?option=com_content&do_pdf=1&id=468; accessed on 14 May 2008.

Laporan Dokumen-dokumen Resmi dan Keputusan Konperensi Islam Internasional tentang Ahmadiyah, Jakarta: Dewan Dakwah Islamiyah Indonesia, 1981

Madjid, Nurkholis, *Islam: Kemodernan dan Keindonesiaan*, Jakarta: Yayasan Wakaf Paramadina, 1989.

Maksun, "MUI, Ahmadiyah dan Fikih Toleransi", *Harian Suara Merdeka* 16 April 2008.

Munjid, Achmad, "Mencegat Kebebasan, Memaksa Keyakinan", *Harian Tempo* 17 January 2008.

Muzakki, Akh., "Fatwa dan Kekerasan" *Koran Tempo* 28 December 2007.

Natsir, Muhammad, *Islam dan Kristen di Indonesia*, Bandung: CV Bulan Sabit & CV Peladjar, 1969.

Noer, Deliar, *The Modernist Muslim Movement in Indonesia 1900-1942*, Singapore: Oxford University Press, 1973.

Olle, John, "The Campaign Against 'Heresy': State and Society in Negotiation in Indonesia", paper presented to the 16th Biennial Conference of the Asian Studies Association of Australis in

Wollonggong 26-29 June 2006.

"Pandangan Dewan Da'wah Islamiyah Indonesia terhadap Ahmadiyah", available at http://hidayatullah.com/index.php? option=com_con tent&task=view&id=6192&Itemid=65; accessed on 15 May 2008.

Pengurus Besar Jemaat Ahmadiyah Indonesia, "12 Butir Penjelasan Jemaat Ahmadiyah Indonesia", available at http://www.ahmadiyya. or.id/index.php?option=com; accessed on 14 May 2008.

Pringgodigdo, A.K., *Sejarah Pergerakan Rakyat Indonesia*, Jakarta: Pustaka Rakyat, n.d.

Rahardjo, M. Dawam, "Gerakan Ahmadiyah Dalam Krisis", in Suryawan, M.A., *Bukan Sekedar Hitam Putih: Kontroversi Pemahaman Ahmadiyah*, Jakarta: Azzahra Publishing, 2005.

Ropi, Ismatu, "Muslim-Christian Polemics in Indonesian Islamic Literature", *Islam & Christian Muslim Relations* 9, no. 2 (July 1998).

----, "SKB yang Cacat Hukum" *Koran Jakarta*, 13 June 2008.

Rumadi, "SKB Setengah Hati", *Kompas* 11 June 2008.

Said, Imam Ghazali, "Membela Ahmadiyah yang Dizalimi", *Jawa Pos* 28 April 2008.

Shihab, Alwi, "The Muhammadiyah Movement and its Controversy with Christian Mission", Ph.D dissertation, Temple University, 1995.

Suaedy, Ahmad, "Ahmadiyah dan Pemerintahan yang Panik", *Koran Tempo*, 12 June 2008.

Suryawan, M.A., *Bukan Sekedar Hitam Putih: Kontroversi Pemahaman Ahmadiyah*, Jakarta: Azzahra Publishing, 2005.

Suwarto, Basyir Ahmad, "Potret Minoritas Ahmadiyah Manislor yang Didiskriminasi", http://wahidinstitute.org. Accessed on 17 may 2008.

Wahyu Muryadi et.all, *Ahmadiyah: Keyakinan yang Digugat*, Jakarta: Pusat Data dan Analisa TEMPO, 2005.

Zara, M. Yuanda, *Aliran-aliran Sesat di Indonesia*, Yogyakarta: Banyu Media, 2007.

Zulkarnain, Iskandar, *Gerakan Ahmadiyah di Indonesia*, Yogyakarta: LKiS, 2005.

ISLAM, *ADAT*, AND THE STATE:
Matrifocality in Aceh Revisited

Eka Srimulyani

Faculty of Adab and Humanities, The State Institute for Islamic Studies, IAIN Ar-Raniry Banda Aceh, Postdoctoral research fellow of KNAW (Royal Academy of Arts and Sciences) The Netherlands

Abstract

Matrifocality has been a rooted tradition in the social history of the community in Aceh. The principles of matrifocality have also affected on how women are positioned in the community, and the socio-gender relation within the community. The fact that Aceh has strongly associated to the Islamic values that claimed to support the paternal traditions. Apparently, the Islamic values and the local matrifocality practices juxtaposed through the roles of adat, which considered as inseparable to Islamic law or teaching, or in local term known as zat ngeun sifeut. *Another point in revisiting matrifocality in Aceh in Aceh is an examination of how gender state ideology, particularly during the New Order Regime disregarded some local gender practices across some ethnics in the archipelago. Meanwhile, the state also hegemonied and promoted particular gender state ideology such as state* ibuism. *Nonetheless, the modernity and social changes have also contributed to the shifting of some matrifocality practices in contemporary Acehnese society. However, since the matrifocality has a strong root in the social life of the community, the principles of the matrifocality still survived until currently, although it transformed into 'new matrifocality' practices.*

Keywords: matrifocality, Aceh, gender, *sharī'a* law

A. Introduction

Aceh and some other ethnics in Indonesia like Minangkabau and Java have been known as matrifocal society, yet these areas are also as the stronghold of Islam. The Islamic values have been understood to prefer paternality as a social institution, and set up several norms to support the paternal values. Within the community like Aceh, Islam and matrifocality juxtaposed, although some scholars emphasized the incompatibility of the two social systems, yet in the eye of the Acehnese community and in their daily practices Islamic and matrifocality traditions are not 'contradictory'. In 2002, Islamic values have been [re]introduced again in the formalisation of *sharī'a* law, and the public expression on Islam and Islamic values grew greater since then. This policy did influenced in the life of women in Aceh, but how far it affects the practices of matrifocality is still unclear. The social changes in modern and contemporary Aceh society have also been believed to deconstruct the practices of matrifocality. This article intends to revisit the existing matrifocality practices in Aceh community and examine the intersection of the Islamic values, adat and gender state ideology or policy that shape or even change the matrifocal practices of the Acehnese community.

In the oldest manuscripts of Acehnese history of *Hikayat Raja-Raja Pasai*, the legend of Aceh started from the story of Putro Beutong (Bamboo Princess), when Raja Ahmad found a girl hiding behind the *beutong* (bamboo), and adopted her as his daughter. He then also adopted a son and named him Meurah Gajah who then married to Putro Beutong. The couple became the ancestor of the first [Muslim] king of Aceh from Pasai kingdom. The earlier traveller's notes also recorded Aceh's adoption to Islam at least since the thirteenth century.[1] The connections of Aceh with the merchants from Middle East and Gujarat since the seventh and ninth century had introduced the local people of Sumatra to this new religion. For Aceh since then, all of the emerging kingdoms were closely associated to Islam. After Perlak and Samudera, Lamri, the well known of Aceh Darussalam kingdom emerged in 1514. Sultan Ali Mughayat Shah was the first king to rule the kingdom from 1514 – 1530. All of rulers in Aceh labelled with the Arabic name of *malik* or *sultan*,

---

[1] John Davis, *The Voyages and Work of John Davis,* ed., intro. and Annot. by Albert Hastings (Markam, New York: Burt Franklin, 1970).

the title used in other Muslim world. The *sultan* of Aceh Darussalam kingdom had a religious advisor called "*qadhi malikul adil*" similar to the position of grand *mufti* in some Muslim countries or kingdom. *Qadhi Malikul Adil* was an *ulama* of their time who was always chosen among the most learned, productive and celebrated figures such as Abdurra'uf al-Singkily or Nuruddin Ar-raniry.

The existing history of Aceh almost always suggest its close adherence to Islam, while the history of Aceh before the penetration of Islam was not known much and was not written extensively. Some cultural practices in Aceh society suggest its connection to the Hinduism,[2] such as in the *peusijuk*[3] tradition. The people in Aceh are aware that *peusijuk* derived from Hinduism tradition and was similar to what is practiced in India, but still for them, this practice has been perceived as 'islamized' with the recitation of *do'a* (prayers), *shalawat* while doing this *peusijuk*. There only very few people in Aceh who resist and consider the *peusijuk* as un-Islamic. However like Minangkabau, Aceh society believed that Islam is the core entity of its culture, and cannot be separated from the life of the community. The most popular local wisdom in this regards is "*hukom ngeun adat lagee zat ngeun sifet*". This is almost similar to what is known in Minangkabau as "*adat basandi syara', syara' basandi kitabullah*". Generally it means that Islam and *adat* are inseparable, and indeed acceptance of *adat* is considered as part of local religious tradition.

Islam has been part of the development of culture, oral tradition and the classical scholarship of *ulama* in Aceh society, and has also proved to be politically influential as well, particularly through the roles of *ulama* or local religious leader.[4] In this area, the Darul Islam and Tentara Islam

---

[2] C. Snouck Hurgronje, *The Atjehnese* (Leiden: E.J. Brill, 1906).

[3] *Peusijuk* is a popularly practices for the sake of blessing in almost all of *adat* ceremonies such as marriage, new born baby celebration. The water and rice with some leaves are used for the *peusijuk*. The people who will do the *peusijuk* are those of religious leaders of close family member. The *peusijuk* ceremony sometimes is closed with the recitation of prayer.

[4] Alfian (ed.), *Segi-segi Sosial Budaya Masyarakat Aceh* (Jakarta: LP3ES, 1977); James T. Siegel, *The Rope of God*, Barkely (Los Angeles: University of California Press, 1969); Stuart A. Schlegel, "Technocrats in a Muslim Society: Symbolic Communities in Aceh", in Gloria Davis (ed), *What is Modern Indonesian Culture* (Ohio: Centre for International Studies South Asia series, 1979), p. 232 – 248.

Indonesia (DI/TII) movement rebelled to the Indonesian Republic to aspire for an Islamic country of Aceh. After DI/TII, another armed political movement of Aceh Merdeka was declared in early 1970s by Hasan Tiro, who used to be part of DI/TII movement with Tgk. Daud Beureu'euh.[5] Since then in some areas of the Northern and Eastern parts of Aceh, the so called "*konflik Aceh*" began, and went beyond other areas of the Southern and Western coast of Aceh as well as in the mainland of Gayo highland after the Reformasi Order in 1998. Prior to Helsinki MoU in 2005, there was no region in Aceh which was not affected by this armed conflict. The central government of Jakarta considered the aspiration for shari'a law as one of background behind the struggle for Aceh independence, then offered the idea of formalisation of shari'a law in the framework of Aceh regional autonomy.

The Islamic kingdoms in Aceh recorded the reign of several female rulers, the most well-known ones was the four successive queens of Aceh Darussalam kingdom,[6] although the previous Islamic kingdom of Perlak and Samudera Pasai also had female rulers such as Queen Nahrasiyah and Nuru Illa. Although in the discourse of Islamic jurisprudence the issue of women's leadership is debatable. Referring to this fact Mernissi (1993) in her book on *The Forgotten Queens of Islam* mentioned that Islamic societies in Indonesia, particularly Aceh, tend to be unusual in terms of political power of women when compared to Middle Eastern or other Muslim societies. Aceh also had a powerful female admiral, Laksamana Malahayati and her women's troops to defend the coastal Aceh territory. Besides Sultan Iskandar Muda, the ruler of Aceh Darussalam kingdom in the seventeenth century had formed royal elite women guards, namely Divisi Keumala Cahya.[7] Some female heroin also appeared in the histroy of Aceh such as Cut Nyak Dhien, Cut Nyak Meutia, Po Cut Baren,

---

[5] M. Isa. Sulaiman, *Sejarah Aceh: Sebuah Gugatan terhadap Tradisi* (Jakarta: Pustaka Sinar Harapan, 1997).

[6] Leonard Y. Andaya, "A very good natired but awe-inspiring government" the reign of a successful queen in seventeenth-century Aceh", in Elsbeth Locher-Scholten and Peter Rietbergen (eds), *Hof En Handel: Aziatische vorsten en de VOC 1620 – 1720* (2004), p. 59 – 84.

[7] Amirul Hadi, *Islam and State in Sumatra A Study of Seventeent-Century Aceh* (Leiden-Boston: Brill, 2004).

Teungku Fakinah and some others.[8] Those women were not only well known for their physical confrontation in several battles, but some of them were also well known for their skills in literary works such as Po Cut Baren, and in educational field such as Teungku Fakinah who had a *dayah* and was a leader of the *dayah* and led her troops from the *dayah*.

Women and power in the history of Aceh might suggest its connection to the matrifocality principles of the Aceh community. What is interesting then, the matrifocal tradition of Aceh, Minangkabau or Negeri Sembilan from Malay Peninsula is the fact that this matrifocality juxtaposed with the strong local Islamic values. In her book, *Beyond the Veil*, Mernissi argued that Islam has transferred the matrilineal of Arabic communities into the trend of patrilineal that emphasized that physical paternity, women's dependency and virilocal dwelling traditions.[9] Hence, the power and control over the household, property, and land belong to the male dominance. In her work, Mernissi also portrayed women's subordination to Islamic patriarchy by referring to some Middle Eastern context, particularly Morocco, in which the public and domestic were dichotomised spheres. The public – domestic dichotomy has been referred as a source of subordination.[10] Mernissi's account on particular context of Middle Eastern societies cannot be generalised for the whole portrait of Muslim women all around the world. According to Blackwood, "Rural Southeast Asia provide important forum for rethinking gender and power because of prevalence of women's landholding, control of finance, and control of agricultural resources."[11]

---

[8] Ainal Mardhiah Aly, "Pergerakan Wanita di Aceh Masa Lampau Sampai Kini" in Ismail Suny (ed), *Bunga Rampai tentang Aceh* (Jakarta: Penerbit Bhratara Karya Aksara, 1980), p. 282 – 317.

[9] Fatima Mernissi, *Beyond the Veil: Male and Female Dynamics in a Modern Muslim Society* (Cambridge, Massachusetts: Schenkman Publishing Company, 1975), p. 34.

[10] Nancy Tanner, "Matrifocality in Indonesia and Africa and among Black America", in Michelle Zimbalist Rosaldo and Louise Lamphere, *Women, Culture and Society* (Stanford California; Stanford University Press, 1974), p. 129 – 156.

[11] Evelyn Blackwood, *Webs of Power: Women, Kin, and Community in a Sumatran Villag* (New York etc: Rowman & Littlefield Publishers. Inc, 2000), p. 8.

Aspects of matrifocality in Aceh have not been [re]researched after Hurgronje (1906), Siegel (1969) and Jayawardena (1977).[12] Although these have been significant academic references, however those works were based on the situation in Aceh in the past hundred or decades ago. The current socio-cultural context might not represent the previous account of matrifocal practices. How far the practice has changed, and how it copes with modernity and the state paternal policies has never been uncovered so far. This article aims at examining the intersection of Islam, *adat* and the state policy and ideology and how these factors contribute to shaping and changing the matrifocality in Aceh.

B. Matrifocality in Aceh: Background and Practice

In defining matrifocality, Tanner believed that matrifocality is not only "mother focused", but also implies "two constructs: (1) kinship systems in which (a) the role of mother is structurally, culturally, and affectively central and (b) this multidimensional centrality is legitimate; and (2) the societies in which these feature coexist, where (a) the relationship between the sexes is relatively egalitarian and (b) both women and men are important actors in the economic sectors."[13] Whereas Smith, in his work on The Matrifocal Family, referred to the matrifocal as "matri-central", "matriarchal", "female dominated", "grandmother family", and so on. He particularly argues that" it is women who in their roles as mothers who come to be the focus of relationships, rather the head of the household as such."[14] However, although the focus of what Tanner and Smith utilized in defining matrifocality is slightly different, but both of them still emphasize on relative women's power, particularly within the household and in certain public domain. The core meaning of matrifocality is dissimilar to the concept female-headed household (*perempuan kepala keluarga*) as the development concept of the state referred. In the state policy, the head of the household (*kepala*

---

[12] Jayawardena, "Women and Kinship in Acheh Besar, Northen Sumatra," *Ethnology*, Vol. 16, No. 1 (Jan, 1977), p. 21-38; James T. Siegel, *The Rope of God*; C. Snouck Hurgronje, *The Atjehnese*.

[13] Nancy Tanner, "Matrifocality in Indonesia".

[14] Raymond T. Smith, *The Matrifocal Famil: Power, Pluralism and Politics* (New York and London: New York, 1996).

keluarga) is almost always understood as man, only in specific cases of widowed family, a woman is considered as the head of the household. The matrifocality does not refer to specific cases like this, the relative power of women could be attained with or without their husbands or other male clans' presence.

Matrifocality in Aceh is mentioned in a number of sholarly works,[15] together with some matrifocal societies in Indo-Malay world like Minangkabau and Negeri Sembilan. Nevertheless, there has been little accounts found on the origin of this matrifocality traditions in Indo-Malay world and their connection from one to another. Although it has been some speculations for instance the matrifocality in Minangkabau might came from Aceh as Smith mentioned in his book on culture of Aceh:

> During the mid late 1600s, the stresses of warfare, rival traders, and internal uprisings caused the influence of Aceh to decline. This is turn enabled the uleebalang, or male district leaders, to gather and command more power at the local level, and during their rise they used their influence not only to displace the queen but also to greatly restrict the authority of women in Aceh. Perhaps out of frustration, it was at this time that a group of local female leaders left the province to move south and form Sumatra's matriarchal Minangkabau culture"[16]

On the other hand, Govindan Unny's work on *Kinship Systems in South and Southeast Asia* argued that the matrifocality traditions in Sumatra of Minangkabau originated from Indian.[17] Seemingly, this might be also the case of matrifocality in Aceh, as remnants of Hinduism can still be found in Aceh, and *orang keling* referred to those of sub-Indian continent ethnic have been among social groups in Aceh.[18] Although, the matrifocality of Minangkabau and Aceh might refer to the similar

---

[15] C. Snouck Hurgronje, *The Atjehnese*; James T. Siegel, *The Rope of God*; Evelyn Blackwood, *Webs of Power;* Michael G. Peletz, *Reason and Passion: Representation of Gender in a Malay Society* (Barkeley etc: University of California Press, 1996); Nancy Tanner, "Matrifocality in Indonesia".

[16] Holly S. Smith, *Aceh: Art and Culture* (Kuala Lumpur: Oxford University Press, 1997), p. 9.

[17] Govindan Unny, *Kinship Systems in South and Southeast Asia: A Study* (New Delhi: Vikas Publishing House PVT LTD, 1994).

[18] C. Snouck Hurgronje, *The Atjehnese*.

origin, in practice, the two matrifocality system are not precise in character, for instance Aceh does not have the concept of "*rumah gadang.*" a big house in which an elder woman has dominant power to her family and clan;[19] besides there is no the imaginary figure of *Bundo Kandueng* in Aceh matrifocal traditions, or in the inheritance practices that goes to maternal line. Yet, there are also some similarities; between Aceh and Minangkabau; boys has no room in their family house, they spent their night in the nearby *surau* or *meunasah* in Aceh.[20]

For the community of Aceh, *meunasah* is similar to *surau* in Minangkabau, West Sumatra; it is the place for prayer and for other common gathering. *Meunasah* has been central public space for men of the given community. *Meunasah* has also been a significant institution of learning in the history of Islamic education in Aceh.[21] There is a *meunassah* in every village where men gather to pray, rest, and associate with one another in the afternoons and after the *isjhar* prayer at nights. The affairs of the *meunassah* are organized by the *teungku meunassah*, a man regarded as being versed in the religious scriptures and who acts as an *imam* (leader) in prayer.[22] Since the introduction of shari'a law in Aceh, the function of *meunasah* is revitalized with diverse socio-religious activities. Today, more women come to *meunasah*, some of women's *majelis taklims* take place in a *meunasah*.

Some earlier ethnographical works on Aceh has indicated women's relative power within the household. Based on his research in Pidie during 1960s, Siegel came up with the idea of "marginalization of men" within

---

[19] Evelyn Blackwood, *Webs of Power;* , Joke van Renen, "The Salty Mouth of a Senior Woman: Gender and The House in Minangkabau" in Juliette Kuning *et al*, *Women and Household in Indonesia: Cultural Notions and Social Practices* (Richmond Surrey: Curzon, 2000) p. 163 – 179; Nancy Tanner, "Matrifocality in Indonesia".

[20] Taufik Abdullah, *Schools and Politics: The Kaum Muda Movement in West Sumatra (1927 – 1933)* (Ithaca New York: Cornell Indonesian Modern Asia Program, 1971); Azyumardi Azra, *Surau: Pendidikan Islam Tradisional dalam Transisi dan Modernisasi* (Jakarta: Logos, 2003); Baihaqi, *Ulama dan Madrasah di Aceh* (Jakarta: Lembaga Ilmu Pengetahuan Indonesia bekerja sama dengan Departemen Agama, 1976).

[21] Baihaqi, *Ulama dan Madrasah di Aceh.*

[22] Jayawardena, Women and Kinship in Acheh Besar, p. 32.

the social family structure of Aceh community,[23] as Hurgronje has also already mentioned earlier in his work *The Atjehnese*.

> Atjehnese children are born in the house of their mother. The idiomatic expression for wife is, in fact, "the one owns the house" (*njang po rumoh*). Women acquire a house, or at least a portion of one, at the time of their marriage. The house is a gift from the woman's parents….Girls grow up in their mother's house and remain there or nearby for the rest of their lives. Parents build a new house for themselves and the rest of their family when their first daughters marries….A typical village consist of clusters of houses owned by sisters and aunts (mother's sister), with the compounds often sharing a well and a fence.[24]

Women also have been active in the management of the household. Most of the responsibilities related to children education are carried out by women,[25] while men as fathers used to have less interaction with their children.[26] This indeed has strengthened the matrifocal relation of the family even more. In the divorce case, the custody or the guardianship traditionally and culturally falls into women (mothers) or children's maternal families.

1. *Marriage and Marital Life*

The main arrangement of marriage of community in Aceh is relied on the Islamic injunctions, particularly in the aspects related to the main requirements for the validity of Islamic marriage. One of the requirements for the marriage contracts in Islamic jurisprudence text books is the dowry. In Islam, a man has to pay a dowry for her future wife. In some parts of Minangkabau society, such as Pariaman, the matrifocality also influences the concept of dowry payment. It is women or her family who should pay the dowry for her future husband.[27] The

---

[23] James T. Siegel, *The Rope of God*, p. 138; C. Snouck Hurgronje, *The Atjehnese*, p. 339.

[24] James T. Siegel, *The Rope of God*, p. 52.

[25] *Ibid.*

[26] Teuku Sjamsuddin, "Kebudayaan Aceh," in Koentjaraninggrat, *Manusia dan Kebudayaan di Indonesia* (Jakarta: Djambatan, 11th ed., 1987).

[27] Evelyn Blackwood, *Webs of Power: Women, Kin, and Community in a Sumatran Village* (New York etc: Rowman & Littlefield Publishers. Inc, 2000).

matrifocality in Aceh did not affect the method of dowry payment. Traditionally, after the wedding, it was the wife's parents who supported the new couple life. had they are not independent yet in earning income to support the new family.

Dowry in Indonesian language is called "*mas kawin*" and in Acehnese language called "*jeuname.*" *Jeuname,* as one of marriage requirements, is always provided by a groom, not by a bride or her parent. Within Muslim community in Indonesia, dowry takes different form, ranging from more concrete economic things until the symbolic ones. In modern and urban settings on community in Jakarta and also in Java, "*seperangkat alat sholat*" (sholat stuffs) or al-Qur'an were given by groom as dowry. In Aceh community, it is always in the concrete form, not symbolic ones. During the colonial period, *jeuname* was in the form of Dutch guilders. Due to the instability of money values for inflation, etc, the dowry is currently in a form of gold,[28] mostly [golden] jewellery, and not other kind of jewellery like silver, pearl, and as such, since it's economic cost or conversion is not stable.[29]

In numerous books on Islamic jurisprudence, the concept of *nafkah* (maintenance/allowance) is always mentioned as the main and sole responsibility of the husband, a wife is exempted from supporting family financially. This concept, in reality does not affect the polarization of works among men and women of Aceh like in other parts of the Indonesian archipelago. Women are also involved in economic activities and production, particularly related to the land cultivation. Based on his research in Aceh Besar in the region, Jayawardena describes the

---

[28]   Yunus Amir Hamzah, Hasil Survey tentang Kedudukan Wanita dan Keluarga Berencana" in Ismail Suny (ed), *Bunga Rampai tentang Aceh* (Jakarta: Penerbit Bhratara Karya Aksara, 1980), p. 429.

[29]   The values of dowry is also reflected the social status of the bride's family. It was the bride family who decided what kind of dowry they would require from a groom and his family. Previously the highest dowry payment was 100 guilders. Some of the bride family would only require 50 guilder or even less than that. Afterwards, the dowry has been changed in the form of gold of jewelry. The highest dowry payment then is 100 *mayam* (1 *mayam* is 3,3 gram). The gold has been chosed as it has more stable value and can be convrted easily into cash had one has an urgent cash supply. In some areas in Aceh, a higher dowry value is still applied such as in Pidie community. This has been claimed related to the practice of matrifocality as the parent of the bride will also prepare the house or property for newly wed couple. See *Ibid.,* p. 430

polarisation of economic activities between men and women is reflected within the concept of men as *mita peng* (seek for money) and women as *mita breuh* (see for rice).[30] Women in Aceh Besar are very active in land cultivation. They go to the rice field with or without their husband. Whereas in some other areas like in Aceh Barat, not all of women involved in land cultivation directly, nevertheless they still have control over the land, particularly if other farmers rent and cultivate the land on the profit-shared basis. In some parts of Aceh the polarization of men seek for money and women seek for rice is not relevant anymore as Aceh has transferred from traditional agricultural society to growing industrial society. In contemporary Aceh, women enter professional workforces such as working in government offices, particularly those from middle upper class, and those with well-educated background.

Upon marriage, a groom will stays with women's family; the uxorilocality is quite common within matrifocality families. Within the uxolirocal dwelling, men are exempted for supporting the daily family meals, as long as they live with the wife's parent. It was the responsibility of wife's parents to provide so. Here, the concept of *nafkah* that commonly understood as the main responsibility of husband is not practiced. On the other hand, it even also strengthens the matrifocality as the children grew up with the support of her mother's family. For newlywed couple, they live with the parent, until they are relatively independent. Within the house, it might be other nuclear family from the women's side. Although they live in the same house, usually mother in laws always avoids interacting with their sons in laws. In earlier community until 1980, mother in law seldom has any interaction or personal communication or conversation with their son in law. In extreme ways, they will always avoid to be in the same space (within the home) with son in laws, because of "*sungkan*" or "*malu*". Although currently the relation between a woman and her son in law in Aceh is quite flexible, however the principles of *sungkan* and *malu* still limit their interaction.

In Aceh, a house has a strong connection to women, until currently, parent always inherited house to their daughters and it is in a very rare situation the house will be inherited to their sons. Moreover, for well-to do families in the region like Pidie, parents already prepared the house

---

[30] Jayawardena, Women and Kinship in Acheh Besar.

to be provided for their daughters, and the dowry, a husband would pay for his future wife is higher compared to other areas in Aceh. Wives in local Acehnese language is "*njang po rumoh*"[31] means the one who owns the house , this will also rest power over women had the house is belong to her. In a case a husband and a wife they have to separate temporarily, the husband will leave the house, and occasionally [in traditional] Aceh society, he would stay in *meunasah*. Moreover, in the case of divorce, the inherited house is still the property of women, and it is not part of *harta bersama* (shared property) between husband and wife. For inheritance, the family usually would have a consultation on the inheritance process with local religious leaders (*teungku*) beforehand. The common Islamic jurisprudence principle is applied as women received half than that of men; 2:1. Nevertheless, this share is not included the *hibah,* like the house or the land given to the daughter. All in all, women did not receive less that her male siblings, in some situations, she might get even more.

2. Islam and Matrifocality

When discussed Islam and Matrifocality, Dubee cited that Islam is:

"...born and shaped in a patrilineal setting and subsequently spread to similarly organized communities in the period of its development and crystallization...." Whatever has been said in the Islamic holy books and legal text about the family, particularly the duties and obligations of parents, children, and spouses; about the implications of marriage, particularly rules enjoining the husband to properly maintain the household , wife, and children; about not driving away a wife from her house (except for adultery); about the guardianship of the children in the event of the remarriage of the mother; about the laws of inheritance and guardianship of property for minor children indicate a patrilineal set up"[32]

Along the history, Islamic values adopted by Aceh community did not limit the mobility of women in public space or to have power within the household. Islam in Aceh as in other Indo-Malay society did not take the form of segregation of women even within the higher rank of family. Although the traditional house of women has a space of *seuramo inong* (women hall) and *seuramo agam* (men hall), it is more like to give to both

---

[31] James T. Siegel, *The Rope of God.*

[32] Leela Dube, *Matriliny and Islam,* p. 6-7.

sexes more privacy in dealing with their own issues. Moreover, inspired by Islam, the mother's position is glorified within the Acehnese society. Some literary works dedicated to praise the love and devotion of mother. The word "*po ma*", the classical word for mother, is found in some local Acehnese *syair*, mostly dedicated to remind the children to the roles of their mothers. The word also implants the values of respect to mother before other people in the family and it could contribute to strengthen the values of matrifocality. The strong attachment of children to their mothers still is apparent although those children have grown up. Even some university students who left their village for study will always have a full of longing for their mother.Some children will make a decision for their life, including in their marriage life, based on mother's opinion or consent.

Since early 2000, the campaign for the introduction of shari'a law in Aceh has been started, and it was formally launched in 2002 through the celebration of Islamic New Year in the great mosque of Baiturrahman in Banda Aceh. Since then, several bylaws or *qanun* of shari'a Islam were issued. The formalisation of shari'a law has introduced the injunctions for all of [Muslim] women to cover their head with the so-called *jilbab*. This model of *jilbab* is different from the *niqab* and *chaddor* that cover almost the whole part of women' bodies, including their face, mostly with black or dark blue colour. With their *jilbab*, women in Aceh however still appear in colourful and 'fashionable' dress, particularly during wedding or other *adat* celebration ceremonies. At least, their dresses do not limit their mobility as there are no physical segregations in Aceh community. Nevertheless, this principle is also criticized as it limited the choice of women whether to veil or not to veil. The ways that the rules are imposed in some case also resemble violation towards women's rights, as they are more as an enforcement rather than persuasion.

In addition to the laws on gambling and consuming alcohol, the other form of shari'a by laws which to some extent implies limitation of social relationship between men and women is the laws of adultery. It is to included woman is not allowed to be in a quiet place with *non- mahram* with a man outside her immediate relatives. In some interpretations, this also limits the mobility of women to go outside during the night. Nevertheless, this is not commonly adopted, as in many areas in Aceh,

women still go outside their houses for different necessities at night. Another example of how Islam and women issue contested is in the current case of women camat (head of sub-district). In September 2010, the head of one of District council in Aceh proclaimed that "based on Islamic shari'a law women unfit to rule." In this case he endorsed the head of Bireun district to replace the position of womn as the head of sub-district Plimbang. All in all, the introduction of shari'a law does affect the social life of women, but it does not affect the matrifocal values of the community, although matrifocal values are not the tradition associated with the Islamic principles. "[T]he expression of Islam is not uniform in the different countries of its following, and as it has manifested itself in many areas it is found to be quite different from that of countries where it first spread and developed. Islam had to accommodate to some extent at least the beliefs, customs, and traditions of the people who embraced it"[33], therefore "Islam, then is not monolithic in its impact on women's lives since their gender identity and agency are not constructed by religious values themselves, but also contestation of several values of nationalism, politics, class and ethnicity.[34]

In the case of Aceh, the position given to *adat* as a non-contradictory entity to the Islamic values pervaded ways of some local practices absorption led to the accommodation of the two incompatible systems. As long as *adat* still attained considerably position in the social life of the Acehnese community, it will preserve the local wisdom and local practice. Even within the formalisation of shari'a law in Aceh, the roles of *adat* are still critical and functional. In several cases of shari'a law offences, *adat* was used as an approach to solve the problem instead of implementing the punishment as outlined in the bylaws. The head of shari'a agency in Aceh has mentioned "*pelanggar syari'at boleh dikenakan sanksi adat*" (*adat* punishment could be applied for shari'a law offences).[35]

---

[33] *Ibid.,* p. 5.

[34] Therese Saliba, "Introduction" in Saliba . (eds.), *Gender, Politics and Islam* (Chicago and London: University of Chicago Press, 2002), p. 4.

[35] see *Serambi Indonesia*, Tuesday, November 9, 2010, "*pelanggar syari'at boleh dikenakan sanksi adat*".

C. State Policies and Modernity: Matrifocality in Transition

The New Order regime introduced a homogenous gender ideology imposed upon all areas and ethnics in Indonesia. This state gender ideaology disregarded the existing local gender practice in the archipelago.[36] The policy of state *ibuism* has been applied from high national bureaucracy down to the villages or rural levels.[37] This policy has limited and changed some matrifocal values of the Aceh society. Women that are perceived as independent and active in economics productivity are now supposed to be someone who are dependent and supporters of their husband's public works. For the civil servant, their supports were manifested in the wives organisations of Program Kesejahteraan Keluarga (women welfare movement), and Dharma Wanita or Dharma Pertiwi for police and military institutions. Indeed this state gender policy destroyed women's political independence as their positions are ranked according to their husband positions, not their own personal capabilities.

Aceh community also has transformed from a community of an [Islamic] kingdom to a colonial occupied territory, and to a part of Indonesian republic that adopted *negara bangsa* (nation-state) system. The shift did not only affect the socio-political life of the community, but also the cultural ones. The changes of community structure from a traditional agricultural society to an "in-transition" or even modern community also influence to the life of men and women in Aceh, and their gender relation. The emergence of professional workforce also affects the polarisation of men and women's works. Within a traditional-agricultural society, both men and women shared responsibilities for land cultivation. Within a modern workforce, when a husband get employed in the office and more professional workforces dominated by men, wives cannot share their responsibilities as used to be within traditional agricultural society. The term *po rumoh*, that has an original meaning of "one who owns the house", has now been understood among some current generation as "someone who stay at home" , and close to the meaning of "*ibu rumah*

---

[36] Kathryn Robinson, "Gender Orders in Some Societies of the Indonesian Archipelago", *KULTUR (The Indonesian Journal for Muslim Culture)*, Vol. 2. No. 2, 2002.

[37] Julia I. Suryakusuma, "The State and Sexuality in New Order Indonesia", in Laurie J. Sears (ed.), *Fantasizing the Feminine in Indonesia* (Durham and London: Duke University Press, 1996), p. 92–119.

tangga".

As the state imposed men as the breadwinner of the family, the marriage law act of 1974 based on Islamic jurisprudence also affirms the position of husband as head of the household (*kepala keluarga*) who bear the responsibility for economic maintenance of the family. This is contradictory to the existing traditional practice of Aceh community in which the parents of a bride who supported the new couple until they are relatively independent economically. The term "*perempuan kepala keluarga*" (female headed household) which is increasingly popular in the Indonesian context, and understood as a woman or a wife who took over her husband's responsibility as a head of household as well as a breadwinner of the family . This situation is only 'tolerable' or recognized if the husband is away or pass away, whereas matrifocal leadership of the household will give women the power in the household with or without the presence of men. The state also imposed some regulations affected the ownership of the land. The rules that all of lands have to be formally recorded in certificates have been transformed the ownership of the land to the husband's name as head of the household. Women unpaid labor is also not recognized formally; in 1980s, it had been quite frequently to see the identity card of women [in Aceh] with "*ikut suami*" for their occupation detail, although she also had her own business and worked in the [informal] agricultural sector.

In her work on gender in Aceh Siapno blamed urbanisation and modernization that reduce women's relative power .

> The process of urbanization and modernization has created fundamental changes in women's conception of time, work and rituals. Contrary to assumption that modernization is improving women's lives, I argue that in Aceh, the culture of patriarchy and sex segregation and discrimination is most intense in the cities, the centre of supposed "modern living"[38]

Siapno's claim that urban has more intensive sex segregation or discriminations still has to be proved. It is indeed not a matter of rural or urban setting, but more related to class or social status. The state imposed gender relation has affected the middle and upper class more than the

---

[38] Jacqualine Aquino Siapno, *Gender,Islam, Nationalism and The State in Aceh: The Paradox of Power, Co-optation and Resistance* (USA and Canada: Routledge Curzon, 2002), p. 108.

lower class of the community. The State gender ideology derived from Javanese values of the court (*keraton*) or priyayi, in which "*ladyness*" is reinforced and refinement is much emphasized.[39] In general, seemingly, the matrifocality of the local tradition among some ethnic in Indonesia has been more empowering compare to the government or state gender policy that sometimes co-opted for the sake of elites.

According to Tanner, Acehnese matrifocality and the less central roles of husband or father in the household linked to the dwelling and the economic factors as women used to stay in the village and manage the economics of the household"

> Children observe that it is their mother who feed them, instruct them, and indulge them. They see their mothers as responsible and important figures that work hard, are respected in the village at large, and take care of most family affairs. Mother's kinfolk are nearby; but father's relatives are farther away"[40]

When the dwelling system changed due to the modernity, this also affected the matrifocality practices. The emergence of nuclear Western model family and the growing market development dissolve some matrilineal bonds.[41] The function of *meunasah* as merely men public space no longer exist, this has been a normal place for prayer for both men and women. No boys spend their night in the *meunasah* anymore as all of them have their own rooms in their house. The nuclear family system has also changed the relation between father and children. The dominant roles of mother and her maternal family in the children have also declined.

In current modern workforce, children in Aceh used to live separately from their parent for the sake of their employment, even when they got married, a daughter will not live with her parent as used to be, but live with her nuclear family instead. The power and authority of women's parents for the new family decreased or even disappear, and more patriarchal family household emerge. However, for the daughters

---

[39] Ward Keeler, "Speaking of Gender in Java" in Atkinson, Jane Moning and Shelly Errington (eds), *Power and Difference: Gender in Island Southeast Asia* (Stanford: Stanford University Press, 1990).

[40] Nancy Tanner, "Matrifocality in Indonesia", p. 139.

[41] Govindan Unny, *Kinship Systems in South,* p. 55.

whose husband also work in the same village, they will stay with their parents, at least until the first child is born. For a daughter who married to someone who has to work outside their village, she will follow her husband, instead of staying home while a husband *meurantau* as Siegel described in his fieldwork in Pidie. The professional works have ensured people with stable life and will allow their family to stay with them while *meurantau*. With more opportunities for women to have formal education, in which they have also to go out for their own house for the sake of education, the opportunities to marry someone from outside her village is becoming greater, and the tradition of same clan marriage also reduced. The earlier ethnographical record of Aceh society showed the preference of cousin to cousin marriage, which is no longer commonly practiced. The extended marriage pattern also makes the earlier matrifocal tradition difficult to be preserved. Interestingly, amidst some changes, still the principle that house belong to women exists in new ways. Although a married daughter does not live any more with her parents for parents who came from well to do family will prepare or buy a house for their daughter upon her marriage. The house is not necessarily close to the parent's house or in the same compound of village like in traditional Acehnese community. Nevertheless, the house still belongs to the daughter and is not part of *harta bersama* (shared asset) with her husband.

D. Conclusion

Aceh has been a well-known matrifocal community in Indonesia, although it has a strong adherence to Islam which has been understood to prefer the paternal social system. The matrifocality and Islam in Aceh live side by side. The absorption of matrifocality has been made possible through the place reserve for the roles of *adat*. As long as *adat* and Islam perceived as *zat ngeun sifeut* (inseparable), the practice of local adat such as matrifocality will not be challenged although some principles of matrifocal practices are not "parallel" with the Islamic values. Until currently, Islam does not interfere and change the Acehnese matrifocality. If this tradition is in transition at present, it is due to the state patriarchal ideology and the penetration of nuclear family models followed by

modernity. As long as *adat* is considered as inseparable to the religious life of the community, the tradition like matrifocality will survive, although it transforms into different form or "new" model of matrifocality.

BIBLIOGRAPHY

Abdullah, Taufik, *Schools and Politics: The Kaum Muda Movement in West Sumatra (1927 – 1933)*, Ithaca New York: Cornell Indonesian Modern Asia Program, 1971.

Andaya, Leonard Y., "A very good natired but awe-inspiring government" the reign of a successful queen in seventeenth-century Aceh", in Elisabeth Locher-Scholten and Peter Rietbergen (eds.), *Hof En Handel: Aziatische vorsten en de VOC 1620 – 1720*, 2004.

Alfian (ed.), *Segi-segi Sosial Budaya Masyarakat Aceh*, Jakarta: LP3ES, 1977.

Aly, Ainal Mardhiah, "Pergerakan Wanita di Aceh Masa Lampau Sampai Kini," in Ismail Suny (ed), *Bunga Rampai tentang Aceh*, Jakarta: Penerbit Bhratara Karya Aksara, 1980.

Amir Hamzah, Yunus, "Hasil Survey tentang Kedudukan Wanita dan Keluarga Berencana," in Ismail Suny (ed.), *Bunga Rampai tentang Aceh*, Jakarta: Penerbit Bhratara Karya Aksara, 1980.

Azra, Azyumardi, *Surau: Pendidikan Islam Tradisional dalam Transisi dan Modernisasi*, Jakarta: Logos, 2003.

Baihaqi, *Ulama dan Madrasah di Aceh*, Jakarta: Lembaga Ilmu Pengetahuan Indonesia bekerja sama dengan Departemen Agama, 1976.

Blackwood, Evelyn, *Webs of Power: Women, Kin, and Community in a Sumatran Village*, New York etc: Rowman & Littlefield Publishers. Inc, 2000.

Davis, John, *The Voyages and Work of John Davis,* ed., intro. and annot. by albert Hastings Markam, New York: Burt Franklin, 1970.

Dube, Leela, *Matriliny and Islam: Religon and Society in the Laccadive*, Delhi: National Publishing House, 1969.

Hurgronje, C. Snouck, *The Atjehnese*, Leiden: E.J. Brill, 1906.

Jayawardena, Women and Kinship in Acheh Besar, Northen Sumatra, *Ethnology*, Vol. 16, No. 1 (Jan, 1977)

Keeler, Ward, "Speaking of Gender in Java" in Atkinson, Jane Moning and Shelly Errington (eds), *Power and Difference: Gender in Island Southeast Asia*, Stanford: Stanford University Press, 1990.

Mernissi, Fatima, *Beyond the Veil: Male and Female Dynamics in a Modern Muslim Society*, Cambridge, Massachusetts: Schenkman Publishing

Company, 1975.

Mernissi, Fatima. *The Forgotten Queens of Islam*, translated by Mary Jo Lake Land, Cambridge: Polity Press, 1993.

Peletz, Michael, G. *Reason and Passion: Representation of Gender in a Malay Society*, Barkeley etc: University of California Press, 1996.

Reid, Anthony, *Verandah of Violence: The Background to the Aceh Problem*, Singapore: Singapore University Press, 2006.

Robinson, Kathryn, "Gender Orders in Some Societies of the Indonesian Archipelago", *KULTUR (The Indonesian Journal for Muslim Culture)*, Vol. 2. No. 2, 2002.

Saliba, Therese, "Introduction" in Saliba . (eds), *Gender, Politics and Islam*, Chicago and London: University of Chicago Press, 2002.

Schlegel, Stuart A, "Technocrats in a Muslim Society: Symbolic Communities in Aceh", in Gloria Davis (ed), *What is Modern Indonesian Culture*, Ohio University: Centre for International Studies South Asia series, 1979.

Siapno, Jacqualine Aquino, *Gender,Islam, Nationalism and The State in Aceh: The Paradox of Power, Co-optation and Resistance*, USA and Canada: Routledge Curzon, 2002.

Siegel, James T, *The Rope of God*, Barkely- Los Angeles: University of California Press, 1969.

Smith, Holly S, *Aceh: Art and Culture*, Kuala Lumpur: Oxford University Press, 1997.

Smith, Raymond T, *The Matrifocal Famil: Power, Pluralism and Politics*, New York and London: New York, 1996.

Sulaiman, M. Isa, *Sejarah Aceh: Sebuah Gugatan terhadap Tradisi*, Jakarta: Pustaka Sinar Harapan, 1997.

Suryakusuma, Julia I., "The State and Sexuality in New Order Indonesia", in Laurie J. Sears (ed.), *Fantasizing the Feminine in Indonesia*, Durham and London: Duke University Press, 1996.

Sjamsuddin, Teuku, "Kebudayaan Aceh", in Koentjaraninggrat, *Manusia dan Kebudayaan di Indonesia*, Jakarta: Djambatan, 11th ed., 1987.

Tanner, Nancy,"Matrifocality in Indonesia and Africa and among Black

America", in Michelle Zimbalist Rosaldo and Louise Lamphere, *Women, Culture and Society*, Stanford California; Stanford University Press, 1974.

Unny, Govindan, *Kinship Systems in South and Southeast Asia: A Study*, New Delhi: Vikas Publishing House PVT LTD, 1994.

van Renen, Joke, "The Salty Mouth of a Senior Woman: Gender and The House in Minangkabau" in Juliette Kuning *et al*, *Women and Household in Indonesia: Cultural Notions and Social Practices*, Richmond Surrey: Curzon, 2000.

ISLAMISM IN POLITICS:
Integration and Persecution in Egypt

Christina DeGregorio

Texas A&M University, Texas, USA

Abstract

This paper tries to portray the why in which Islamism reacted to political constellation in the Egyptian context from the time of Anwar Sadat to of Hosni Mubarak. It shows that the Egyptian government from time to time often adopts a harsh policy toward any forms of extremism in the name of Islam. However, persecution led to nothing but the increase of radical Islamism. This occurred because the Islamist movement failed to integrate their ideas in the real political domain. Failure in integration to both political and social life fueled further exclusivism.

Keywords: Islamism, Egypt, Muslim Brotherhood, Modern Arab World

A. Introduction

Moderate Islamists have attempted to integrate themselves into the political systems of the Middle East, but have continually been met with repression and persecution by incumbent regimes. Due to their increasing popularity in the Arab world, state governments have marginalized Islamists in politics by various means. These restrictions include instituting constitutional reforms that limit their ability to participate, bolstering support for smaller secular opposition groups who are seen as less of a threat, delegitimizing the results of elections where Islamists gain a majority of the popular vote, and imprisonment. This marginalization of their political status throughout history, and in

many cases their persecution, stimulates sentiments amongst Islamists that participation is a lost cause to achieve their political goals. From this repression, a divergence in political strategies emerged amidst Islamists in the Middle East. Continued exclusion of moderate Islamists from the political process paves the way for radical extremist groups to splinter off and pursue more violent forms of political expression. In an effort to understand some of the root causes for the existence of radical extremism in the Arab world, it is critical to understand the long history of repression and persecution suffered by a group that tried to integrate: the Muslim Brotherhood in Egypt.

Islam as a political ideology refers to "the beliefs and practices of those Muslims who seek to establish an Islamic state in order to enforce obedience to the Islamic law or *sharī'a* derived from the Koran and the life and sayings of the Prophet Mohammed."[1] As such, Muslims who follow this ideology seek to replace existing Western influenced political structures with those viewed as more in line with core religious values. The manner in which Muslims choose to establish an Islamic state varies considerably throughout the Middle East. For Muslims in places like Algeria and Sudan, violence and conflict are used as a means to attain this goal.[2] Conversely, there exist moderate Islamists in other regions who seek to work within existing pluralistic political frameworks to rise to power, where they then can maintain their commitments to implement *sharī'a* law.[3] Cases of the more moderate vein of Islamism exist with groups like the Party of Justice and Development (PJD) in Morocco, the Islamic Action Front (IAF) in Jordan and the Muslim Brotherhood in Egypt. Regardless of what means is used to employ political Islam, both camps within religious political activism seek to provide solutions to existing socio-economic, political and cultural challenges that affect Muslim society.

Moderate Islamists choose to participate in the political process of their respective countries for several reasons. Their decision to participate

---

[1] Caroline Cox and John Marks, *The West, Islam and Islamism: Is Ideological Islam Compatible with Liberal Democracy?* 2nd ed. (London: Civitas, Institute for the Study of Civil Society, 2006), p. 6.

[2] *Ibid.*

[3] *Ibid.,* p. 7.

in the legal political process stems primarily from the beliefs of the Muslim Brotherhood in Egypt.[4] First, one of the key ideas promoted by the Brotherhood is the notion of *shūra*, or consultation.[5] This idea of *shūra* suggests that a ruler attains power only through the collective will of the people to grant him this power, trusting that he will obey the law.[6] This idea in Islamic law provides the reasoning for moderate Islamists in the Arab world to participate in the political process. Second, moderate Islamists accept that they have to operate within a framework in which other political parties exist, and that these other parties have different ideologies and goals.[7] Third, they accept the sovereignty of Arab state boundaries and their autonomy, thereby abrogating their ideals of establishing one Islamic state.[8] Finally, moderate Islamists understand that operating within the existing political framework is necessary to have a voice and achieve their objectives.[9] Even though moderate Islamists recognize the legitimacy of pluralistic politics and agree to operate within these frameworks, their desire to integrate is consistently met with opposition.

Despite their wishes to participate in the political process, moderate Islamists face continued challenges in the Arab world that stem from fear of their popularity in the Middle East, and from questions regarding their true commitment to democracy. As a result, moderate Islamists are marginalized in politics by incumbent regimes that fear the ramifications of Islamist participation. First and foremost, opposition groups – to include small secular parties and Islamists -- have a difficult time wading through the political process given the power, money and influence of

---

[4]   Marina Ottaway and Amr Hamzawy, *Getting to Pluralism: Political Actors in the Arab World* (Washington, D.C.: Carnegie Endowment for International Peace, 2009), p. 70.

[5]   Richard Mitchell, *The Society of the Muslim Brothers* (London: Oxford University Press, 1969), p. 243.

[6]   *Ibid.*

[7]   Michael Emerson *et al*, *Islamist Radicalisation: The Challenge for Euro-Mediterranean Relations* (Brussels: *Centre for European Policy Studies*: 2009), p. 109.

[8]   Marina Ottaway and Amr Hamzawy, *Getting to Pluralism,* p. 70.

[9]   *Ibid.*

incumbent regimes.[10] Regimes use their power to place boundaries on the extent of Islamist participation in politics in particular.[11] Second, opposition groups face repression by the incumbent regime. There is a great imbalance of power between incumbent regimes and oppressed opposition groups.[12] This imbalance prevents the opposition from "developing into sophisticated organizations capable of exerting real pressure on the governments."[13] It is for these reasons that political reform is inert in the Middle East. Political stagnation thus occurs as a result of inequitable power distributions between incumbent regimes and opposition parties.[14]

As a direct result of the many political challenges that moderate Islamists face in the Middle East, there is a realization that their participation efforts are futile.[15] Therefore, radical groups form and seek alternative measures to address their socio-economic and political woes. The regimes they rebel against offer no "hope for a better life… they offer little but oppression and despair."[16] These radical forms of political expression are thus "reactionary" in nature.[17] According to Esposito, radical extremists develop their strategies in reaction to repressive government policies.[18] What is interesting however is that though radical groups respond through violent means against the repressive incumbent regimes, moderate Islamists remain committed to non-violence as a strategy.[19] Radical extremists seek to overthrow the existing regimes while moderates choose to continue operating within

---

[10] Marina Ottaway and Amr Hamzawy, *Getting to Pluralism,* p. 5.

[11] Michael Emerson *et al*, *Islamist Radicalisation*, p. 115.

[12] Marina Ottaway and Amr Hamzawy, *Getting to Pluralism,* p. 6.

[13] *Ibid.*

[14] *Ibid.,* p. 7.

[15] Michael Emerson *et al*, *Islamist Radicalisation*, p. 108.

[16] Monte Palmer and Princess Palmer, *Islamic Extremism: Causes, Diversity, & Challenges* (Lanham: Rowman & Littlefield Publishers, Inc, 2008), p. 22.

[17] John Esposito, *Political Islam: Revolution, Radicalism, or Reform?* (Boulder: Lynne Rienner Publishers, 1997), p. 5.

[18] *Ibid.*

[19] Michael Emerson *et al*, *Islamist Radicalisation*, p. 108.

institutional frameworks.[20] This dichotomy between radical and moderate religious activism in Islamism will be explored further through the case of the Muslim Brotherhood in Egypt.

B. The Muslim Brotherhood: Integration and Persecution

Egyptian regimes over the past sixty years have fluctuated between integration and persecution of Islamists in politics. There has been a consistent history of punishment and exclusion of Islamist groups who attempt to assimilate into the political process. This trend of exclusion and persecution is particularly evident throughout the history of the Muslim Brotherhood, and is highlighted here because many other moderate and radical activists have their beliefs founded in those of the Muslim Brotherhood. Despite their unrelenting oppression, the Muslim Brotherhood continues to pursue non-violent means to achieve their political goals in Egypt. Conversely, there has been a pattern of radical extremist groups fragmenting from the Muslim Brotherhood who seek violent means to attain their goals. It is this continued pattern of repression and persecution of the Muslim Brotherhood in Egypt that provides insight into the roots of radical extremism.

The Muslim Brotherhood, an Islamic activist group, was founded by Hasan al-Banna in 1928.[21] While studying in Cairo, al-Banna became disenchanted by the corruption of educated youth who strayed from the "Islamic way of life" in Egypt.[22] After his studies, Hasan became a teacher in the Islamic faith and moved to a town called Isma'iliyya, a small town situated along the Suez Canal in Egypt. He taught the "message of Islam" at the local mosques to students during the day and parents at night.[23] While in Isma'iliyya, al-Banna was disturbed by the social influences that westernization had on Muslim peoples in the region, and in particular the western occupation of the Suez Canal.[24] He also observed great disparities in economic wealth between the British

---

[20] *Ibid.*

[21] Richard Mitchell, *The Society of Muslim*, p. 8.

[22] *Ibid.,* p. 4-5.

[23] *Ibid.,* p. 9.

[24] *Ibid.,* p. 7.

foreign occupiers and their impoverished workers.[25] One day in 1928, several poor workers from the Suez Canal project approached al-Banna to show their admiration for his teachings, and to express their wishes to be led by him.[26] It was on this day in 1928, that he officially formed the Society of the Muslim Brothers.[27]

The message of Hasan al-Banna and the Muslim Brotherhood focuses on a return to Islam as a solution to many of the problems that Muslim society faces. Al-Banna was concerned with Muslim disunity arising from rival factions in Islam, western economic imperialism in Egypt, the moral degradation of Muslim life through western social influences, and the impact that western secular ideologies had on Egyptian politics.[28] As a solution, the Brotherhood believed that the socio-economic and political restoration of Egyptian rule should be guided under the principles of Islam and restored to an Islamic order under *sharī'a* law.[29] According to al-Banna, Islam did not refer solely to religion, but rather encompassed religion, culture, politics and economics.[30] In Islam, he believed there was no separation between *dīn* and *dawla*, religion and state.[31] According to al-Banna, this resurgence of Islam in politics would follow the notion of *shūra* and be fully adaptable to the needs of a modern Muslim society.[32] Thus, the Muslim Brotherhood emerged as a moderate Islamist group at the onset that would agree to work within the framework of modern societies, and not aim to proselytize opposition groups. Al-Banna and the Muslim Brotherhood gained popularity in Egypt because the group promoted progressive reforms on issues in government, economics, education, social welfare, public health, women's rights and morality.[33]

---

[25] *Ibid.*

[26] *Ibid.,* p. 8.

[27] *Ibid.*

[28] *Ibid.,* p. 216-23.

[29] *Ibid.,* p. 235-6.

[30] *Ibid.,* p. 243.

[31] *Ibid.*

[32] *Ibid.*

[33] *Ibid.,* p. 258-94.

In the twenty year period following Egypt's declaration of independence from Great Britain in 1922, it was ruled under a "corrupt and inefficient" monarchy that relied heavily on British support.[34] The Muslim Brotherhood was a major opposition group to Egyptian rule during this period, and several strands of the movement responded with acts of violence toward the regime despite the non-violent teachings of al-Banna. The Egyptian monarchy ultimately held Hasan al-Banna accountable for the violent acts of his Society, and thus assassinated him in 1949.[35]

1. *Early Signs of Persecution under Nasser*

After al-Banna was assassinated in 1949, the Muslim Brotherhood joined forces behind the Egyptian revolution of 1952, led by the left-leaning Free Officers' regime and headed by General Gamal Abdul Nasser.[36] After some disputes over leadership in the year following the revolution, Nasser ultimately became president of Egypt in 1954. During this period, tensions and conflict arose between the Muslim Brotherhood, headed by Hudaybi (al-Banna's successor), and Nasser. At the heart of these tensions was the concern that Nasser intended to promote secular Arab nationalism instead of promoting an Islamic state.[37] Social, political and religious freedoms were sacrificed in Egypt for Nasser's desire to unite all Arab nations under his rule.[38] In 1954, there was an attempt to assassinate Nasser, and as a result he blamed the Muslim Brotherhood.[39] Between 1952 and 1960, several Brothers were condemned to death, while many more were imprisoned indefinitely -- including Hudaybi, the Brotherhood's leader.[40] Though the assassination attempt seemed to justify their persecution outwardly, Nasser used this opportunity to

---

[34] Peter R. Demant, *Islam vs. Islamism: The Dilemma of the Muslim World* (Westport: Praeger Publishers, 2006), p. 97.

[35] Richard Mitchell, *The Society of Muslim*, p. 68-71.

[36] Peter R. Demant, *Islam vs. Islamism,* p. 97.

[37] John Esposito and John O. Voll, *Islam and Democracy* (New York: Oxford University Press, 1996), p. 174.

[38] Peter R. Demant, *Islam vs. Islamism,* p. 98.

[39] Richard Mitchell, *The Society of Muslim,* p. 157.

[40] *Ibid.,* p. 161-2.

squash his regime's greatest political threat: the Muslim Brotherhood.[41]

Nasser's repressiveness toward the Muslim Brotherhood caused a divergence within Islamist thinking. Among those imprisoned was an influential ideologue, Sayyid Qutb.[42] As a result of the massive political repression of the Muslim Brotherhood at this time, Qutb viewed the Nasser regime as the *jāhiliyya*, or impious society that needed to be destroyed.[43] According to Qutb, sovereignty belongs only to God in Islam and not man.[44] Qutb believed that it was the duty of Muslims to overthrow the *jāhiliyya* just as the Prophet Muhammad did in the city of Mecca during the *jihād,* or the struggle.[45] Qutb translated this into the use of violence as the means to do so, and thus a radical base developed within Islamist thinking.[46] In 1962, Qutb put his ideas into a book that became known as *Signposts*.[47] Nasser read and banned all copies that had been produced and announced in 1965 that the Muslim Brotherhood was conspiring against the regime, with Qutb as its leader.[48] Qutb was subsequently arrested and sentenced to death in 1966.[49]

The continued imprisonment and execution of Islamists in Egypt under Nasser urged small armed wings to split from the Muslim Brotherhood, because they saw that there was no hope for Islamists in politics.[50] These radical extremists were followers of Qutb's teachings, considered Qutb to be a martyr, and thus rallied behind his execution.[51] These extremists also thought that the moderates of the Muslim Brotherhood possessed "cowardly" and "accomodationist" traits.[52] It is

---

[41] Gilles Kepel, *Muslim Extremism in Egypt: The Prophet and the Pharaoh* (Berkeley: University of California Press, 2003), p. 12.

[42] *Ibid.*

[43] *Ibid.,* p. 18.

[44] *Ibid.,* p. 13.

[45] *Ibid.*

[46] *Ibid.*

[47] *Ibid.*, p. 42.

[48] *Ibid.*

[49] *Ibid.*

[50] *Ibid.,* p. 18.

[51] Peter R. Demant. *Islam vs. Islamism,* p. 103.

[52] *Ibid.*

here where the divide within the Muslim Brotherhood becomes apparent. Conversely, the moderates within the Muslim Brotherhood continued to follow in the ideals of its founder, al-Banna, who denounced the use of violence as "anti-Islamic."[53] Also, Hudaybi believed that people of the Islamic faith could only be judged by God, and were not relegated to the judgment of man.[54] Therefore, most of the Muslim Brothers renounced violence despite repression suffered by the Nasser regime.[55] Since the 1960s, this group has tried to separate itself from the teachings of Sayyid Qutb.[56] Instead, the majority of the Brotherhood has "committed to moderate educational and political activity, hoping to turn society around in the long run."[57]

2. *Failed Attempt to Integrate Islam in Politics under Sadat*

When Anwar Sadat succeeded Nasser as president in 1971, there was a revitalization of the Islamic movement in Egypt. Egypt's major defeat by Israel in the 1967 "June War" signaled the end of Nasser's popularity and the emergence of Islamism as an alternative.[58] In an effort to counter the strength of the Nasserites in the region, Sadat committed to a resurgence of Islam in Egyptian politics. Sadat "employed Islamic symbols and rhetoric" throughout his presidency.[59] Sadat made a commitment to integrate Islam in his political affairs: he increased the number of mosques, "legitimized the 1973 Egyptian-Israeli war as jihad," and freed the Muslim Brotherhood leaders from imprisonment.[60] The main reason he freed and strengthened the once weakened Muslim Brotherhood was to bolster his own legitimacy and garner public support.[61]

---

[53] Richard Mitchell, *The Society of Muslim*, p. 69.

[54] Peter R. Demant, *Islam vs. Islamism,* p. 102.

[55] Michael Emerson *et al*, *Islamist Radicalisation*, p. 25.

[56] International Crisis Group, "Islamism in North Africa II: Egypt's Opportunity", *ICG Middle East and North Africa Briefing* (Cairo and Brussels, 20 April 2004), p. 10.

[57] Peter R. Demant, *Islam vs. Islamism,* p. 102.

[58] *Ibid.,* p. 98.

[59] John Esposito and John O. Voll, *Islam and Democracy*, p. 174.

[60] *Ibid.*

[61] *Ibid.*

Though the Muslim Brotherhood was weakened after imprisonment, they took a strong stance against violence and vowed to work for change within the political framework.[62] It should be noted that after their release, they were still not recognized by Sadat's government as a legal party.[63]

Conversely, radical extremists splintered off once the Muslim Brotherhood was freed from repression. Their fervor streamed from their experiences of imprisonment and persecution by the government, and believed the government to be anti-Islamic.[64] Theses radical groups saw peaceful participation was not an option for Muslims in the political process, and thus sought to use violent means to overthrow the government.[65] When Sadat freed the Muslim Brotherhood from imprisonment, he also empowered radicals from this group who countered Sadat's leftist opposition. The jihadists wanted Sadat to form an Islamic state, but he rejected their wishes. These groups ultimately gained popularity and strength due to a lack of public support for Sadat's regime.[66]

After reviving the Islamic movement, Sadat came to fear the popular support that the Muslim Brotherhood had gained in Egypt. He began to view this group as a political threat to his regime, just as Nasser felt a decade before. There were several occurrences in Egypt that augmented these fears. First, Islamic student associations throughout Egypt were gaining widespread support within their universities and posed a formidable threat by their numbers.[67] Second, the Muslim Brotherhood and al-Jama'a al-Islamiyya (a radical splinter of the Brotherhood) criticized Sadat for the concessions he made in the peace treaty with Israel in 1979, his support for the Shah of Iran, and his liberalized economic policies that were seen as too "western."[68] Finally, both moderate and radical

---

[62]   *Ibid.*, p. 175.

[63]   *Ibid.*, p. 174.

[64]   *Ibid.,* p. 175.

[65]   *Ibid.*

[66]   Ray Takeyh and Nikolas Gvosdev, *The Receding Shadow of the Prophet: The Rise and Fall of Radical Political Islam* (Westport: Praeger Publishers, 2004), p. 61.

[67]   Nachman Tal, *Radical Islam in Egypt and Jordan* (Brighton: Sussex Academic Press, 2005), p. 38.

[68]   *Ibid.*

branches of the Brotherhood felt that Sadat's policies would reopen the door to increased Western economic and social influences in the region, and thus compromise Islamic mores.[69]

As a result, Sadat reversed his support for the Islamist movement and reverted to repressive measures against the Muslim Brotherhood. He came to be known as "the Pharaoh" by radical groups. He instead promoted a separation of religion and state, reversed his position on the privatization of mosques, prohibited Islamic student unions from forming, and marginalized the political status of the Muslim Brotherhood.[70] In addition, he modified electoral laws in 1976 which made it difficult for groups like the Muslim Brotherhood to form legal political parties.[71] This suppression ultimately resulted in the imprisonment of many Islamic thinkers from the public strata, and sadly in the assassination of Sadat in 1981 by members from the radical group, al-Jihad al-Islamiyya.[72]

3. Integration and Persecution under Mubarak

When President Mohammad Hosni Mubarak assumed leadership of the National Democratic Party (NDP) in Egypt in 1982, he was more receptive to the moderate Muslim Brotherhood than his predecessor had been in the recent years. He allowed this group to openly operate out of their headquarters in downtown Cairo, and even gave the group rights to contest parliamentary elections in 1984 and 1987.[73] This tolerance was due in large part for several reasons. First, President Mubarak did not have any political leanings prior to his election as Vice-President under Anwar Sadat in 1975.[74] Second, he was not part of the generation that followed Nasser, and thus did not harbor any of the same tensions that had existed previously with the Muslim Brotherhood.[75] Third, given the public distaste for the government and the rise in radical extremism

---

[69] John Esposito and John O. Voll, *Islam and Democracy*, p. 175.

[70] *Ibid.,* p. 176.

[71] Hesham Al-Awadi, *In Pursuit of Legitimacy: The Muslim Brothers and Mubarak, 1982-2000* (London: Tauris Academic Studies, 2004), p. 79.

[72] Monte Palmer and Princess Palmer, *Islamic Extremism,* p. 121.

[73] Hesham Al-Awadi, *In Pursuit of Legitimacy,* p. 2.

[74] *Ibid.,* p. 50.

[75] *Ibid.*

following the Sadat era, President Mubarak acted prudently against any forms of public oppression of the group.[76] Therefore, Mubarak needed to regain public support for the government and needed the reinforcements of the majority opposition group, the Muslim Brotherhood.[77]

In the early 1990s, the Mubarak regime continued to extend an olive branch to the Muslim Brotherhood in an effort to overpower radical Islamists in the region. He did this by distinguishing between two groups of Islamists in Egypt: those which use peaceful means to operate within the current political system, and those who use violent tactics to overthrow the government.[78] As such, the regime opened up a "dialogue" with the Muslim Brotherhood to counter the violent threat together.[79] With their greater acceptance, their desire increased for political participation. In 1994, the Muslim Brotherhood conducted internal party elections in 1994 in an effort to work within the political system, yet faced backlash by the regime who viewed these efforts as a threat to the existing government.[80] This backlash resulted in a dismemberment of the Muslim Brotherhood political faction, and a slide back into exclusion from political assimilation.[81] Once again, this repression fueled subsequent radical sentiments by violent strands of Islamist activists. Before President Mubarak's inevitable reelection for a third time in 1995, a radical extremist made an attempt on his life during his trip to Ethiopia.[82] The regime reacted by instituting harsh security measures in response to the extremist threat. The regime's repressive measures were taken against all Islamists, including the Muslim Brotherhood. Mubarak's regime thus arrested and imprisoned key figureheads in this organization as a result.[83]

---

[76] *Ibid.*

[77] *Ibid.,* p. 53.

[78] Michael Emerson *et al, Islamist Radicalisation*, p. 42.

[79] *Ibid.*

[80] *Ibid.,* p. 43.

[81] *Ibid.*

[82] Hesham Al-Awadi, *In Pursuit of Legitimacy*, p. 189.

[83] *Ibid.,* p. 189.

C. Radical Extremism: a Response

Radical extremists are motivated by some of the same goals as moderate Islamists: by politics, social and economic inequalities, military intervention of Western states, and the Arab world's loss in the 1967 war with Israel.[84] The difference between these two groups lies in their beliefs on governance and in the means by which they seek change. First, moderate Islamists believe in *shūra* or consultation, while radical extremists believe in *ḥākimiyya*, or governance by God alone. Second, unlike the moderate Islamists who follow the moderate teachings of Hasan al-Banna, radical splinters from this group follow Sayyid Qutb's teachings and seek revolution and violence as a means to achieve their political goals.[85] Unlike their moderate counterparts who are willing to work within pluralistic political frameworks, radical extremists seek to "destabilize the state through sporadic acts of violence."[86] Radical Islam "has proven seductive to those on the margins of society, excluded from wealth and power, and the inequities in many Muslim societies have provided fertile fodder for Islamist agitation."[87] Thus, the marginalization and persecution of Islamists in the political strata by presiding regimes, has played a significant role in the ascendance of radical extremist groups.

1. Origins of Jihadists in Egypt

As detailed throughout the history of the Muslim Brotherhood in Egypt, the ideologies of radical extremist groups that splintered were based in the teachings of Sayyid Qutb. As mentioned before, Qutb believed that Nasser's government at the time represented the *jāhiliyya*, or an impious society.[88] According to Qutb, the *jāhiliyya* must be destroyed as the Prophet Muhammad destroyed the impious city of Mecca through *jihād*.[89] He also felt that political reform was a waste of time because it "only served to corrupt Muslims and strengthen the enemies of

---

[84] Nachman Tal, *Radical Islam,* p. 4.

[85] *Ibid.*

[86] Ray Takeyh and Nikolas Gvosdev, *The Receding Shadow,* p. 61.

[87] *Ibid.,* p. 14.

[88] Gilles Kepel, *Muslim Extremism in Egypt*, p. 13.

[89] *Ibid.,* p. 18.

Islam."[90] Radical extremists that follow Sayyid Qutb, put his teachings to practice.[91] Thus, radical extremists feel that *jihād*, or the struggle, is necessary to achieve their socio-economic and political goals as did Qutb.[92] In the 1970s and 1980s, Qutb's teachings were popular amongst university students in Egypt, who joined these radical extremist groups.[93] University students turned to radical extremism due to their repression and imprisonment suffered under the Sadat regime, and because of their rejection of his liberal socio-economic policies in Egypt.[94]

Beginning under Sadat's regime, two main radical extremist groups splintered from the Muslim Brotherhood: al-Jihad al-Islamiyya (EIJ) and al-Jama'a al-Islamiyya. Both groups sought to overthrow state government and were the leaders in conducting acts of violence in Egypt through to the late 1990s.[95] The main difference between the two existed with regards to their "social and geographical environment."[96] Both groups were believed to have collaborated in Sadat's assassination in 1981, resulting in the arrest of their leaders and their subsequent execution.[97]

The EIJ formed in Cairo and Giza in 1979 under the leadership of Mohammad Abdel Salam Farag, who adopted Qutb's ideologies.[98] In his work entitled *The Neglected Duty*, Farag draws on the ideas of Qutb and another ideologue, Ibn Taymiyya, proposing that *jihād* is the sixth pillar of Islam.[99] In particular, Farag believed that "the decline of Muslim societies was made possible by those who had lulled the community into believing that jihad was non-violent…the restoration of the Muslim world to the straight path of Islam hinged on reclaiming the true meaning of

---

[90] Monte Palmer and Princess Palmer, *Islamic Extremism,* p. 86.

[91] Nachman Tal, *Radical Islam,* p. 25.

[92] Monte Palmer and Princess Palmer, *Islamic Extremism,* p. 86-7.

[93] Gilles Kepel, *Muslim Extremism in Egypt*, p. 155.

[94] *Ibid.,* p. 129-38.

[95] Nachman Tal, *Radical Islam,* p. 25.

[96] *Ibid.,* p. 26.

[97] Michael Emerson *et al*, *Islamist Radicalisation*, p. 35; Nachman Tal, *Radical Islam,* p. 27.

[98] Nachman Tal, *Radical Islam,* p. 27.

[99] John Esposito, *Unholy War: Terror In The Name of Islam* (Oxford: Oxford University Press, 2002), p. 62.

jihād…the neglected requirement of Islam."[100] Therefore, Farag and his followers in the EIJ believed that the violent overthrow of the state and its rulers was necessary, and it was the "obligation for all true believers."[101] Thus, the EIJ rejected the thought of working within the framework of the current political system and sought instead to "destabilize the state through sporadic acts of violence."[102] They targeted killings of key state officials, and sought the establishment of an Islamic state led by a caliph.[103] It was believed that this goal could only be achieved through *jihād*. In 1998, Dr. Ayman al-Zawahiri, leader of the EIJ, became affiliated with Osama bin Laden's al-Qai'da network. In 2001, the EIJ officially became a part of al-Qai'da.[104]

Al-Jama'a al-Islamiyya was founded in 1973 in the poorer regions of Upper Egypt, Minya and Assiut.[105] Al-Jama'a's rebellion against the state stemmed from its poor economic conditions in Upper Egypt, the high unemployment rate amongst youth, and a strong hatred for Sadat's regime.[106] Unlike the EIJ, al-Jama'a targeted killings on Egyptian society in addition to state officials in Egypt.[107] The goals of this organization were to eradicate the regime and restore an Islamic state led by *sharī'a* law, and to commence a *jihād* against the "enemies of Allah" which included the state and its supporters.[108] Thus, violence was used to attain their goals.

The constant pattern of political repression and persecution faced by moderate Islamist parties from the Nasser regime through to the current Mubarak regime, has been met with a pattern of revolt and violence. While the long history of the Muslim Brotherhood has shown that this moderate Islamist group continues its struggle for political participation amidst resistance from the state, its persecution over the

---

[100] *Ibid.*

[101] *Ibid.,* p. 63.

[102] Ray Takeyh and Nikolas Gvosdev, *The Receding Shadow,* p. 61.

[103] Monte Palmer and Princess Palmer, *Islamic Extremism,* p. 123; Nachman Tal, *Radical Islam,* p. 27.

[104] Monte Palmer and Princess Palmer, *Islamic Extremism,* p. 122.

[105] Nachman Tal, *Radical Islam,* p. 26.

[106] *Ibid.,* p. 28.

[107] Monte Palmer and Princess Palmer, *Islamic Extremism,* p. 123.

[108] Nachman Tal, *Radical Islam,* p. 28.

past sixty years has fueled radical sentiments and the formation of violent extremist groups like the EIJ and al-Jama'a al-Islamiyya.

In recent years, the Muslim Brotherhood has continued to be suppressed from the political strata by the Mubarak regime. In 2005, though still not recognized as a political party, the Muslim Brotherhood won a majority 20% of seats in the parliamentary elections.[109] The Muslim Brotherhood emerged as the largest opposition group to the regime seeking political reform, and thus faced subsequent repression by the NDP. Mubarak's regime responded by instituting several legal and security measures that limited Muslim Brotherhood participation in politics further. The regime restricted their ability to run in future elections, to serve in parliament, and imprisoned many of their supporters and key leaders.[110] In an effort to moderate their position further, the Muslim Brotherhood separated their political stance from their religious beliefs in 2007 by expressing their desire to run as an independent political party, at the risk of alienating themselves from the entire Society.[111] As a result, President Mubarak solidified his stance against the Muslim Brotherhood by amending Article 5 of the Constitution in 2007, to continue the ban on "the formation of a political party by the Muslim Brotherhood."[112] These amendments went a step further and forbid "any political activity within any religious frame of reference."[113] This stipulation further restricts the Muslim Brotherhood who has attempted to separate its political platform from its religious beliefs in the hopes of participation.[114] These additional measures to crackdown on a moderate, non-violent Islamist group that seeks participation in the political process continue to fuel radical sentiments.[115]

---

[109] International Crisis Group, "Egypt's Muslim Brothers: Confrontation or Integration?" *ICG Middle East/North Africa Report*, 18 June 2008, p. i.

[110] *Ibid.,* p. 8-9.

[111] *Ibid.,* p. 15.

[112] Nathan Brown and Michele Dunne, "Egypt's Controversial Constitutional Amendments," *Carnegie Endowment for International Peace*, 23 March 2007, p. 3.

[113] *Ibid.*

[114] *Ibid.*

[115] Michael Emerson *et al*, *Islamist Radicalisation* , p. 28.

2. Is Islamist Integration Possible under the NDP?

The short answer is no. President Mubarak's son, Gamal is likely to be his predecessor in the next 2011 presidential election and will likely continue the ruling line of the National Democratic Party.[116] Opposition parties to the NDP believe there will only be hope for free and fair democratic elections in Egypt if someone from the outside wins over the incumbent regime in the next presidential election.[117] In early December 2009, former head of the IAEA, Mohamed ElBaradei, announced his interest in running in the next election only if it is free and "transparent."[118] He also claimed that he wants the elections opened up to all political parties, which would include the Muslim Brotherhood.[119] The liberalization of the political system in Egypt in the next presidential election could pave the way for a new direction in leadership, one that is more representative of the people.

Radical extremists may resort to violence again if the NDP remains in power and remains immobile on liberalizing the political process.[120] While President Mubarak's amendments to the Constitution in 2007 further excluded the Muslim Brotherhood from the political process, they also fueled radical extremist sentiments.[121] Ayman al-Zawahiri, lieutenant to Osama bin Laden, stated that the amendments to the Egyptian Constitution in 2007 "are a blow to everyone who took the path of elections to enact change in Egypt."[122] In addition, in response to the increased security measures taken by the Mubarak regime, there are concerns that younger members of the Muslim Brotherhood, namely

---

[116] Sheera Frenkel, "Mohamed ElBaradei Considers Running in Egypt Presidential Elections", *Times Online*, 05 December 2009, Cairo, http://www.timesonline.co.uk/tol/news/world/middle_east/article6945326.ece, accessed on 08 December 2009.

[117] *Ibid.*

[118] BBC News, "EX-IAEA head ElBaradei Mulls Egypt Presidential Bid", *BBC*, 04 December 2009; http://news.bbc.co.uk/2/hi/middle_east/8395752.stm, accessed on 08 December 2009.

[119] Sheera Frenkel, "Mohamed ElBaradei".

[120] International Crisis Group, "Islamism in North Africa I", p. 1.

[121] Nathan Brown and Michele Dunne, "Egypt's Controversial Constitutional", p. 1.

[122] Michael Emerson *et al*, *Islamist Radicalisation*, p. 28.

university students, may resort to violence.[123] In January of 2008, The International Crisis Group conducted an interview with Khalil Al-Anani, an expert on Islamist groups in the region, who suggested that continued repression by the Mubarak regime toward the Muslim Brotherhood will move younger members of this organization to violence as an alternative.[124] He also claimed that these young members feel that they will not achieve any of their goals by engaging in the political process, judging by the failures of the Muslim Brotherhood to integrate.[125] These divergent thoughts are not all that new to splintered factions of the Muslim Brotherhood, but rather another instance of history repeating itself.

D. Conclusion

As this research has shown, there has been a cyclical history in Egypt in terms of Islamist attempts at integration in politics, their subsequent repression by the government, followed by the splintering of radical extremist groups. This dichotomy between Islamist integration and persecution from politics in Egypt reverberates from the time of the Nasser regime through to the current Mubarak regime. Al-Awadi reiterates this point in 2004 when he says, "from the founding of the movement in 1927, the relationship between the Muslim Brothers and the Egyptian regimes followed a sort of cyclical pattern that usually began with an accommodation or an alliance, and ended with confrontation."[126] The consistent denial of integration of the Muslim Brotherhood and their long history of persecution, have repeatedly fueled radical extremist behavior over the last sixty years. In order to stem the tide of radical extremist behavior in the future, Egypt needs to liberalize its political system and open it up to all political parties, including the Muslim Brotherhood. Great power politics have influenced the decisions to repress this group over time, since they pose and have posed the largest opposition threat to the Nasser, Sadat and Mubarak regimes in Egypt. These regimes have all sought to squash their largest political rival in an

---

[123] International Crisis Group, "Egypt's Muslim Brothers", p. 10.

[124] *Ibid.,* p. 22.

[125] *Ibid.*

[126] Hesham Al-Awadi, *In Pursuit of Legitimacy,* p. 30.

effort to preserve their strongholds in Egypt. If this pattern continues, and Islamists and other opposition groups feel that political participation is a waste of time just as Qutb did before, more radical extremist groups will splinter from the main movement. Therefore, only the integration of Islamists in the political process in Egypt will dispel radical extremist beliefs that a peaceful movement for reform is impossible. The realization that political goals may be achieved through peaceful means may help to resolve one of the root causes of radical extremism in modern day society.

Christina DeGregorio

BIBLIOGRAPHY

Al-Awadi, Hesham, *In Pursuit of Legitimacy: The Muslim Brothers and Mubarak, 1982-2000*, Tauris Academic Studies: London, 2004.

BBC News, "EX-IAEA head ElBaradei Mulls Egypt Presidential Bid", *BBC*, 04 December 2009; http://news.bbc.co.uk/2/hi/middle_east/8395752.stm, accessed on 08 December 2009.

Brown, Nathan and Michele Dunne, "Egypt's Controversial Constitutional Amendments", *Carnegie Endowment for International Peace*, 23 March 2007.

Cox, Caroline and John Marks, *The West, Islam and Islamism: Is Ideological Islam Compatible with Liberal Democracy?* 2nd edition, London: Institute for the Study of Civil Society, 2006.

Demant, Peter R., *Islam vs. Islamism: the Dilemma of the Muslim World*, Praeger Publishers: Westport, 2006.

Emerson, Michael *et al*, "Islamist Radicalisation: The Challenge for Euro-Mediterranean Relations", *Centre for European Policy Studies*, Brussels, 2009.

Esposito, John and John O. Voll, *Islam and Democracy*, Oxford University Press: New York, 1996.

Esposito, John, *Political Islam: Revolution, Radicalism, or Reform?*, Boulder: Lynne Rienner Publishers, 1997.

Esposito, John, *Unholy War: Terror in the Name of Islam*, Oxford: Oxford University Press, 2002.

Frenkel, Sheera, "Mohamed ElBaradei Considers Running in Egypt Presidential Elections", *Times Online*, 05 December 2009, Cairo; http://www.timesonline.co.uk/tol/news/world/middle_east/article6945326.ece; accessed on 08 December 2009.

International Crisis Group, "Islamism in North Africa II: Egypt's Opportunity", *ICG*, Cairo/Brussels: Middle East and North Africa Briefing, 20 April 2004.

International Crisis Group, "Egypt's Muslim Brothers: Confrontation or Integration?", *ICG*, Middle East/North Africa Report, 18 June 2008.

Kepel, Gilles, *Muslim Extremism in Egypt: The Prophet and the Pharaoh*,

Berkeley: University of California Press, 2003.

Mitchell, Richard, *The Society of the Muslim Brothers*, London: Oxford University Press, 1969.

Ottaway, Marina and Amr Hamzawy, *Getting to Pluralism: Political Actors in the Arab World*, Washington, D.C.: Carnegie Endowment for International Peace, 2009.

Palmer, Monte and Princess Palmer, *Islamic Extremism: Causes, Diversity, and Challenges*, Lanham: Rowman & Littlefield Publishers, Inc., 2008.

Takeyh, Ray and Nikolas Gvosdev, *The Receding Shadow of the Prophet: The Rise and Fall of Radical Political Islam*, Westport: Praeger Publishers, 2004.

Tal, Nachman, *Radical Islam in Egypt and Jordan*, Brighton: Sussex Academic Press, 2005.

Christina DeGregorio

ZAKĀT AND THE CONCEPT OF OWNERSHIP IN ISLAM: Yusuf Qaradawi's Perspective on Islamic Economics

Euis Nurlaelawati

The Faculty of Sharī'a and Law, "Syarif Hidayatullah" State Islamic University Jakarta, Indonesia

Abstact

Looking at the two functions of ownership which include the individual and social, Qaradawi explores such a relationship and analyzes its implication for social justice. Zakāt has multiple functions: the religious, economic, and social. It constitutes the earliest concept of mutual social responsibility proposed by Islam to achieve social justice. Zakāt serves as a means to both guarantee social security and strengthen social solidarity. From this perspective, Qaradawi moves forward to link up the concept of zakāt with the Islamic system of economics. The linkage between zakāt and the Islamic system of economics is visible in the ways Qaradawi investigates various aspects of ownership and zakāt in Islam. This can particularly be seen in his analysis that the concept of Islamic insurance coheres with the interpretation of al-ghārimīn, one of the groups deserving to the income of zakāt and in his emphasis that mutual social responsibility, which aims to fulfill the needs of adequate livelihood, can be supplied only by zakāt. This article argues that these views in turn confirm Qaradawi's concern with the importance of zakāt as the foundation of both the social and economic systems of Islam. This article also emphasizes that, for Qaradawi, different from voluntary charity that can only fulfill the minimum requirement of the needs of livelihood, zakāt can supply the answer to cover all the needs of livelihood of Muslim society.

Keywords: *zakāt*, Islamic economics, Qaradawi, security, solidarity

A. Introduction

Islamic economics is closely related to the concept of ownership according to Islamic doctrine. This can be seen by looking at the function of ownership, which serves not only the individual but also society. The social function of ownership can be found in the doctrine of *zakāt,* which should be paid by the owner of wealth to people deserving it. Yusuf Qaradawi has clear views on this issue as he has written a number of books discussing the system of Islamic economics, in general, and *zakāt* in particular. Qaradawi is a prominent scholar in the Muslim world. Despite his links with the Muslim Brotherhood (*Ikhwān al-Muslimīn*) in Egypt, he appears to be an independent, moderate scholar concerned with a variety of fundamental issues in Islam, including those of Islamic law and social justice. He wrote a number of books on Islamic jurisprudence (*fiqh*). Some of his books are influential and referred to by Muslims around the world. His lengthy volume on *zakāt* is one the most influential *fiqh* books among Muslims today.

This article attempts to provide an overview of the concept of *zakāt* and its relationship to the concept of ownership. It focuses on Qaradawi's thoughts on *zakāt,* which he believed to have multiple functions, including the religious, economic and social. Qaradawi's understanding of *zakāt* then gives insight regarding the earliest concept of mutual social responsibility *(al-takāful al-ijtimāʿī)* in Islam. For *zakāt* holds, in addition to its religious function as a ritual, roles of social security (*al-ta'mīn al-ijtimāʿī*) and social solidarity *(al-ḍamān al-ijtimāʿī),* both of which are, in turn, closely linked to the Islamic system of economics.

B. Yusuf Qaradawi and His Concepts of *zakāt* and Ownership in Islam

Writing a number of books, Qaradawi has focused on social problems and how they should be solved. Considering that *zakāt* constitutes the most relevant means for solving such social problems, he dedicates most of his work to *zakāt*. Born in 1926, in Saft Turab, Gharbiyya Province, Egypt, he grew up among many famous *Shaykh*s and is known as a scholar, an author, and a researcher.

Having a broad concern for social questions and the struggle against poverty, he encourages rich people to care for the poor. He was

the first person who called for the establishment of the International Association of Islamic Relief to help Muslims who face poverty and disease.

He has written a number of books and articles. His articles and research papers have appeared in many Arabic and Islamic journals and magazines.[1] He has also issued many fatwas, some of which were published in the Majallat *al-Minbar,* which is published by the Ministry of Awqaf of Egypt and Majallat Nur al-Islam,[2] which is managed by the *'ulama'* of Guidance and Counselling in Azhar.[3] Indeed, his writings have obtained general acceptance among all sectors of the Muslim world. For example, his book *al-Ḥalāl wa'l-Ḥarām fi'l-Islām* is taken as an important book by Malay Muslims and some other Muslim groups in deciding Islamic laws for the problems of daily life, like the problems of food and drink. This has led to translations of some of his works into languages other than Arabic. Some of them have been reprinted.[4]

In the Muslim world Yusuf Qaradawi is regarded as one of the most influential thinkers. In the 1980s and 1990s, he played a role in guiding the thoughts of Muslim youth.[5] He is a man of great principle, especially in the fight against external propaganda and internal deviation. He stands firm on the truth of Islam. He rejects deviation by fanatics and suppresses deviant teachings. He also opposes narrow interpretations

---

[1] See Qaradawi, *Hudā al-Islām: Fatāwā Mu'āṣira* (Lebanon: Dār Afaq al-Ghad, 1401/1981), p. 8.

[2] This magazine is not to be confused with the first al-Azhar journal, the monthly *Nūr al-Islām* (Light of Islam), the first issue of which was published in 1930. When Al-Marāghī took office for the second time, the name was changed into *Majallat al-Azhār.* See Jacob Skovgaard Peterson, *Defining Islam for the Egyptian State: Muftis and Fatwas of the Dār al-Iftā'* (Leiden & New York: E.J. Brill, 1997), p. 152.

[3] Qaradawi, *Fatāwā Mu'āṣira,* p. 8.

[4] J.J.G. Jansen recorded that the book *Al-Ḥalal wa'l-Ḥarām fi'l-Islām* has been translated into other languages, amongst them Turkish. It also, he said, has been re-printed several times all over the Muslim world. See J.J.G. Jansen, *The Dual Nature of Islamic Fundamentalism* (London: Hurst & Company Ltd, 1997), p. 150.

[5] To illustrate this case, the letters of comments and supports for the website launched for Yusuf Qaradawi are, as I myself have found, mostly from the young Muslims. They have given great support and seemed to be interested in joining the membership for this project. See http://www.Qaradawi.net.

by ignorant people. He is an eminent Muslim figure with regards to his knowledge, thinking, *jihād* and *da'wa*. He is also involved in the media, for example on television in Qatar. By all accounts Yusuf Qaradawi is a popular author on the themes of Islamic jurisprudence. It is then not surprising that the 1997 award in the field of jurisprudence studies went to him.

His book *Fiqh al-Zaka is* probably the most comprehensive work in the area of *zakāt*. The well-known Pakistani writer and activist Abu al-A'la al-Mawdudi commented on this book saying that it is the book of the century on Islamic jurisprudence *(fiqh)*.

Literally, meaning "purification" and "growth",[6] and taken from the verb *zakā* which signifies "to thrive", "to be wholesome", and "to be pure,"[7] according to Qaradawi, *zakāt* can be attributed to both thing and person. Referring to *al-Mu'jam al-Waṣīṭ*, he quotes *zakā al-shay'*, which means "something grows and develops", and *zakā* fulan, which means "someone thrives and is proper *(ṣalaḥa)*", to show the literal meaning of *zakāt*. Then, *zakāt*, from his point of view, literally means, besides "benediction", "purification", and "piety", also "growth."[8] The meaning of the "growth" and "purification" are not only attributed to the wealth but also to the person who performs the *zakāt*.

The word *zakāt* developed into a technical term meaning "giving a certain amount of wealth to the right owners."[9] In this sense, *'ulamā'* from various schools of Islamic law have defined *zakāt* differently. They agreed, however, that *zakāt* means the action of fulfilling an obligation which is precisely fixed and which concerns one's possession.[10] For Qaradawi, *zakāt* applies to the fixed amount of wealth which God has defined for the right owners.[11]

---

[6] See, for example, 'Abd al-Raḥmān al-Jāzirī, *al-Fiqh 'alā al-Madhāhib al-Arba'a* (Lebanon: Dār al-Kutub, 1986/1406), p. 590, and Wahbah al-Zuḥaylī, *al-Fiqh al-Islāmī wa-Adillatuhu*, Vol. IV (Damascus: Dār al-Fikr, 1997), p. 729.

[7] Zyril Glasse, (ed.), *The Concise Encyclopedia of Islam* (London: Cyril Glasse and Stacey International, 1989), p. 430.

[8] Qaradawi, *Fiqh al-Zaka* (Cairo: Maktabat Wahba, 1994), p. 53.

[9] See al-Jaziri, *al-Fiqh 'alā al-Madhāhib*, p. 590.

[10] Zuḥaylī, *Al-Fiqh al-Islāmī*, p. 731.

[11] Qaradawi, *Fiqh al-Zaka, p.* 53.

In the Qur'ān and the Prophetic tradition *zakāt* is called *ṣadaqa*.[12] Al-Mawardi even said that *"ṣadaqa* is *zakāt* and *zakāt* is *ṣadaqa"*, and "they differ in the name but meet in the meaning."[13] Nevertheless, according to Qaradawi, *zakāt* has to be differentiated from *ṣadaqa. Zakāt,* which is commonly defined as a form of charity, almsgiving, donation or contribution, differs from *ṣadaqa,* which in later Islamic usage commonly means "voluntary alms". In this respect, *zakāt* means the prescribed "legal alms", whose amount is fixed.[14] The difference between *zakāt* and *ṣadaqa,* therefore, lies primarily in the fact that *zakāt* is a formal duty not subject to choice, and Qaradawi agreed that the word *ṣadaqa* denotes only voluntary alms. This is because, according to him, custom has corrupted its meaning. *Ṣadaqa* is then, for him, every gift given to the beggar or the deprived based on the feeling of the individual.

Zakāt is an obligation which lies in ownership. Ownership itself in Islam refers to *al-milk,* which differs from *al-mal. Al-māl* which literally means 'wealth' or 'property' is defined in different ways. The Shafi'ites, Malikites, and Hanbalites maintained that *al-*māl includes both usufruct (*al-manāfi'*) and the material (*al-a'yān*). Different from them, Hanafites maintained that *al-māl* includes only the material, as it is only the material which can be possessed and utilized. Thus, in the opinion of the Hanafites, the usufruct can not be considered mal.[15]

---

[12] The word *ṣadaqa,* which according to some *'ulama'* means both obligatory (*zakāt*) and recommended *ṣadaqa,* has resulted in the dispute among the *'ulama'* over the kind of *ṣadaqa* that the Prophet's family is not allowed to take from. Because, it was stated in a *ḥadīth* that the Prophet's family are not allowed to eat from *ṣadaqa*. So, it was the word *ṣadaqa,* and not the word *zakāt,* used in the *ḥadīth*. The *ḥadīth* states that the Prophet, when Hasan b. Ali took dates as *ṣadaqa* and ate them, asked him to throw them away and said that his family were not allowed to eat from gifts. Nonetheless, the majority of the *'ulama'* agreed that it is the obligatory *ṣadaqa (zakāt)* that the Prophet's family are not allowed to take from. For detailed discussion, see Rashid Rida, *Al-Manar* (*Majallat 'Ilmiyya Adabiyya*), Vol. VIII, 190, p. '21.

[13] See Qaradawi, *Fiqh al-Zaka, p.* 56. See also Nicolas P. Aghnides, *Mohammedan Heories of Finance* (New york: Columbia University, 1916), p. 204. For detailed discussion about Mawardi's opinion on this matter see Mawardi, *al-Aḥkām al-Sulṭāniyya* (Lebanon: Dār al-Kutub al-'Ālamiyya), p. 145

[14] W. Montgomery Watt, *Muhammad at Medina* (Oxford: Clarendon Press,1956), p. 369

[15] Al-Jaziri, *al-Fiqh.,* 634.

Qaradawi was inclined to accept the definition of *al-māl* given by the Hanafites. For Qaradawi the definition given by the Hanafites is the closest definition to the literal meaning of *al-māl* mentioned in Arabic dictionaries. This definition, he argued, can be connected to Islamic principles of obligation of *zakāt*. He claimed that *zakāt is* only applied to the material (*al-aʻyān*) and not to usufruct (*al-manāfiʻ*), because, in his view, usufruct can neither be kept in a public treasury (*bayt al-māl*) nor can it be distributed to the recipients of *zakāt*. It seems to be clear that Qaradawi defined *al-māl* as to connect it with the obligation of *zakāt,* which can only be levied on the material.[16]

The disagreement about defining *al-māl* has a connection with the confusion of the *ʻulama'* in defining *al-milk*. *Al-milk is* a legal term denoting ownership. It is taken from the word *malaka* meaning "to own".[17] The owner or the person exercising ownership is called *mālik,* but this word is rarely used.[18] *Rabb al-māl* or *ṣāḥib al-māl* are preferred to it. Al-Jurjānī defined the term *al-milk* as "a legal relationship *(al-ittiṣāl al-sharʻī)* between person and a thing (*shayʼ*), which allows that person to dispose of it to the exclusion of everyone else".[19] Classical Muslim jurists confused the right of ownership with the thing which is its object. For them, ownership is not a right *(ḥaqq),* but a piece of property which has become ownership. The debate then arises in effect from the fact that in Islamic law, a piece of property can only be corporeal and material, and a thing which is not considered to be a piece of property cannot be the object of an act of disposition.[20]

Wahbah al-Zuḥaylī, on the other hand, defined *al-milk* as a thing that man owns whether it is material or usufruct. Based on this, he maintained that the Hanafites claim that *al-milk is* more general than property or wealth (*al-māl*) can be accepted.[21] Like al-Zuḥaylī, Qaradawi viewed *al-milk* as including the material and usufruct. Therefore, what he means by ownership in this discussion is the material (*al-māl*).

---

[16] Qaradawi, *Fiqh al-Zaka*, p. 144.

[17] A.M. Declambre, "*Milk*", in *The Encyclopaedia of Islam*, Vol. VII, 1993, p. 60.

[18] *Ibid.*

[19] *Ibid.*

[20] *Ibid.*, p. 61.

[21] Al-Zuḥaylī, *al-Fiqh al-Islāmī*, p. 92.

C. *Zakāt* as a Social Function of Ownership

Islam puts itself in an intermediate position toward ownership. This intermediate position of Islam toward ownership appears between the fanatic adherents of capitalism and socialism. This is what Qaradawi believed in regard to the permissibility of private ownership in Islam.[22] Islam, he taught, has permitted private ownership and deemed it to be a principle of the establishment of the economy.

According to Qaradawi, when a person receives wealth in legal ways according to the *sharī'a*, such as through work, he or she has authority over it. This authority is, however, within established limitations. He therefore reminds us that Islam prohibits the owners of wealth from using their wealth to wreak damage and danger on the earth. It also prohibits them from developing it in ways that contradict the *sharī'a* or Islamic values and ethics, like selling prohibited materials such as alcoholic drinks.[23]

Besides, Islam also reminds us that there are rights of other people to our wealth or ownership. Such rights have to be given to such people as indicated in the Qur'ān. *Zakāt* is one of the best examples of how such rights could be fulfilled and how the owners could make their wealth serve society. And Qaradawi makes clear arguments for it by stressing that *zakāt* has three functions. The first is that *zakāt* is a form of worship like prayer and fasting. The second is that *zakāt* is a source of income for the state in the financial and economic systems of Islam. The last is that *zakāt* is the first institution for a mutual social responsibility in Islam.[24]

The first function concerns *zakāt*'s basic religious value. Qaradawi stressed that the *Qur'ān* always mentions *zakāt* in conjunction with prayer *(ṣalāh)*. This indicates a strong relation between the two obligations. He explained that prayer is the pillar of religion and *zakāt* is its bridge. If someone is able to cross this bridge, he will be saved. The call for *zakāt,* in the *Qur'ān,* is therefore always preceded by the call to prayer.[25] The second function stresses economic values, as paying *zakāt* brings money back into circulation. The third function in *zakāt* aims to free the community

---

[22] Qaradawi, *Dawr al-Qiyām*, p. 109.

[23] *Ibid.*

[24] See Qaradawi, *Fiqh al-Zaka,* p. 7-8.

[25] Qaradawi, *Mushkilāt al-Faqr,* p. 68.

from poverty. Concerning the two last functions, Qaradawi noted that *zakāt* is not a mere obligation which is only related to religion but also is grounded in economics and social welfare.

Qaradawi insisted that *zakāt* in the Islamic system reveals its various functions in a Muslim society, including religious, economic and social functions. These three functions combined express the fact that the obligation of *zakāt* is rooted in ownership. As a religious function *zakāt* is a manifestation of the belief that God is the sole owner of everything in the universe. What men hold is a trust which God made and a deposit which God gave. In its economic function, *zakāt* gives strong support to the investment of wealth for the benefit of society, and leads us to stop hoarding wealth. As a result, the differences between classes and groups can be reduced. And in its social function, *zakāt* gives stability to social life. It eradicates class hatred within society and stimulates a feeling of brotherhood and solidarity instead.

It goes without saying that *zakāt* is concerned with ownership and its benefit is closely related to society and its economic life. It regulates the minimum contribution of wealth, making it a religious obligation from which the individual cannot free himself, or make concessions, since it is the right of society to be devoted to the benefit of the needy and disabled.[26]

The relationship between *zakāt* and the social function of ownership can also be traced back to the concept of giving vicegerency (*al-istikhlāf*). Qaradawi demonstrated that the basis of this concept is the teaching that states that God is the absolute owner of everything in earth. The *Qur'ān* states "Yea, to Allah belongs all that is in the heavens and on earth..." (al-Najm: 31) and "To Him belongs what is in the heavens and on earth, and all between them..." (Ṭāhā: 6). God is the creator and owner. What men have produced (*muntaj*) is a creation from God's creation.

Qaradawi intended to clearly underline that people are only stewards (*mustakhlafūn*). They are only entrusted employees who have to develop and spend the wealth they get, and they have to benefit from it. Therefore, in his view, the wealth that people gain is a blessing from

---

[26] Dr. Ebrahim M. A. El-Khouly, "Islam and the Pillars of its Faith", in Salem Azzam (ed.), *Islam and Contemporary Society (*London and New York: Longman, 1982), p. 122.

God. People can claim that it is gained from their work and effort. However, he said, people are not to forget the spiritual power of God, the first cause of the universe. The *Qur'ān* says: "And Ye have no good thing but is from Allah..." (al-Naḥl: 53). This teaching, he asserted, has to be applied in both individual and social life as faith, a doctrine and a way of life. Therefore, people should not be reluctant to give a fixed portion (obligatory *ṣadaqa* or *ẓakāt)* and another unfixed portion (other *ṣadaqa)* out of their wealth.

Qaradawi further believed that the concept of giving vicegerency *(al-istikhlāf)* influences social and economical life. This influence, according to him, explains the relationship between the obligation of *ẓakāt* and ownership. Notice the influence of this concept as pointed out by Qaradawi:

> *Firstly,* this concept lessens a feeling of arrogance so that the rich will humbly get wealth from their work, for they are aware that the wealth belongs to God, and they are only the stewards who have to develop and take benefit from it. The wealth will be of little importance to its owners. As a result, they will easily disperse their wealth to relieve the poor. After all, they are more likely to accept Islamic rule and guidance concerning the management of wealth, for they also realize that Islamic rules are revealed by the true and original owner of wealth. *Secondly,* the concept of giving vicegerency gives the government justification for calling upon people to provide financial help, with which the state can cover the needs of the needy and fulfill both religious and government public interests. Besides, it also gives Muslim society a right of supervision (*raqāba*) over the wealthy. Muslim society in turn can take over authority of the wealth, if he is not able to control the limits of deputyship (*al-wakāla).* After all, it gives the poor and deprived encouragement to demand their rights from the rich and gives them awareness of the fixed portion of the wealth of the rich that God has entrusted to them.[27]

The first chain of influence is directed to the owners of wealth. Meanwhile, the second is directed to the state and society as the supervisors, and to the poor and the deprived as those who have a share in the wealth. From this point of view, Qaradawi intended to stress that the permissibility of private ownership does not negate the connection

---

[27] Qaradawi, *Dawr al-Qiyām*, p. 49-52.

between wealth and its legal claims (*ḥuqūq*), one of which is *zakāt*. Here thus also lies the relevance of the concept of *zakāt* within the system of economy in Islam, which Qaradawi further describes by saying that the wealth in people's hands is a "trust" *(amāna)* from God. The wealthy are the trustees. God is the trustor, to whom the trust should be returned. He claimed that it is completely wrong if people declare that wealth belongs absolutely to themselves.

It is interesting to mention here that, with regard to this, Qaradawi approvingly cited Auguste Comte, one of the founders of sociology, who, according to the Arabic translation used by Qaradawi, stated that richness is a social function.[28] Comte indeed asserted that the rich are employees in a social system *(al-niẓām al-ijtimāʿī)*. This means that being employees, the rich must be responsible for their tasks. If they fulfill their tasks, they deserve to continue in their position as employees, but otherwise, they can be removed.[29] Qaradawi commented on this statement saying that it is an excellent idea. However, as a Muslim thinker, he immediately referred to the *Qur'ān* and said that such a function has also been established in Islam. The *Qur'ān* says: "And spend in charity out of the substance whereof He has made you heirs," (al-Ḥadīd: 7). Elsewhere the Qur'ān says: "If you are grateful, I will add more favors unto you, but if you show ingratitude, truly my punishment is terrible indeed," (Ibrāhīm: 7). He approved of the teaching that the rich are not to allowed to manage and use this wealth according to their own plans and wishes.[30] Nevertheless, by saying this he did not intend to indicate that Islam dismisses the right of private ownership and disapproves of something many people approve of. In fact, he reiterates that Islam calls upon people to collect wealth. Moreover, he believed that work is also considered to be an act of devotion (*'ibāda*) and struggle (*jihād*) for the sake of God.

---

[28]   *Ibid.*, p. 52. Yusuf Qaradawi's referring to Comte shows that he is not reluctant to borrow ideas from a Western scholar. Nonetheless, since he discussed the matter in the Islamic perspective, he also cited the *Qur'ān*.

[29]   *Ibid.*

[30]   Qaradawi, *Fiqh al-Zaka*, p. 1544.

Further Qaradawi emphasizes that work aims to create a good life. Attempting to create a good life, in his view, is human.[31] However, he believed that in order to reach a good life, not only material aspects but also spiritual aspects are of importance. These two aspects, according to him, can correspond to the fact that the wealthy, on one hand, should use their wealth in line with the *sharī'a,* and that, on the other hand, they can enjoy the right of private ownership. In contrast to some teachings of Hinduism, Buddhism, and Christianity that aim at extreme asceticism for a number of special people like monks, Islam teaches that people in general can, within limits, enjoy the good life and its embellishments (al-Baqāra: 128).[32] However, for him, life can not rely only on material aspects. A good life can be achieved as well if people are close to God. To be close to God, in his view, is possible only through true belief and by doing good, not by abundant wealth.[33]

D. *Zakāt*, Mutual Social Responsibility, and System of Islamic Economics

1. *Zakāt and the System of Islamic Economics*
Different economic systems can be found in countries around the world. Qaradawi views such systems as communism, Nazism, and Fascism, as concentrating on one goal and ignoring the religious aspect.[34] Communism is, for example, rejected by Islam, as this system is seen as having subversive and destructive activities. With regards to Islam's rejection of this system, Qaradawi seems to be in agreement with Abu al-A'la al-Mawdudi, a well-known Muslim scholar from the Indian sub-continent. He said that "this system is by its very nature inhuman." Mawdudi stressed that this system, like Nazism and fascism, is absolutely not in accordance with the nature of Islam.[35]

---

[31] Qaradawi, *Dawr al-Qiyām*, p. 66.

[32] *Ibid.*, p. 66.

[33] *Ibid.*, p. 77.

[34] *Ibid.*, p. 109.

[35] Mawlana Abu al-A'la al-Mawdudi, *Capitalism, Socialism and Islam,* translated by Sharif Ahmad Khan, 2nd Edition (Kuwait: Islamic Book Publishers, 1987), p. 72.

Focusing on the discussion on *zakāt*, Qaradawi traces the system of economics in Islam. As has been clearly mentioned above, *zakāt* is an established duty. It is a fixed legal claim laid on ownership. Meanwhile, other legal claims on wealth emerge when accidental needs arise. They do not have a definite amount nor a definite time. The Prophet Muhammad's saying: "Whoever sleeps soundly with a full stomach, while his neighbor is starving, is not a true believer (*mu'min*)" was believed by Yusuf Qaradawi to express the deep meaning of the teaching of mutual responsibility, as it is connected to a Muslim's faith.

Citing the statement by Ibn al-'Arabi (d. 638/1240) as transmitted by Imam Malik (d. 796), Qaradawi claims that, "society has priority to wealth over individuals" and he found that this well-known statement amongst Muslims perfectly sums up the beautiful teaching of mutual responsibility.[36] He thus believes that *zakāt* is the earliest concept of mutual social responsibility *(al-takāful al-ijtimā'ī)*[37] in Islam. He alleged that the concept of *al-takāful al-ijtimā'ī* had not been known by Western people before,[38] and only recently have begun to be aware of this concept. And their concept, in his view, is limited to fulfilling the demands of deprived groups in terms of food, clothing, housing and the like.[39]

---

[36] See Qaradawi, *Dawr al-Qiyām,* p. 392.

[37] Many scholars have written many books on this concept which was expressed in different ways by the single call for social justice among the Muslims. The most important works are by the *'ulama'* of al-Azhar. Mustafa al-Siba'i, for example, has written a book entitled *Ishtirākiyyat al-Islām,* which could be considered the most widely acclaimed by the Egyptian authorities. Another scholar, Mahmud Shaltut, Shaykh of the Azhar in Nasser's period, has written a book entitled *al-Islām wa'l-Takāful al-Ijtimā'ī (Islam and the Mutual Social Responsibility),* published by Maṭba'at al-Azhar, and an article "*al-Ishtirākiyya wa'al-Islām*" ("Socialism and Islam") in *al-Jumhūriyya,* Cairo December, 22, 1961. A more recent book on the same concept entitled *al-Takāful al-Ijtimā'ī* is written by Muhammad Faraj Salim, a Professor in al-Azhar's faculty of Law. For the extract of al-Siba'i's work and Shaltut's article, see *Political and Social Thought in the Contemporary Middle East* by Kemal H. Karpat (ed.) (London: Pall Mall Press, 1968), p. 122-32. And also for the discussion of al-Siba'i's and Salim's works, see Sami A. Hanna, "*al-Takāful al-ijtimā'ī* and Islamic Socialism" in *The Muslim World.* Vol LIX (U.S.A: The Hartford Seminary Foundation, 1969), p. 275-288.

[38] Qaradawi, *Fiqh al-Zaka, p.* 934.

[39] *Ibid.* See also Sami A. Hanna, "*Al-Takāful al-Ijtimā'ī* and Islamic Socialism", an article reviewing Musṭafā al-Siba'i's writing "Ishtirākiyyat al-Islām"*,* in *The Muslim*

Connected closely to the Islamic system of economics, Qaradawi pointed out that *zakāt* plays a significant role in combating poverty. In regard to this, he states that there are many ways to combat poverty. He simplified the ways into two categories. The first is a responsibility of an individual, which is work. An individual is not supposed to only expect help from others. He should work to get property. The Prophet Muhammad, when he was asked about what is to be given in charity, is reported to have said, "Every Muslim must perform charity", and to answer their further question of, "what if a person cannot find anything to give", he stressed that, "he should work with his hands to benefit himself and give in charity." When they asked again about what if he could not find that, Qaradawi taught that he should assist an aggrieved person in need and that he should do good and refrain from evil, which would be his charity.[40] The *ḥadīth* of the Prophet Muhammad above, according to Qaradawi, indicates that every individual must work for his living if he can and that giving in charity is not limited. An individual can give of his effort, his mind, his knowledge, his status and his money.[41]

Besides, the *ḥadīth* also identifies the fact that people have different capacities and abilities. Some of them can not cover their needs by their income from work. In fact, God calls upon the rich to give assistance to the needy. This leads other people to be responsible for their brothers. And this constitutes the second category in which the Muslim community, as well as the state, plays a role. Therefore, according to Qaradawi, the Muslim community should provide poor people with a guarantee. This guarantee takes the form of charitable gifts from relatives, the duties of neighborhood, *zakāt,* other duties laid on wealth, like vows *(nudhūr)* and expiation *(kaffārāt),* and voluntary almsgiving *(ṣadaqa).*[42]

This second category of combating poverty clearly indicates that Islam teaches mutual help. Indeed, Islam is not indifferent to poverty. Islam calls upon the rich to give financial support to the poor. While this support can be in the form of *zakāt,* charity, donation, voluntary almsgiving and etc, as has been mentioned above, *zakāt* is considered to

---

World, Vol. LIX (USA: The Hartford Seminary Foundation, 1969), p. 276.

[40] Reported by al-Bukhari; see El-Khouly, "Islam and the Pillars", p. 53.

[41] *Ibid.*

[42] *Ibid.*

be different from the others and its relationship to the system of economy is clearer than the others. Hence, Qaradawi is optimistic about *zakāt* and believes that it can solve the problems of poverty better than the other forms. This is especially true if, similarly, the state is responsible and contributes to covering the needs of its people.

2. **Zakāt** *as Social Solidarity and Security*

There are a number of characteristics of *zakāt* which differentiate it from other forms of financial assistance. *Zakāt is* not an individual piety or a voluntary almsgiving (*sadaqa*)*,* but an established duty. The amount on which *zakāt* is levied, the kind of wealth subject to it and the groups of recipients are all fixed. Apart from this, no matter how one looks at *zakāt,* be it from a legal, ethical or religious point of view, it is always compulsory. This is because, *zakāt,* he argued, is a form of worship like prayer and fasting, with which the Muslims approach their God. Finally, *zakāt* is a Prophetic practice. It is an almsgiving of part of the wealth of one group of society, which is represented by the rich, to the other, the poor. Thus, it is from society (*umma*) to society -from the wealthy hands to the needy hands. The two hands form one unit-Muslim society. [43]

From this concept of *zakāt* appears a beautiful teaching of mutual responsibility in Islam, which includes all material and spiritual aspects of life. From those two aspects, ten types of mutual responsibility *(al-takāful)* develop. The ten types of responsibility concern social manners, education, politics, defense, safety, ethics, economy, worship, civilization, and living, *al-takāful al-māʿishī*.[44] The last type of mutual responsibility, namely mutual responsibility regarding living, is according to Qaradawi, equal to the "mutual social responsibility or *al-takāful al-ijtimāʿī*.[45] This is due to the fact that mutual responsibility of living is the closest form of social responsibility, as it is concerned with providing people with a life suitable to the dignity of man.

Qaradawi is not alone in promoting the concept of mutual social responsibility. Musṭafa al-Sibāʿi is concerned also with the concept and

---

[43]   Qaradawi, *Dawr al-Qiyām,* p. 385-387.

[44]   These ten types of mutual responsibility are also to be found in the article of Mahmud Shaltut "al-Islām waʾl-Takāful al-Ijtimāʿī."

[45]   Qaradawi, *Fiqh al-Zaka,* Vol. II, p. 934.

even traced the root of the concept of mutual social responsibility from the five rights *(al-ḥuqūq al-khamsa).* He argued that Islamic socialism rests on five fundamental rights, namely the right to life, the right to liberty, the right to knowledge, the right to dignity and the right to property. And these must be guaranteed to all citizens.[46] Another scholar, Mahmud Shaltut, was of the same opinion and said that the concept of social solidarity or responsibility in Islam is conceived in the widest and most complete sense. It is then not limited to the needs of food, housing, and clothing. It stretches further to preserve the five rights of man, namely religion *(al-dīn),* life *(al-nafs),* children *(al-nasl),* possessions (*al-māl*) and reason *(al-ʿaql).* Shaltut argues that man's dignity is not complete, if one of these five rights is not protected.[47]

As to the originality of the concept, Qaradawi tried to convince Muslims that mutual social responsibility is different from any similar Western concepts. He alleged that the concept of mutual social responsibility of Islam is always compulsory. The fact that this mutual social responsibility of Islam involves both smaller units of society -the individual, family and neighborhood- and bigger units of society- the state-, is believed by Qaradawi to be a concrete difference between the understanding of mutual social responsibility in Islam and that found in the West. The universality of mutual social responsibility in Islam is another point differentiating it from similar Western concepts. He argued that mutual social responsibility is always relevant, in all periods and places, and stressed that the advantage of *zakāt* extends to all societies in the world, as its distribution reaches all parts of the world.[48]

It is very clear that Qaradawi made a major point of *zakāt* in its relation to mutual social responsibility. The major point is that *zakāt* plays an important role in realizing mutual social responsibility as illustrated by its roles in social security *(al-taʾmīn al-ijtimāʿī)* and social solidarity *(al-ḍamān al-ijtimāʿī),* both of which have clear links with the system of economics

---

[46] For a detailed explanation see Mustafa al-Sibaʾi "Islamic Socialism" (the extract of his book *al-Waḥda al-Kubrā)* in Kemal H. Karpat, (ed.), *Political and Social Thought,* p. 123-4.

[47] For a detailed explanation see Mahmud Shaltut "Socialism in Islam", p. 128, and Mahmud Shaltut, *Al-Islām wa'l-Takāful al-Ijtimāʿī,* p. 6.

[48] Qaradawi, *Dawr al-Qiyām,* p. 401.

in Islam.[49] But when does *zakāt* play a role in social security and in social solidarity? *zakāt* serves as social security (*al-ta'mīn al-ijtimā'ī*) for people who pay *zakāt*. In this context, *zakāt* becomes an investment which may pay off in the future in case of financial weakness. Qaradawi describes this, being aware that there are many people who give their *zakāt* one year, but another year, because of, for example, lack of wealth, or because of being far away from their country of origin with limited finances, they cannot pay *zakāt*. Under those circumstances they become recipients of *zakāt* (*mustaḥiqqūn*) instead. *Zakāt* in this case is thus considered to be social security *al-ta'mīn al-ijtimā'ī* for their economic life.

In the same way, Qaradawi realized that there are many people for whom, because of a continuous lack of wealth to cover their needs, *zakāt* is not obligatory. He recognizes these people to be poor people and so they continuously become recipients of *zakāt*.[50] Therefore, for them, *zakāt* functions as social solidarity (*al-ḍamān al-ijtimā'ī*).[51]

It is then obvious that Qaradawi intended to convey that *zakāt is* not only a guarantee for the poor but also for those who may be poor in the future. From his point of view, the relation between *zakāt* and mutual social responsibility as well as the Islamic system of economics becomes very clear. Their relationship becomes more apparent when he relates these two factors or roles embodied in *zakāt* to the Islamic system of insurance. He wrote that "the greatest form of insurance which Islam has legislated for its followers among those deserving to receive *zakāt* funds relates to the category of *al-ghārimīn* (those in debt)."[52] Therefore, the Islamic system of insurance, according to him, can be found in *zakāt*, particularly in the category *of al-ghārimīn* recipients. Some of the early interpreters of the word *al-ghārimīn*, he maintains, indeed said that, "it denotes one whose house has burned down or whose property or trade has been destroyed by flood or disaster."[53] Thus, he does not doubt that

---

[49] *Ibid.*

[50] For a detailed explanation, see Qaradawi, *Fiqh al-Zaka,* p. 935.

[51] *Ibid.*

[52] Yusuf Qaradawi, *The Lawful and the Prohibited in Islam*, translated by Kamal El-Helbawy (Kuwait: International Islamic Federation of Students Organizations, 1992), p. 277.

[53] *Ibid.*

zakāt can solve contemporary economic problems.

When we understand Qaradawi's views on the Islamic system of insurance, we can also relate them to contemporary problems. Ibrahim M.A. El-Khouly said that, as the Qur'ān laid down, *zakāt* solves the problem of freedom, of indebtedness which threatens an individual with bankruptcy, hardship, stress, of defense and security of Muslim land against external threat and such matters, and of those who are away from their home seeking knowledge.[54] Moreover, Qaradawi held the opinion that mutual social responsibility does not merely aim to cover the minimum limit of the needs of livelihood (*al-ḥadd al-adnā li'l-mā'isha*). It aims to fulfill the needs of adequate livelihood (*tamām al-kafāya)*. In his opinion fulfilling the minimum limit of the needs of livelihood is only to help people when they are in a critical situation or emergency.[55] From this point of view, Qaradawi wanted to convey the idea that, while voluntary charity can only fulfill the minimum requirement of the needs of livelihood, *zakāt* can supply the answer to cover all the needs of livelihood for the indigent. Here, he again showed the close relation between *zakāt* and the concept of mutual social responsibility and in turn the system of economics in Islam.

E.   Conclusion

Zakāt, for Qaradawi, makes a fair contribution to social and economic stability. It is not used to merely meet the present needs of the poor and needy, but serves other functions that profoundly contribute to social life in a broad sense of social justice. Social justice, which is the ultimate goal of *zakāt,* can be seen in the way *zakāt* puts an end to the various causes of class hatred and creates space for brotherhood and solidarity. An attempt to achieve such social and economic stability does not depend on the personal feelings of the wealthy. It is rather based on a firmly established right, i.e., *zakāt.*

---

[54]   El-Khouly, "Islam and the Pillars", p. 55.

[55]   Yusuf Qaradawi defined and restricted *al-kifāya* to the need of food, clothing, accommodation and others. The other Islamic jurists even said that providing students with books is included in the needs of adequate living. Further they also included marriage. That is why the jurists of the Islamic law maintained that the revenue of *zakāt* can be distributed for both spiritual and material needs of the Muslim society.

Above all, Qaradawi is of the opinion that *zakāt,* which encompasses the dimensions of social security (*al-ta'mīn al-ijtimā'ī*) and social solidarity (*al-ḍamān al-ijtimā'ī),* has a close relationship to the notion of mutual social responsibility *(al-takāful al-ijtimā'ī)* and the system of Islamic economics. His approach, that the concept of Islamic insurance can be adjusted to the interpretation of *al-ghārimīn,* and that mutual social responsibility aims to fulfill the needs of adequate livelihood, which can be supplied only by *zakāt,* confirms his concern with the importance of *zakāt* as the foundation of both the social and economic systems of Islam.

Nonetheless, a number of critical points need to be addressed here. Qaradawi is not quite clear about how this idealistic vision of *zakāt* can function perfectly. He, for example, did not give a clear position on how the state must be involved in the management of *zakāt.* He just said that *zakāt* takes the place of mutual social responsibility, and hence, its application is the duty of the society, through the state. However, he continues to insist on its religious value; therefore he does not suggest the extent to which the state should play a role in the application of *zakāt.* For him, an individual can pay his *zakāt* directly to the recipients, if he sees it fit. Neither did he discuss clearly how *zakāt* can be collected and allocated or distributed to reach all parts of the worlds to achieve the two functions, social solidarity and security, particularly social security related to the Islamic concept of insurance.

Above all, when he differentiates mutual social responsibility in Islam from similar Western concepts, Qaradawi merely alleged that the concept of mutual social responsibility of Islam is always compulsory and that it involves the responsibility of both smaller units of society -the individual, family and neighborhood- and bigger units of society- the state- without looking closely at how the Western concept works out. Taking the universal character of mutual social responsibility in Islam to differentiate it from similar Western concepts is too apologetic, as Western concepts of mutual responsibility similarly extend to all societies. In other words, to gauge the excellent concept of *zakāt* in Islam, he did not have to take pains to compare it with other concepts.

The fact that Qaradawi rarely mentioned the doctrine of justice when he spoke of *zakāt* is another point that needs to be questioned here. He did discuss the doctrine of justice, but he did not directly relate it to its

social dimension. He instead discussed it in the context of how to apply *zakāt* in a fair way, as justice is a basic foundation in ethical behaviour. In his *Dawr al-Qiyām wa'l-Akhlāq fi'l-Iqtiṣād al-Islāmī,* he discussed "justice", which connotes a social aspect. However, in contrast to other scholars, such as Qutb, he did not express the social connotation of justice in the Arabic term of social justice, i.e., *al-ʿadāla al-ijtimāʿiyya.* This is apparently related to Qaradawi's attempt not to be trapped in the revolutionary discourse developed by Qutb and remain in a middle position to campaign for Islam's relevance to contemporary social issues.

BIBLIOGRAPHY

Aghnides, Nicolas P., *Mohammedan Theories of Finance*, New York: Columbia University, 1916.

Declambre, A.M., "Milk", in *The Encyclopaedia of Islam,* Vol. VII, 1993.

Glasse, Zyril, (ed.), *The Concise Encyclopedia of Islam*, London: Cyril Glasse and Stacey International, 1989.

Hanna, Sami A., "al-Takāful al-Ijtimāʿī and Islamic Socialism" in *The Muslim World,* Vol LIX, USA: The Hartford Seminary Foundation, 1969.

Al-Jazīrī, ʿAbd al-Raḥmān, *al-Fiqh alā al-Madhāhib al-Arbaʿa*, Lebanon: Dār al-Kutub, 1986/1406.

Karpat, Kemal H. (ed.), *Political and Social Thought in the Contemporary Middle East*, London: Pall Mall Press, 1968.

El-Khouly, Ebrahim M. A., "Islam and the Pillars of its Faith", in Salem Azzam (ed.), *Islam and Contemporary Society*, London and New York: Longman, 1982.

Mawardi, *al-Aḥkām al-Sulṭāniyya*, Lebanon: Dār al-Kutub al-ʿĀlamiyya, 1405.

Al-Mawdudi, Abu al-Aʾla, *Capitalism, Socialism and Islam,* translated by Sharif Ahmad Khan, 2nd ed., Kuwait: Islamic Book Publishers, 1987.

Qaradawi, Yusuf, *Fiqh al-Zaka*, Cairo: Maktabat Wahba, 1994.

----, *Dawr al-Qiyam*, Cairo: Makatbat Wahba, 1995.

----, *The Lawful and the Prohibited in Islam,* translated by Kamal El-Helbawy, Kuwait: International Islamic Federation of Students Organizations, 1992.

----, *Mushkilāt al-Faqr*, Cairo: Maktabat Wahba), 1995.

----, *Ḥawla Qaḍāyā al-Islam waʾl-ʿAṣr*, Cairo: Maktabat Wahba, 1995.

----, *Bayʿ al-Murābaḥa liʾl-Amīr biʾl-Shirāʾ kama Tujrihi al-Maṣārif al-Islāmiyya: Dirāsa fi Ḍawʾ al-Nuṣūṣ waʾl-Qawāʾid al-Sharʿiyya*, Cairo: Maktabat Wahba, 1995.

----, *Hudā al-Islam: Fatāwā Muʿāṣira*, Lebanon: Dār Afaq al-Ghad, 1401/1981.

----, *Risālat al-Azhar Bayna al-Ams wa'l-Yawm wa'l-Ghad*, Cairo: Maktabat Wahba, 1984.

Riḍa, Rashīd, *Al-Manar* (*Majallat 'Ilmiyya Adabiyya*), Vol. VIII, 1902.

Shalṭūṭ, Maḥmūd, *al-Islām wa'l-Takāful al-Ijtimā'ī*, Cairo: Maṭba'at al-Azhār, nd.

----, "Al-Ishtirākiyya wa'l-Islām" ("Socialism and Islam"), in Kemal H. Karpat (ed.), *Political and Social Thought in the Contemporary Middle East*, London: Pall Mall Press, 1968.

----, "Al-Ishtirākiyya wa'l-Islām", in *al-Jumhūriyya*, Cairo, December, 22, 1961.

Watt, W. Montgomery, *Muhammad at Medina*, Oxford: Clarendon Press, 1956.

Al-Zuḥayli, Wahbah, *al-Fiqh al-Islāmī wa-Adillatuhu*, Vol. IV, Damascus: Dār al-Fikr, 1997.

Euis Nurlaelawati

WESTERN STUDIES OF THE QUR'ĀNIC NARRATIVE: from the Historical Orientation into the Literary Analysis

Munirul Ikhwan

Fellow of the Training Indonesia's Young Leaders-
Islamic Studies Master Program, Leiden University, the Netherlands

Abstract

The beginnings of Western interest in the Qur'ān can be traced back to the appearance of the first complete translation of the Qur'ān into Latin by Robert of Ketton in the twelfth century when the Muslim and Western Christian worlds has begun a long-running confrontation. In the eighteenth century, Western scholars began to be interested in studying the history and sources of the Qur'ān. The Qur'ānic narrative, which has its parallels in the Judeo-Christian traditions, has been studied from the historical perspective. In this approach, everything in the Qur'ān that can be also found in earlier scriptures, is considered as borrowed, and every story that the Qur'ān modifies is viewed as distorted. Recent Western studies have shifted into a new arena, studying the contents and styles of the Qur'ānic narrative by analyzing its discourse and narrativity.

Keywords: Western scholarship, Qur'ānic studies, Judeo-Christian source

A. Introduction

The spread of Islam into Christian and Persian territories brought with it the introduction of the Qur'ān and the Arabic language as well. An important motivation behind Western interest in the Qur'ān lies in the extended confrontation between the Islamic and Christian worlds during

the Middle Ages. This interest began at least in the twelfth century when the first complete translation of the Qur'ān into Latin was produced by Robert of Ketton.[1] The translation was initially motivated by Western Christian polemics against Islam, constructing arguments to counter Muslim accusations of the deficiencies of the Bible and to facilitate missionary activities. It might be said that the earliest history of Western studies of the Qur'ān was the result of the interplay between the Muslim faith and Christian polemics.[2]

More scholarly Western studies of the Qur'ān began in the nineteenth century. These studies focused primarily on discussions of the original sources and chronological order of the Qur'ān. Studying the Qur'ān according to its chronological order has been viewed as a significant step towards understanding its contents based on its historical context. Considering the Qur'ān as the work of the Prophet Muhammad, Western scholars of that period viewed this kind of study as indispensable for describing the development of the Prophet's emotion and intellect during his mission, as well as identifying the sources of the Qur'ān. The appearance of a number of biographies of the Prophet in the nineteenth century by notable Orientalists such as Gustav Weil, William Muir and Aloys Sprenger had introduced material relevant to the study of the Qur'ān, which later became a separate discipline in itself. The publication of Theodore Nöldeke's work, *Geschichte des Qorans*, in 1860, seemed to be the most phenomenal event of nineteenth-century Orientalist studies of the Qur'ān. In this book, the author proposed a chronological scheme of his own, dividing the revelation, as Muslim scholars do, into two major periods, the Meccan and the Medinan, but further dividing the Meccan period into three sub-periods.[3] Nöldeke's chronological scheme was based on his analysis of the style and characteristic phrasing of *sūra*s. On the other hand, beginning from the premise that a *sūra* may be constructed from verses with different dates of composition, Richard Bell proposed

---

[1] Hartmut Bobzin, "Translations of the Qur'ān", in Jane Dammen McAuliffe (ed.), *Encyclopedia of the Qur'ān* (Leiden: Brill, 2006), vol. V, p. 344.

[2] Andrew Rippin (ed.), *The Qur'ān: Style and Contents* (Aldershot [etc.]: Ashgate, Variorum, 2001), p. xi.

[3] Richard Bell, *Introduction to the Qur'ān* (Edinburgh: Edinburgh University Press, 1953), p. 101.

analyzing every verse, the smallest unit within the Qurʾān, to arrange its chronological order.[4]

Early Western studies of the Qurʾānic narrative were part of their studies of the Qurʾān in general. With reference to the dictum of the ancient Greek philosopher Democritus that "nothing has sprung from nothing,"[5] and drawing on phenomenology, Western scholars identified possible influence of pre-existing cultures, including ancient Arabian, Jewish, and Christian cultures, on the construction of narratives in the Qurʾān. Through a historical analysis, the presence of some Biblical parallels of narratives in the Qurʾān was seen as evidence of this influence through cultural interaction. However, early Western studies of the Qurʾānic narrative are thought to bear religious and sectarian bias in the sense that every single story which corroborates that of earlier scriptures is viewed as borrowing, and every story that the Qurʾān modifies in content is considered as deviant, since this narrative is assumed to have been taken from non canonical scriptures or other unknown sources.

Recent Western studies of the Qurʾānic narrative tend to have shifted from a historical orientation to a more literary approach, with Western scholars conducting serious studies on the content of the Qurʾān. In the Muslim world, this literary approach was introduced in the first half of the twentieth century as the result of regular encounters between Muslim and Western scholarship, especially in the study of literary criticism. This literary approach has as its principal goal the study of the Qurʾānic narrative, not the events presented in it or the question of their historicity, but rather its religious messages and psychological effects. Still within the framework of phenomenology, this Western literary approach to the Qurʾānic narrative derives partly from the discussion of the Qurʾānic discourse, and partly from the analysis of the narrative structure of the Qurʾān. These studies thus lead to the discussion of the affinity between the facts in the narrative and the facts in reality, or of truth conveyed through narrative structures.

This paper will deal with important approaches employed by some Western scholars concerning the Qurʾānic narrative and parallels found

---

[4] *Ibid.*, p. 102-4.

[5] William St. Clair Tisdall, *The Original Sources of the Qurʾān* (London: Society for Promoting Christian Knowledge & New York: E. S. Gorham, 1905), p. 11.

in earlier scriptures. It is, first of all, aimed at elucidating the importance of a phenomenology of religion as a means for analyzing similarities or parallels found in different religions in order to identify the meaning of a particular phenomenon which has religious significance. Two different forms of analysis will be introduced here, historical and literary. The former tends to measure the historicity of the Qur'ānic narratives from the 'truth' of Judeo-Christian traditions, while the latter focuses more on examining similarities in narratives, resulting from cultural interaction, and their religious significances.

B. The Phenomenological Approach and the Qur'ānic Narrative

There have been many approaches used in the study of religion. The comparative approach may be the most popular one, dealing with a comparison of religions as large units for the purpose of determining their typical value. It has to do with analyzing sources of each religion to comparatively identify any relative value among these religions. The most important task of this comparison is to give a general view of the different degrees of religious development and to indicate the place of each religion in this line of development,[6] whether it is higher or lower than the others.

There is another approach introduced in this field, namely phenomenology of religion, which originated in the discipline of comparative religion.[7] Considering religion as composed of different components, the phenomenology of religion focuses on understanding these components across their different forms in different religions. It is the search for parallels among religions. It is the systematic treatment of history of religion in the sense that it does not attempt to compare religions as large units, but takes out of their historical setting similar facts and phenomena, and studies them in groups. The purpose of this approach is to know the essence of religious thought in general, not from the perspective of the believers themselves.[8] Thus similar

---

[6] W. Brede Kristensen, *The Meaning of Religion: Lectures in the Phenomenology of Religion*, translated into English by John B. Carman (The Hague: Nijhoff, 1960), p. 2.

[7] Jacques Waardenburg, *Reflections on the Study of Religion* (The Hague [etc.]: Mouton, 1978).

[8] Kristensen, *The Meaning of Religion*, p. 1-2.

features or phenomena in different religions become the main object of phenomenological research to determine their significance.

Qurʾānic narratives, which constitute a considerable portion of the Qurʾān, have been an important subject of research by Western scholars since the eighteenth century. A phenomenological approach has become the most preferable approach to identifying narrative parallels in previous scriptures. The studies, as well as the Qurʾān itself, ascertain the existence of these parallels. However, there are different opinions concerning the relation between narratives in the Qurʾān and those in the previous scriptures, particularly on the question of whether or not there has been cultural borrowing.

According to the doctrine of Islam, all of these narratives were revealed by God to the Prophet Muhammad, and there was absolutely no human interference in their construction. Nevertheless, the use of the phenomenological approach provides us with various speculations and results. This approach aims to explain these narratives by examining the historical background of Arabia before the advent of Islam, where similar features of narrative could be found. In other words, by examining the historical background of Arabia, scholars expect to be able to trace the cultural connection between the Arabs, as the main listeners of the Qurʾān, and other people of different cultures. Therefore, a person who intends to employ the phenomenological approach must at the same become acquainted with the history of Arabia and its surroundings.

Based on historical investigations, Arabia was surrounded by Christian Kingdoms, with the Ghassanids Empire in Syria under Byzantine auspices in the north-west, the Ḥira Empire under the Persian Kingdom in Mesopotamia in the north-east, and the Abyssinia Empire in the west which spread its influence in Yemen. The possible influence of Christianity in Arabia can be seen from the journey of some Arab poets in Christian territories and commercial travel by camel riders and caravans.[9] On the other hand, the Prophet's migration to Medina was considered the beginning of Muslims' encounter with the Jewish community, who had established their settlement there many centuries earlier. The constant encounter of Muslims with the Jews in Medina has

---

[9] See: Richard Bell, *The Origin of Islam in its Christian Environment* (London: Frank Cass, 1968), p. 42.

been seen as the means for the introduction of Jewish tradition to the Muslim community, which is assumed, especially by Western scholars, to be reflected in the Qur'ān. Hence the phenomenological approach recognizes cultural connections or the possibility of cultural borrowing. Based on this identification, in general, Western studies of the Qur'ānic narrative generate two different orientations. The first considers these narratives as deliberately borrowed from the Old and New Testaments or other previous cultures. The second tends to view the existence of these parallels as part of a natural process in the sense that humanity is engaged in a common search for truth, with each religion constituting one effort in this search for truth.[10] Thus it shows the tendency to elucidate the Qur'ānic narrative from the perspective of narratology, focalizing the focalization of others through one's filter,[11] and the analysis of the Qur'ānic discourse.

C. Cultural Borrowing: the Polemical and Historical Orientation

The first study of the Qur'ānic narrative with a phenomenological approach might be credited to Abraham Geiger (d. 1874), a German rabbi and scholar who led the German Jewish reform movement, and his book *Was hat Mohammed aus dem Judentume aufgenommen*.[12] Compared to earlier Western study of the Qur'ān, his study is considered distinct in that he perceived the Prophet Muhammad as a sincere man in his religious mission -though he was viewed as very indebted to Judaism- rather than as an impostor or cheater. However, he contended that the Prophet had deliberately borrowed some Jewish concepts and material for his mission. To support the premise of borrowing, he tried to contextualize the life of the Prophet as well as the development of the Qur'ān -as the Prophet's work- with the facts and events of his time.[13] To define the idea of borrowing, Geiger took into account two aspects of analysis. First, it must be shown to exist in the Jewish tradition. Second, in order

---

[10] See: Jacques Waardenburg, *Reflections*, p. 94-5.

[11] Mieke Bal, "The Point of Narratology", in *Poetics Today*, Vol. 11, No. 4, Narratology Revisited II (Winter, 1990), p. 733.

[12] Abraham Geiger, *Judaism and Islam*, translated from the German by F.M. Young (Madras: the M.D.C.S.P.C.K Press, 1898).

[13] *Ibid.*, p. 1-2.

to be certain, it must be proved that it was really borrowed in the sense that it is only found in the Jewish tradition and not in Christian or other traditions.[14] His definition of borrowing is so simple that he might have difficulty making the connection between the parallels of narrative as shown later.

Interaction between the Jews and the Prophet and early Muslims took place after they migrated to Medina where they encountered three important Jewish tribes: Banu Qaynuqā', Banu Qurayẓa, and Banu Naẓir. These Jewish tribes possessed considerable power at the time when the Prophet came to Medina. Although the Jews of the region were considered ignorant compared to Jews in other regions - they knew the Jewish teachings only from oral tradition -, compared with the Arab people their system of belief was considered superior and so they gained respect from the others. From this point of view, Geiger argued that the Prophet was eager to ally with the Jews by accommodating their views. Thus it happened naturally that the Prophet wanted to know more about their views in order to include the Jews in his community. Furthermore this interaction created the opportunity for the Prophet to adopt material from Judaism into his own religious system.[15] Geiger considered Abdullah ibn Salām (d. 43/663), a learned Rabbi who converted to Islam during the Prophet's lifetime, as a person from whom the Prophet learned more about the Jewish tradition.

Geiger assumed that the Prophet borrowed both religious thought and narratives from Judaism. In terms of the quantity of borrowing, stories were deemed as the largest form of writing borrowed. This was due to these narratives providing listeners with, what he called, "the marvelous garb of fiction", which was regarded as an important aspect for captivating the attention of the audience. Considering the narratives of some figures mentioned in the Qur'ān as merely records of historical facts which did not support any doctrine in Islam except that of the unity of God and the resurrection of the dead, Geiger employed a historical approach by arranging the history of these figures in a chronological order based on Jewish sources such as the Bible, Mishna, Gemara, Midrash etc. The reason was that he intended to show, what he called, 'anachronisms'

---

[14]   *Ibid.*, p. 29.

[15]   *Ibid.*, p. 3-17.

among these narratives.[16]

Geiger surveyed the Qur'ānic passages mentioning a number of Biblical figures. He divided the periods of these figures into four periods: the period of Patriarchs, Moses, the three kings who ruled over undivided Israel, and holy men after the time of Solomon. His study of the Qur'ānic narrative is predominantly conducted, as suggested in phenomenology of religion, by comparing its parallels in the Jewish sources. The general conclusion of his study was that there are many mistakes in the Qur'ānic accounts of these figures due to the Prophet's ignorance of the approved Jewish sources, or his drawing on traditions unknown to Jews.

As noted before, Geiger based his argument for borrowing on the presence of Qur'ānic narrative parallels in Judaism. His idea of borrowing implies the superiority of the Jewish tradition over the 'truth' of narratives in the Qur'ān. This borrowing might happen due to cultural interaction, but to attribute the act of deliberate borrowing to the Prophet is something different. Narratives in the Qur'ān were actually delivered and adjusted within the minds and religious concepts of the audiences. Yet at the same time the Prophet intended to convey certain messages through these narratives. The case here concerns the relationship between the Prophet's mission and the existing culture of the audience. It seems to be impossible to communicate ideas beyond the audience's knowledge. Hence, narratives should be understood by examining the discourse between these two parties.

To make the study more distinct we will discuss some examples of Geiger's reading of Qur'ānic narrative. In the story of Cain and Abel, according to the Qur'ān, God sent a raven which scratched the earth to show Cain how to bury Abel after he killed Abel from jealousy that God accepted Abel's sacrifice (Q. 5:31).[17] Geiger contended that the story in the Qur'ān was wrong and did not fit the source from which the story came. By referring to a version mentioned in *Pirke de Rabbi Eliezer*, he argued that the raven did not teach Cain to bury Abel, but in fact it

---

[16] *Ibid.*, p. 74-5

[17] In Muslim commentaries and historiographies, the story is well-known as the story of Qābil and Hābil, two sons of Adam, who were asked to devote their offerings to God to seek His answer about the marriage arrangement proposed by their father.

inspired his parents on how to bury him.[18] Studies have suggested that *Pirke de Rabbi Eliezer* had actually been redacted after the advent of Islam. Indeed what was thought to be Jewish haggadic influence might well be quite the reverse.[19] Hence, it would not be reliable to base the argument of borrowing on a work composed after the Qurʾān has been revealed.

Another example is the story of Joseph. The Qurʾān's statement that Joseph's brothers joyfully asked their father to send him together with them (Q. 12:12) contradicts the Biblical account that the father himself sent Joseph to his brothers who were out herding their goats. Another mistake, according to Geiger, is the statement that one of the travellers who went to draw water found Joseph in the pit (Q. 12:19) conflicint with the clear word of the Bible that the pit was dry.[20] Before going any further, Geiger should explain first how he could make the connection between the two stories of Joseph because sūra Yūsuf actually belongs to the Meccan period[21], before the Prophet visited Medina and encountered the Jews living there. Geiger seems too ambitious in his view of the Jewish contributions in the Qurʾān. It should be emphasized that one should be extremely cautious about assigning specific origins to any narrative in the Qurʾān[22] without ample knowledge of the Qurʾānic discourse.

William St. Clair Tisdall, a British historian and philologist who served as the Secretary of the Church of England's Missionary Society in Isfahan, provides us with a wider survey of the parallels between elements of the Qurʾānic narrative and narratives found in earlier

---

[18]   Abraham Geiger, *Judaism and Islam*, p. 80.

[19]   N. A. Stillman, "The Story of Cain and Abel in the Qur'an and the Muslim Commentators: Some Observations", in *Journal of Semitic Studies*, 19 (1974), p. 231, 236. David Sidersky points out that the parallel of the story of the raven's scratching the earth from which Cain learned how to bury his brother's body, which is not mentioned in Genesis, is found in *Midrash Tanhuma*. Cf. David Sidersky, *Les origines des légendes musulmanes dans le Coran et dans les vies des prophètes* (Paris: Geuthner, 1933), p. 18.

[20]   Abraham Geiger, *Judaism and Islam*, p. 116-7.

[21]   It has been reported that educated Jews approached Arab leaders to ask the Prophet why the family of Jacob moved from Shām into Egypt and to ask him about the story of Joseph. For further information about the occasion of the revelation of sūra Yūsuf see: *Mafātīḥ al-Ghayb* of al-Rāzī, the *tafsīr* of Abī al-Suʿūd and the *tafsīr* of al-Bayḍāwī.

[22]   N. A. Stillman, "The Story of Cain and Abel", p. 239.

scriptures and cultures in his work, *The Original Sources of the Qur'ān*. The book bears a Christian bias. It might have a polemical tendency in that the author intended to show the superiority of the Christian tradition over Islam and blame the Prophet Muhammad for his ignorance of the truth of Christian doctrines.[23] Like Geiger, he considered the Qur'ān as the work of the Prophet, since the idea of revelation as understood by Muslims, as one of the sources in the hierarchy of truth in Islam, could not be accepted in Western scholarship. He based his argument on the premise that if the Qur'ānic *sūra*s are arranged in chronological order of composition, and then compared with the events in the Prophet's life, the result would be that every passage describes an occasion during which the Prophet interacted with his surroundings.[24] Thus St. C. Tisdall saw a close relationship between the development of the Qur'ān and the personality of the Prophet.

St. Claire Tisdall's study of the Qur'ānic narrative raised the idea that the Prophet deliberately borrowed a large number of materials from Zoroastrian and Judeo-Christian sources to establish his religion. Coming from a Christian background, and as one of its prominent missionaries in his time, it will be interesting to discuss his views on the Qur'ānic narrative in relation to the Christian tradition. To what extent did he maintain objectivity in his research? Did he tend to show the superiority of the Christian tradition over the construction of the Qur'ān narrative? How did he define 'borrowing' which became his point of departure in describing the Prophet's ignorance about the doctrines of Christianity?

In fact the Prophet's encounter with Christians was less compared to his interactions with Jews. However, St. C. Tisdall still insisted that

---

[23] This book has been included as an essay in Ibn Warraq's *The Origins of the Koran: Classic Essays on Islam's Holy Book*. Herbert Berg views the essay by St. Clair-Tisdall as being included for its 'Christian' perspective. It is not a particularly scholarly essay or even a polemical one. It uses the salvation history of Christianity to refute that of Muslims. The author is altogether too fond of using words such as 'foolish', 'fanciful', 'childish' and 'ignorant' when describing Qur'ānic (and for that matter Talmudic and Midrashic) stories that disagree with his Christian reading of the Old Testament. Cf. Herbert Berg, "Review: The Origins of the Koran: Classic Essays on Islam's Holy Book by Ibn Warraq", in *Bulletin of the School of Oriental and African Studies*, University of London, Vol. 62, No. 3 (1999), p. 558.

[24] W. St. Clair Tisdall, *The Original Sources of the Qur'ān*, p. 27.

there were Christian influences on the Qurʾān. He argued that there were Christian converts living around Arabia such as Banū Ḥārith of Najrān, Banū Ḥanīfa of Yamāma and Banū Ṭaʾi at Taymah. He also assumed that the Prophet encountered Christian monks when he visited Syria as a trader before his prophethood. From this point of view, he insisted that the Prophet must have heard about Christianity and then made his own assessment about the true Christian doctrines. However, he did not examine further as to what extent those Christian converts and monks attracted the Prophet's attention for the purposes of learning their religion. This is an important question to be kept in mind in order to establish the 'borrowing' attributed personally to the Prophet. Narratives of the Christian tradition could become folklore known by Arabs and other people at the time, since Arab caravans had reached Christian territories for commerce. Thus it can be assumed that some information about Christianity was known by Arabs through oral communication. The case here is closely related to cultural interaction. The Prophet himself never followed the track of those Arabs who sought the truth of religion such as Waraqa ibn Nawfal (d. 610). The Qurʾān is principally revealed to respond to the issues arising at the time and the needs of the community. Its contents, therefore, are related to the discourses going on during the Prophet's mission. Thus the discussion of Qurʾānic narratives which have parallels in earlier traditions must be done within the discussion of the Qurʾānic discourse.

As a matter of fact, there are only a few references to the Christian tradition in the Qurʾān, and their significance is usually to defend the doctrine of the unity of God, confirm that Jesus was the son of Mary,[25] and to dismiss the doctrine of the crucifixion of Jesus. St. Claire Tisdall stated that the Qurʾān relied on stories found in the apocryphal Gospels, not the Canonical ones, to define the real doctrines of Christianity. Consequently, he argued, that there were many mistakes and distortions in the Qurʾān concerning its description of Christianity. He mentioned

---

[25] There are three different opinions about Jesus. Jews view Jesus as a person who was born from adultery; the majority of Christian believe he was born as the only begotten son of God; while Muslims consider him as one of the series of prophets sent by God who was born neither from adultery nor begotten by God, but from the spirit exhaled by God through an Angel to Mary.

some narratives assumed to have been borrowed from Christianity, such as the story of the companions of the cave (*aṣḥāb al-kahf*, sūra al-Kahf, 18:9-26), and the childhood of Jesus (sūra Maryam, 19:27-36) which will discussed below.

According to St Claire Tisdall, the parallel of the story of *aṣḥāb al-kahf* is first related by Gregory of Tours (d. 594). The story is not mentioned either in the Old Testament nor the New Testament. It is about the legend of seven noble Christians of Ephesus who fled from persecution in the time of Decius (r. 249-51) and took refuge in a cave not far from the city. Eventually, their enemies found where they were and blocked up the entrance of the cave, leaving them to die of hunger. They slept in the cave for a long time and awoke in the time of Theodosius II, when Christianity became triumphant. They sent one of them to buy some food. People were surprised that this man bought food with a coin produced by Decius, which was considered a treasure at the time. He then told the story of himself and his companions. St. Claire Tisdall considered the story to be an allegory or religious romance showing the rapid spread of the Christian faith.[26] He assumed that the story was widely known in many regions of the East long before the Prophet's lifetime.

The Story of *aṣḥāb al-kahf* is mentioned in sūra *al-Kahf* (18:9-26). In general the story serves to reinforce the faith in the unity of God by relating the story of young men who faced persecution due to their persistence in maintaining the ideology of the unity of God. According to its occasion of revelation, it has been reported that al-Naḍar ibn al-Ḥarith, one of the people who fought against the Prophet's mission, came from Ḥira, an ancient city located south of Kufah, and learned reports of Rustam and Isfandiar. The Prophet used to deliver narratives of ancient figures in front of the Arab people. When he had finished his session (*majlis*), preaching the unity of God and relating the stories of those ancient people, al-Naḍar came and sat on the Prophet's place, and told the Quraysh people that he could relate stories better than the Prophet. He then related the stories of Persian kings and heroes. The Quraysh leaders then sent Al-Naḍar and ʿUtba ibn Abī Muʿiṭ to Medina to meet the Jewish rabbis, who were considered the most reputable persons to have knowledge about the stories of prophets and ancient people. This

---

[26] W. St. Clair Tisdall, *The Original Sources of the Qurʾān*, p. 147-8.

mission was aimed at seeking information about the personality of the Prophet Muhammad and his mission. The Jewish rabbis recommended they ask him three things: young men who had fled long ago, a person who traveled to the east and west of the earth, and soul (*rūḥ*). If he could answer these things, he was a prophet; but if he could not he was just a story teller (*mutaqaqqil*).[27]

Based upon the occasion of its revelation, we have to take into account that first, the story surely belongs to the Meccan period when Arab culture was dominant and the power was still in the hands of tribal leaders. Second, the Jewish rabbis' recommendation to the Quraysh's envoys to ask the Prophet three things to measure whether or not he was a real prophet indicates that the story was also known by the Jews. This seems to contradict St. Claire Tisdall's assumption that the story, described as an allegory or religious romance, belongs to the Christian tradition describing the rapid spread of the Christian faith. And finally, the story might have been widely known by people generations before the time of the Prophet, especially by those who were interest in spirituality and religiosity.

Another example is the story of the childhood of Jesus. It has been reported that Jesus spoke when he was still in the cradle to defend his mother, Mary, against the accusations of her people (Q. 19:27-36). The parallel of the story is found in the apocryphal Arabic Gospel of infancy (*Injīl al-Ṭufūliyya*). St. Claire Tisdall contended that the Gospel has been translated into Arabic from the Coptic. He argued that the Prophet knew the story from his concubine, Mary the Copt, who was sent by the Christian Egyptian governor as a present.[28] However, he seems to be

---

[27] Ibn Ishaq, *al-Sīra al-Nabawiyya* (Ribat: Maʿhad al-Dirāsāt waʾl-Abḥāth liʾl-Taʿrīb, 1976), p. 182-3.

[28] W. St. Clair Tisdall, *The Original Sources of the Qurʾān*, p. 169-70. David Sidersky cited a number of parallels of this narrative found in Judeo-Christian traditions. It is known in the Jewish tradition as the miraculous sleeper. It was Honi Hamaʾagal, a wise master, who met an old man planting carob trees. He wondered why this old man planted carob trees since they would only bear fruit after approximately seventy years. He eventually knew that following his ancestors, he planted them for his descendents. Because of fatigue, this wise master took a rest and then slept around this place. He wondered when he woke up because a young man ate that carob fruit. He realized that he had slept for seventy years until those carob trees planted by that old man bore fruit.

mistaken in claiming that the Prophet became acquainted with the story through Mary the Copt. In fact the story is mentioned in sūra Maryam which belongs to the Meccan period. It is no doubt that the Prophet met Mary the Copt after *hijra* (migration) when he lived in Medina. From this fact, it shows the invalidity of his argument.

D. Cultural Connection: the Literary Orientation

Western studies of the Qur'ān, especially in the classical phase, are primarily concerned with the original sources and development of the Qur'ān. These studies, to some extent, are beneficial for tracing the cultural connections between Arabic and other cultures, or from a theological perspective, discovering how God communicated with human beings. However, among the vast corpus of the works of early Orientalists, only a few dealt with the contents of the Qur'ān. This may be due to linguistic barriers, or the fact that the organization of topics in the Qur'ān is different from that of scriptures widely known in the Western tradition, or the fact that the contents of the Qur'ān were peripheral to the efforts and worldview of Orientalists.[29]

Recently, there have been efforts to revise the classical orientalist legacy by allowing the Qur'ān to speak for itself.[30] Contemporary studies of the Qur'ān are aimed at shedding light on problems that arise from a sectarian reading and understanding of the Qur'ān constituted by the spirit of crusades and colonization in Western scholarship.[31] It is

---

David Sidersky said that the story of *aṣḥāb al-kahf* probably was more similar to the Christian tradition such as a homily of Jacques de Saroug about the legend the seven sleepers and that of Gregory of Tours as mentioned by St. William Tisdall. Cf. David Sidersky, *Les origines des légendes musulmanes dans le Coran et dans les vies des prophètes* (Paris: Geuthner, 1933), p. 153-4.

[29] S. Parvez Manzoor, "Method against Truth: Orientalisma and Qur'ānic Studies", in Andrew Rippin (ed.) *the Qur'ān: Style and Contents* (Aldershot [etc.]: Ashgate, Variorum, 2001).

[30] *Ibid.*, p. 389.

[31] Considering Orientalism as a mode of Western discourse with the Orient, Edward Said identified three levels of definition of Orientalism: as an academic field to study Oriental cultures and history, a style of thought based upon an ontological and epistemological distinction made between "the Orient" and "the "Occident", and a Western style of dominating, restructuring and having authority over the Orient. The

unfortunate that the Qurʾān has been increasingly exposed to examination and representation that lacks deep insight into the theological, ethical and spiritual messages of the Book. It is a fact that the historical approach is the dominant feature of the studies employed to expound the Qurʾān. To understand what this Book is, the profound study of the contents of the Qurʾān becomes an indispensable task.

Toshihiko Izutsu, the Japanese scholar who had a good reputation among both Muslim and Western scholars, proposed 'semantics of the Qurʾān' as a method of semantical or conceptual analysis of Qurʾānic vocabulary. He defined this method as an analytic study of key terms of a language with a view to arriving at a conceptual grasp of the worldview of the people who use that language.[32] Izutsu's semantics suggests that the Qurʾān should only be understood in the sense of a Qurʾānic world view, the Qurʾān's vision of the existence. Since the Qurʾān was revealed in parts in Arabia over a period of approximately twenty three years, it is inevitable to examine and understand the Qurʾānic discourse. Izutsu identified three different systems of words which were used in Arabia before the revelation: a purely Bedouin vocabulary representing the typically Arabian world view of nomadism, a mercantile vocabulary produced from the mercantile economy in Mecca, and the Judeo-Christian vocabulary used among the Jews and Christians living in Arabia. The vocabulary of the Qurʾān is a mixture of these different systems.[33] Izutsu's

---

relation between these levels of definition is interdependent. As an academic field, the beginnings of Orientalism can be traced back to the European constant contact with the East during the colonization period, especially in the nineteenth century and early twentieth century. In this period, the definition of the Orient, as well as the Muslim World, was created and much influenced by the Western European perspective. See: Edward Said, *Orientalism* (New York and Canada: Random House, 1979), p. 1-4.

[32] Toshihiko Izutsu, *God and Man in the Qurʾān: Semantics of the Qurʾānic Weltanschauung* (Kuala Lumpur: Islamic Book Trust, 2002), p. 2-3.

[33] *Ibid.*, p. 36. Muhammed Arkoun considers the event of the Qurʾānic revelation as the Qurʾānic fact, *le fait coranique*, which is defined as a linguistic, cultural and religious event which divided the Arab domain into two sides of thought: the savage thought, which was characterized linguistically by the diversity of dialects and religiously by paganism, and civilized thought, which flourished with the establishment of the Muslim community, the unification of language and a 'civilized' culture. It does not mean that the former culture ceased to exist. Both coexisted and engaged the other. See: Muhammed Arkoun, *La pensée arabe* (Paris: PUF, 2003), p. 11.

semantics is not just meant to examine these vocabularies or concepts in isolation as mentioned in the Qur'ān, but it examines their contextual import by analyzing their meanings before the advent of Islam and their possible new meanings in the Qur'ān. The concept of *Allah*, for instance, was viewed by the Arabs as the highest and the most supreme deity in their hierarchy of deities.[34] The Qur'ān, however, gives this concept a new meaning, that is, the Only God.

Related to the discussion of the Qur'ānic narrative, the semantical approach of Izutsu implies the need for further investigation of the narrative meanings and concepts presented in the stories of the Qur'ān by comparing them with parallels found in earlier scriptures. What is the meaning or function of these narratives in earlier scriptures, and what is there meaning and function in the Qur'ān?

As a matter of fact, the Qur'ānic narratives were constructed within the Arab world view of that time. Therefore, to understand these stories it is necessary to consider the Arab vision of the universe and the new mission brought by the Prophet Muhammad. As stated by the Qur'ān itself, the Qur'ānic narratives are predominantly meant to serve religious teachings about the unity of God, the affirmation of the Prophet's mission and eschatological issues, the resurrection of the dead and reckoning. Hence, reading the Qur'ānic narrative has to be performed in relation to examining the Qur'ānic discourse in order to grasp its particular meaning.

Another literary reading of the Qur'ānic narrative comes from Neal Robinson (2002) who proposes the idea of 'affinity' between the event in narrative and that in reality. The Qur'ān depicts Jesus as one of a series of prophets sent by God, beginning with Adam and culminating with the Prophet Muhammad. Therefore, the Qur'ān depicts Jesus and Muhammad as having a number of things in common. They both are called a prophet (*nabī*), a messenger (*rasūl*) and a servant ('*abd*) of God. Jesus received a revelation called *al-injīl*, and Muhammad received the Qur'ān. Both the *injīl* and the Qur'ān represent the confirmations of

---

[34] It has been mentioned in the Qur'ān 39:3 that the Meccan heathens stated that they worshiped the idols only that they might bring them near to Allah. This shows two different meanings of the concept of deity of the word *Allah* between that used by the pre-Islamic Arabs and that used by Islam.

previous scriptures. Jesus is depicted as a prophet who called people to the unity of God, as did Muhammad. From this, Robinson suggests an affinity between the Qur'ānic narratives of Jesus and the actual mission of the Prophet Muhammad. He concludes that it should be clear that the Qur'ānic representation of Jesus serves to legitimize the prophethood of Muhammad by giving the impression that he was doing what Jesus had done before.[35]

Another instance of the affinity mentioned by Robinson is the affinity between Mary and 'Ā'isha since they both were accused of sexual immorality. The case of Mary began when she was visited by God's spirit in the shape of a handsome man when she was alone in the temple (Q. 19:17). She came back to her people, and was then accused of adultery. Finally this accusation was defended by revelation (Q. 19:27-33). Although the case of 'Ā'isha is different, it has an affinity with Mary's story. According to the tradition, the story began when she was chosen by the Prophet among his other wives to accompany him in a campaign.[36] When the Muslim soldiers were returning after the campaign, 'Ā'isha was accidentally left behind at the camp site. Her howdah had been put on the back of the camel while she was in her privy and then she looked for her necklace which went missing while doing her privy. Tongues began to wag, spreading a rumor when she returned to Medina accompanied by a handsome young man who had come behind the army and had not spent the night with them.[37] This incident brought about a serious crisis which was solved later after the Prophet received a revelation (Q. 24:11-20). According to Robinson, despite different cases, there are still a number of similarities. First, each of them encountered a handsome man when they were alone; second, in both cases the accusation was defended by revelation; and third, the Qur'ān criticizes the people who

---

[35]   Neal Robinson, "Jesus and Mary in the Qur'ān: Some Neglected Affinities", in Andrew Rippin (ed.), *The Qur'ān: Style and Contents* (Aldershot [etc.]: Ashgate, Variorum, 2001), p. 25-6.

[36]   It was the Prophet's tradition to draw lots amongst his wives when he intended to go on a journey, one of whom got the lot would accompany him in the journey.

[37]   This story is mentioned in various books of ḥadīth such as Ṣaḥīḥ al-Bukhārī no. 2467 (*Kitāb al-Shahādāt*), no. 3826 (*Kitāb al-Maghāzī*), and no. 4381 (*Kitāb Tafsīr Qur'ān*), and Ṣaḥīḥ Muslim no. 4974 (*Kitāb al-Tawba*).

spread the accusation (Q. 3:156 for Mary's case).[38]

In his reading, Robinson employs a diachronic analysis of revelation to reveal the idea of affinity in the Qur'ānic narrative, mentioning *sūra* Maryam, which belongs to the Meccan period, to establish an affinity between the story of Mary and that of 'Ā'isha. It is well-known that the case of 'Ā'isha took place after the Prophet's settlement in Medina, and *sūra* al-Nūr itself, in which the case of 'Ā'isha is mentioned, belongs to the Medinan period. His analysis might be different from that of Muḥammad Aḥmad Khalafallah who employed a synchronic analysis of a particular revealed narrative. Khalafallah considered every story as an independent narrative which contains a certain message and a psychological effect. Thus the idea implies that every narrative has its own affinity with a particular incident of the Qur'ānic discourse.[39]

Another Western literary reading of the Qur'ānic narrative has been credited to Mieke Bal, a Dutch literary critic and a proponent of narratology, in *Loving Yusuf: Conceptual Travels from Present to Past*. Her reading of the Qur'ānic version of the story of Joseph is part of her reading of the Biblical version of the same story. It might be said that her reading of the Qur'ānic narrative is a kind of literary reading from otherness and ignorance, as she admits. By juxtaposing the Biblical and Qur'ānic versions, she examines the parallels of the story to indicate some similarities and additions found in each version. Her reading of the biblical narrative is based on the concept of 'cultural memory', which is defined as the gap between the words on the page and the meanings[40] which are generated from culturally and historically different readings. This concept is primarily meant to describe the gap between the long-term continuity of texts and the fast changing communities of readers. How can relatively stable texts have varying meanings? Mieke Bal delineates a distinction between two understandings of textuality and reading that she calls *literalism* and *fundamentalism*. The first reading, whose interest is

---

[38] Neal Robinson, "Jesus and Mary", p. 29.

[39] For more detail study of Khalafallah's reading on the Qur'ānic narratives we can refer to his work, *al-Fann al-Qaṣaṣī fī al-Qur'ān al-Karīm* (The Art of Qur'ānic narrative).

[40] Mieke, Bal, *Loving Yusuf: Conceptual Travels from Present to Past* (London & Chicago: the University of Chicago Press, 2008), p. 5.

in the precise wording, traces the cultural inheritance and opens it up for the contemporary world, whereas the latter, which is based on the idea that the texts contain the questions we ask of them, makes an appeal to an immutably referential, prescriptive meaning, an appeal that is based on a radical denial or negligence of how signs work.[41] As a literary critic, Bal proposes *literalism* reading which involves the role of culture in reading itself. Culture is a significant influence on one's reading as well as the construction of his questions. The questions we ask are culturally framed, embedded in ways of thinking and common conceptions of social life. Reading is establishing a meaningful connection between these relatively stable texts and the varying, historically shifting meanings they generate.[42]

Concerning reading the Qur'ānic narrative, especially the story of Joseph in which Mieke Bal finds a parallel in the Bible, she develops the idea of reading from 'ignorance' as an indispensable element for her analysis.[43] Her reading from ignorance seems to imply the fact that she avoids discussing materials and discourses involved in the construction of the Qur'ānic narrative. She juxtaposes the Bible and the Qur'ān as they are, as literary texts which contain a particular narrativity. She began to seek knowledge of the Qur'ān by reading some articles by Heck, Jomier, Kalner, and Peters which are addressed to Christian and Jew readers. Being a literary critic, these studies made her feel ambivalent since she considers herself as no longer belonging to the communities they addressed. Therefore, her analysis of the Qur'ānic version of the story of Joseph is primarily based upon the story as presented in the Qur'ānic text.

Kalner's argument - that the fewer details found in the Qur'ān's narratives is because it conveys only the information essential to make the point rather than telling a story and avoiding discussion of seemingly unrelated points - makes Bal question what theory of representation underlies the search for 'points',[44] what kind of measure is used to decide these points? Dealing with the story of Joseph in the Qur'ān, Bal analyzes the possible angle of the Qur'ān's improving on the Biblical

---

[41] *Ibid.*, p. 4.

[42] *Ibid.*, p. 4.

[43] *Ibid.*, p. 119.

[44] *Ibid.*, p. 124-8.

version, moving from a mythical narrative about 'the danger of women' to another point, 'women's solidarity'.[45] In this respect, she proposes what she calls 'Qur'ānic semiotics'[46] to read the Qur'ān, as a semiotic reading to understand *signs* in different versions. The Qur'ān gives new 'versioning' of the same story found in the Bible; it changes the version and improves the story to a certain degree to reveal some points different from those in the Bible.

Every story contains its own message or truth. Bal proposes the concept of *truth speak* to describe the relationship between narrative and truth as it manifests in the discursive versioning of the story of Joseph.[47] This truth is what the believer submits to. To understand what the truth is, we have to examine the narrator's form of speaking the truth. The Bible, especially Genesis, is ordered genealogically and chronologically to present the ideas of patriarchy and monotheism all together. The Bible which has been known to Western people for a long time ago affects their way of thinking, especially in terms of relating narratives chronologically. That is why Western scholars consider the Qur'ān's organization of story as strange.

Through a narratological analysis, Mieke Bal admits that the Qur'ān introduces another style of organizing narrative, a style which comes from a different culture. For readers familiar with a tradition of chronological reading, the organization of the Qur'ān is at first very disorienting and disruptive. To make the study more tangible, she considers the random

---

[45] Both the Qur'ān and the Bible agree that the wife of Potiphar (or al-'Azīz according to the Qur'ānic version) persuaded Joseph to lie with her. Once in the absence of people in the house she carried out her desire to seduce Joseph, but he refused to do so and then ran away. Afterwards, the Qur'ān mentioned an additional scene about the rumour arising from this incident among the ladies in the city. They blamed the ruler's wife who fell in violent love and went astray because she tried to seduce her slave-boy. When she heard of the rumour, she sent for them and prepared a repast, and gave each of them a knife. When Joseph appeared in front on them and they saw him, they were amazed and infatuated with him. Because of their amazement in him, they unconsciously cut their hands. This story, the amazement of the ladies of the city, is not mentioned in the Bible. Therefore, Mieke Bal contended that the Bible's version of the story emphasizes on "the danger of women", while the Qur'ān improves the story into another point such as "women solidarity".

[46] *Ibid.*, p. 129.

[47] *Ibid.*, p. 164.

structure of the Qur'ān as 'point' and the chronological structure of the Bible as 'line'. Point and line are the visual-conceptual metaphors of how to read these texts. The Bible proceeds with linearity, and the Qur'ān with points which need a certain degree of narrative chronology to be made. While the Bible's chronology bears the ideological connotation of development and historical truth, in which a construction of meaning is very useful and possible, the Qur'ān's stories begin to make sense according to a very different logic.[48]

Bal intends to realize a kind of intercultural understanding. She seems to place the Qur'ānic narrative which focuses on points as a source for reading that of the Bible which contends with chronology and lineage. She proposes a mode of reading which does not need to claim qualitative primacy or truth status as the result of temporal priority, a mode of reading which does not always associate the former with value. Take the story of Joseph, for instance. The Bible emphasizes Joseph's adventures in a chronological order beginning with the scene telling the reader that his father loved him very much to the extent that this love made his brothers jealous. Against his father's warning, Joseph then told his brothers about his dream which made them jealous and angry with him. As a consequence, he was led astray and sent into exile in Egypt. He was privileged by God and reunited with his father in a different land, and never came back to Canaan. According to Bal, the point here is disguised. The Qur'ān's version of the story does not emphasize chronology -although its different episodes are chronologically related- but rather points. That is why, in this sense, Bal proposes reading 'the chronology' of the Bible from 'the points' of the Qur'ān, or in other words reading the Qur'ānic narratives as giving direction on how to read the Biblical version.[49]

The narratological analysis conducted by Mieke Bal underlines the relevance of deep analysis on narrative structure to reveal what truth the narrator wants to convey. This analysis seems able to eliminate and

---

[48] *Ibid.*, p. 170-1

[49] *Ibid.*, p. 175

counter interpretations based on prejudice, convention or ideology[50] which makes the text suffer from the absence of comprehensive reading.

E. Conclusion

It is a fact that parallels of the Qur'ānic narrative can be found in earlier scriptures. Based upon historical investigation, Arabia was surrounded by Christian empires, and Arab caravans had reached Christian territories for their commerce before the period of the Prophet Muhammad. Moreover, Jewish communities had lived in Medina for many centuries and with whom the Prophet regularly encounters after the migration. Thus it is highly possible that Arab people were familiar with the Judeo-Christian tradition due to cultural interaction.

Similarities in features of narratives have been phenomenologically approached to identify their significances in religious life. However, Western readings of the Qur'ānic narrative from a historical perspective were very dominant in the early period and conducted in favour of the 'truth' of Judeo-Christian traditions. It means that everything Qur'ānic that corroborates earlier scriptures was considered borrowed and every story that the Qur'ān modifies is viewed as deviant. Moreover, these Christian readings blame the Prophet for having manipulated the real doctrines of Christianity because the Qur'ān cites the Christian narratives from apocryphal gospels, not from canonical ones. Western historical reading of narratives is apt to ascertain the contribution of earlier traditions to the Qur'ān or to show its historical distortion and the Prophet's ignorance of the real Judeo-Christian traditions.

In the later period, there is a distinct indication that Western scholars begin examining the content and particular wording of the Qur'ān. This study leads to the discussion of the Qur'ānic discourse, recognizing that the Qur'ān communicated to its first listeners within the culture they were acquainted with. Thus the Qur'ānic narratives are read as a means of promoting the Prophet's mission by relating his affinity to previous prophets. Furthermore, reading these narratives from within the Qur'ānic discourse implicitly suggests that there is an affinity between the facts in the narratives and the facts experienced by

---

[50] Mieke Bal, "The Point of Narratology", in *Poetics Today*, Vol. 11, No. 4, Narratology Revisited II (Winter, 1990), p. 750.

the Prophet and his followers during the period of revelation. From the narratological analysis, the Qurʾān presents a new version of relating narratives as a semiotic reading to understand narratives in the Bible: reading 'the chronology' of the Bible from 'the points' of the Qurʾān, or in other words reading the Qurʾānic narratives as giving direction on how to read the Biblical version.

BIBLIOGRAPHY

Arkoun, Muhammed, *La pensée arabe*, Paris: PUF, 2003.

Bal, Mieke, "The Point of Narratology", in *Poetics Today*, Vol. 11, No. 4, Narratology Revisited II (Winter, 1990).

----, *Loving Yusuf: Conceptual Travels from Present to Past*, London & Chicago: the University of Chicago Press, 2008.

Bell, Richard, *Introduction to the Qur'ān*, Edinburgh: Edinburgh University Press, 1953.

----, *The Origin of Islam in its Christian Environment*, London: Frank Cass, 1968.

Berg, Herbert, "Review: The Origins of the Koran: Classic Essays on Islam's Holy Book by Ibn Warraq", in *Bulletin of the School of Oriental and African Studies*, University of London, Vol. 62, No. 3 (1999).

Bobzin, Hartmut, "Translations of the Qur'ān", in Jane Dammen McAuliffe (ed.), *Encyclopedia of the Qur'ān*, Leiden: Brill, 2006.

Geiger, Abraham, *Judaism and Islam*, translated from the German by F.M. Young, Madras: the M.D.C.S.P.C.K Press, 1898.

Ibn Ishaq, *al-Sīra al-Nabawiyya*, Ribat: Ma'had al-Dirāsāt wa'l-Abḥāth li'l-Ta'rīb, 1976.

Izutsu, Toshihiko, *God and Man in the Qur'ān: Semantics of the Qur'ānic Weltanschauung*, Kuala Lumpur: Islamic Book Trust, 2002.

Khalafallah, Muḥammad Aḥmad, *al-Fann al-Qaṣṣī fi'l-Qur'ān al-Karīm*, Cairo: Maktabat al-Nahḍa al-Miṣriyya, 1950-1951.

Kristensen, W. Brede, *The Meaning of Religion: Lectures in the Phenomenology of Religion*, translated into English by John B. Carman, The Hague: Nijhoff, 1960.

Rippin, Andrew (ed.), *The Qur'ān: Style and Contents*, Aldershot [etc.]: Ashgate, Variorum, 2001.

Said, Edward, *Orientalism*, New York and Canada: Random House, 1979.

Sidersky, D., *Les origines des légendes musulmanes dans le Coran et dans les vies des prophètes*, Paris: Geuthner, 1933.

Stillman, N. A., "The Story of Cain and Abel in the Qur'an and the

Muslim Commentators: Some Observations", in *Journal of Semitic Studies*, 19 (1974).

Tisdall, William St. Clair, *The Original Sources of the Qurʾān*, London: Society for Promoting Christian Knowledge & New York: E. S. Gorham, 1905

Waardenburg, Jacques, *Reflections on the Study of Religion*, The Hague [etc.]: Mouton, 1978.

Munirul Ikhwan

نقد ابن تيمية للشيعة من خلال كتابه "منهاج السنة النبوية"

على مبروك

كلية الفلسفة، جامعة القاهرة، مصر

الملخص

هذا بحث حلل فيه صاحبه تحليلا خطابيا نقد ابن تيمية للشيعة من خلال كتابه المعروف "منهاج السنة النبوية"، حيث أن الباحث، بعد استعراض السبب الذى وضع من أجله الكتاب، يكشف من خلال نصوص الكتاب نفسه عن منهج ابن تيمية فى الرد على أقوال الرافضة عامة وقضية الإمامة خاصة، وعن طريقته فى دحض أقوال هذه الفرقة. وهو يكتشف أن ابن تيمية فى رده عليها يتبنى على آلية التفكير بالنص، وهو فى ذلك يتأثر بقوة بالأشعرى، مؤسس فرقة أهل السنة. وأما طريقته فى دحضها فتقوم على تبخيس ما يقدمه الرافضة من حجج، إلى الحد الذى يؤديه إلى اعتبارها مساوية باليهود والنصارى، بل أسواء منهم.

الكلمات المفتاحية: نقد، ابن تيمية، الرافضة، آلية التفكير بالناص.

أـ المقدمة

يقتضي التعرُّف على نقد ابن تيمية للشيعة التعرُّض، أولاً، للسياق الذى تبلور فيه هذا النقد. وإذا كان هذا النقد قد تبلور ـ على العموم ـ فى إطار ما عرفه تاريخ الإسلام من مساجلات ومناظرات الفرق الكلامية، وسعي كل واحدة منها إلى إثبات أنها وحدها، ودون غيرها، هى التى تمتلك الحق والفضل فى الدنيا والنجاة والفوز فى الآخرة، فإن صراعات السياسة وتجاذباتها قد لعبت أيضاً دوراً بالغ الأهمية والتأثير فى تبلور هذا النقد. ولعل ذلك ما يُفهم مما ذكره ابن تيمية بنفسه كسبب لتأليفه "منهاج السنة". فقد مضى إلى أن "طائفة من أهل السنة والجماعة أحضروا إليه كتاباً صَنّفه بعض شيوخ الرافضة فى عصره، منفقاً لهذه

البضاعة، يدعو به إلى مذهب الرافضة الإمامية، من أمكنه دعوته من ولاة الأمور وغيرهم من أهل الجاهلية ممن قلت معرفتهم بالعلم والدين، ولم يعرفوا أصل دين المسلمين....، فإن هذا الصنف يكثرون ويظهرون إذا كثرت الجاهلية وأهلها، ولم يكن هناك من أهل العلم بالنبوة والمتابعة لها من يُظهر أنوارها الماحية لظلمة الضلال....، وذكر من أحضر هذا الكتاب، أنه من أعظم الأسباب فى تقرير مذاهبهم عند من مال إليهم من الملوك وغيرهم. وقد صَنَّفه للملك المعروف الذى سمَّاه فيه خدابنده، وطلبوا منى ما فى هذا الكتاب من الضلال وباطل الخطاب، لما فى ذلك من نصر عباد الله المؤمنين‘‘[1]. وهكذا يموضع ابن تيمية نقده للمذهب الشيعي، ليس فقط ضمن إطار السعي النظري إلى بيان ما فى هذا المذهب من ‘‘الضلال وباطل الخطاب‘‘، بل وبسبب ما تآدى إليه هذا الكتاب، عملياً، من تقرير هذا المذهب (المُعتبر باطلاً وضلالاً بحسب ابن تيمية) عند من مال إليه من الملوك وولاة الأمور.

وتتأتى فاعلية البعد السياسي وتأثيره غير القابل للإنكار، من حقيقة أن الناس كانوا آنذاك- وربما لا يزالون للآن- على دين ملوكهم؛ وبما يعنيه ذلك من أن تحوُّل الملوك وولاة الأمور من مذهب إلى آخر (داخل نفس الدين) إنما يستتبعه تحويل رعاياهم- ولو بالقوة فى الأغلب- إلى هذا المذهب الجديد. ومن هنا ما يُقال عما جرى بعد أن تشيَّع هذا الملك (خدابنده) من أنه ‘‘بعث إلى البلاد والأقاليم حتى يخطبوا بالأئمة الإثنى عشر ويضربوا السكك على أسمائهم وينقشوها على أطراف المساجد والمشاهد‘‘[2]. وحين يُضاف إلى ذلك أن هذا الملك الذى تحول إلى التشيُّع (خدابنده الجايتو محمد)[3] قد تولى حكم خراسان بعد وفاة

---

[1] ابن تيمية: *منهاج السنة النبوية فى نقض كلام الشيعة القدرية*، تحقيق: محمد رشاد سالم (دار الفضيلة للنشر) الرياض، ١٤٢٤، ج١، ص٣-٥. وقد استجاب ابن تيمية نزولاً على قاعدة ‘‘تحريم كتمان العلم؛ قائلاً: ‘‘فلما ألحوا فى طلب الرد لهذا الضلال المبين، ذاكرين أن فى الإعراض عن ذلك خذلاناً للمؤمنين، وظن أهل الطغيان، نوعاً من العجز عن رد هذا البهتان، فكتبت ما يسَّره الله من البيان، وفاء بما أخذه الله من الميثاق (بعدم كتمان العلم) على أهل العلم والإيمان‘‘. *المصدر السابق*، ص ١٠- ١١. والملاحظ أن ابن تيمية قد حدد موقعه ضمن فريق ‘‘أهل العلم والإيمان‘‘، فيما تنتزِّل بخصمه إلى حزب ‘‘أهل الطغيان‘‘؛ وتلك آلية أخرى من آليات سيطرته على الخصم، والتى سيأتي ذكر البعض منها لاحقاً.

[2] *المصدر السابق*، ج١، ص ٧٥ من المقدمة.

[3] ثمة روايتان حول هذا التحوُّل؛ تذكر الرواية الأولى منهما أن السلطان إهتم بمعرفة حقيقة مذهب الإمامية، فأحضر بعض علماء الشيعة وعلى رأسهم ابن المطهر الحلي وأمره بمناظرة الشيخ نظام الدين عبدالملك المراغي الذى كان من أفضل علماء الشافعية. فاتفق- على قول الخوانساري- أن غلب العلاَّمة الحلي عليه بإقامة البراهين القاطعة على إثبات خلافة علي وفساد دعوى الثلاثة، بحيث لم يبق لأحد من الحضراء شبهة فيه، ولما رأى الشيخ نظام الدين، بهت نفسه وخجل، أخذ فى تحسين الرجل وذكر محامده. وخلاصة الرواية الثانية أن السلطان غضب يوماً من امرأته فطلقها ثلاثاً، ثم ندم وجمع العلماء فقالوا: لابد من المحلِّل. فقال أحد وزرائه: إن عالماً بالحِلَّة يقول ببطلان هذا الطلاق، فبعث الملك إلى ابن المطهر، رغم إعتراض علماء السنة

أخيه (قازان) الذى كان ميالاً بقوة لأهل السنة، وكان ابن تيمية يملك عليه تأثيراً كبيراً عليه⁴، فإن المرء يستطيع أن يُقدِّر ما كان يواجهه ابن تيمية من شعور بالإنزعاج دفعه إلى إنتاج هذا السفر النقدى الكبير، والذى بلغ حداً من الضخامة بدا معه وكأن الصفحة الواحدة من كتاب الخصم الشيعي تقابلها أكثر من مائة صفحة تقريباً من نقد ابن تيمية⁵. فقد أفاض ابن تيمية فى استطراداته؛ وإلى الحد الذى استحال معه كتابه إلى موسوعة شاملة فى الرد على كافة الفرقاء من متكلمي الإسلام وفلاسفته؛ وخصوصاً أولئك الذين تركت أفكارهم تأثيراً على الشيعة، كالمعتزلة مثلاً الذين يرى ابن تيمية أنهم كانوا ''عمدة الشيعة فى النظر والعقليات''⁶؛ وبما يدل عليه ذلك من عدم أصالتهم التى جعلتهم عيالاً على المعتزلة الذين هم، فى النهاية، جزءاً من أهل السنة. فإذ أقام العلَّامة الشيعي إبن المطهر الحلي بناء بعض الأفكار التى قدمها فى كتابه ''منهاج الكرامة (أو الإستقامة) فى إثبات الإمامة'' على أصول استفادها من غير الشيعة، كالمعتزلة والقدرية والجهمية والمجسمة والجبرية وغيرهم، فإن ابن تيمية قد أوقف كبيراً من كتابه على تفنيد تلك الأصول المُختصة بغير الشيعة. وبالطبع، فإنه إذا كان القصد هو متابعة نقد ابن تيمية للشيعة على الخصوص، فإنه يمكن صرف النظر عن مناقشته- رغم أهميتها البالغة- لتلك الأصول التى تخص غيرهم، والتركيز على ما يخص الشيعة فقط. وغنيٌ عن البيان أن أخص ما يخص الشيعة هو- على قول القاضى عبدالجبار المعتزلي- قولهم فى الإمامة الذى يتميزون به عمن سواهم⁷. فإذا جاز أن كل واحدة من الفرق الكلامية تتميز بتركيزها القول فى أصل (أو حتى جملة أصول) يباينها عن غيرها؛ وعلى النحو الذى مضى معه الخياط مثلاً⁸ إلى أن القول بالأصول الخمسة هو علامة على كون

على ذلك. فأفتاه بأن الطلاق الذى أوقعه باطل؛ لأنه لم تتحقق شروطه، ومنها وجود شاهدين عدلين. ثم شرع فى البحث مع العلماء حتى ألزمهم جميعاً، فتشيَّع الملك''. *المصدر السابق*، ج١، ص ٧٤-٧٥ من المقدمة.

⁴ محمد يوسف موسى: *ابن تيمية* (المؤسسة المصرية العامة للتأليف والترجمة والنشر) القاهرة ١٩٦٢، ص٨١.

⁵ ولقد كان ذلك ما مضى إليه ابن المطهر نفسه الذى أكد أن كتابه لا يعدو كونه مجرد رسالة أو مقالة صغيرة، ''لخص فيها خلاصة الدلائل، وأشار فيها- مجرد إشارة- إلى رؤس المسائل''. أنظر: *المصدر السابق*، ج١، ص ٤٧.

⁶ *المصدر السابق*، ج١، ص ٤٤.

⁷ القاضى عبدالجبار: *تثبيت دلائل النبوة*، تحقيق عبدالكريم العثمان (مكتبة وهبة) القاهرة ١٩٦٦، ج١، ص ٢٩٤.

⁸ ''ليس يستحق أحد منهم اسم الإعتزال حتى يجمع القول بالأصول الخمسة: التوحيد، والعدل، والوعد والوعيد، والمنزلة بين المنزلتين، والأمر بالمعروف والنهى عن المنكر. فإن كملت فى الإنسان هذه الخصال الخمس فهو معتزلي''. أنظر: الخياط: *الإنتصار والرد على ابن الراوندي الملحد*، تقديم ومراجعة:

المرء من أهل العدل والتوحيد، فإن الشيعي لايتميز عن غيره إلا بقوله فى الإمامة، الذى يبدو فيه مُبايناً لسائر فرق المسلمين. ومن هنا ضرورة تركيز التحليل على القول الشيعى فى الإمامة، وعلى نقد ابن تيمية لهذا القول تحديداً. ولعل ذلك يجد ما يدعمه فى ما يقرره ابن المطهر، بنفسه، من أن القصد من كتابه هو ''إثبات الإمامة''؛ وإلى حد جعله هذا الإثبات جزءاً من العنوان الذى وضعه للكتاب. فقد مضى الرجل يصف كتابه بأنه ''رسالة شريفة، ومقالة لطيفة، اشتملت على أهم المطالب فى أحكام الدين، وأشرف مسائل المسلمين، وهى مسألة الإمامة، التى يحصل بسبب إدراكها نيل درجة الكرامة، وهى أحد أركان الإيمان المستحق بسببه الخلود فى الجنان، والتخلص من غضب الرحمن، فقد قال رسول الله (صلعم): ''من مات ولم يعرف إمام زمانه مات ميتة جاهلية''. خدمت بها خزانة السلطان الأعظم، مالك رقاب الأمم، ملك طوائف العرب والعجم، مولي النعم، ومسدي الخير والكرم، شاهنشاه المكرم، غياث الملة والحق والدين، الجايتو خدابنده. قد لخصت فيه خلاصة الدلائل، وأشرت فيه إلى رؤس المسائل، وسميتها: منهاج الكرامة فى معرفة الإمامة''[9]. وغنيٌّ عن البيان أن دوران النص الشيعي حول الإمامة، وعلى هذا النحو الذى يبدو معه غير منشغلٍ بشئٍ آخر غيرها، إنما يستتبعه- وبالضرورة- تركيز القول على نقد ابن تيمية للإمامة تحديداً؛ وأعنى بما هى مركز هذا النص وجوهره. وبالطبع، فإنه إذا كان ''إثبات الإمامة'' هو قصد الكتاب وغايته، فإن ذلك يعنى أن تعرُّض الحلِّي لأفكار غير الشيعة، من المعتزلة والجهمية وغيرهم، لم يكن إلا من أجل توظيفها لإثبات الإمامة التى هى مدار مذهبه وقلبه. ومن هنا أن الصفحات الطويلة التى أوقفها ابن تيمية على مناقشة أفكار لا يختص بها الشيعة؛ من قبيل ما يتعلق بالعدل والتوحيد[10]، والتحسين والتقبيح، وقِدمْ العالم وغيرها من أفكار تخص غير الشيعة من المعتزلة والفلاسفة وغيرهم لن تكون موضع اهتمام كبير فى تلك القراءة، وذلك إلا من حيث تعلقها بإثبات الإمامة.

وقد قسَّم ابن المطهر كتابه إلى خمسة فصول بعد المقدمة؛ الأول: فى نقل المذاهب فى مسألة الإمامة، والثانى: فى أن مذهب الإمامية واجب الإتباع، والثالث: فى الأدلة على إمامة علي بعد رسول الله (صلعم)، والرابع: فى الأئمة الإثنى عشر، والخامس: فى إبطال

محمد حجازي (مكتبة الثقافة الدينية) القاهرة ١٩٨٨، ص ١٨٨-١٨٩.

[9] إبن تيمية: *منهاج السنة*، ج١ (سبق ذكره) ص ٤٦-٤٧.

[10] ''وشيوخ الرافضة معترفون بأن هذا الاعتقاد فى التوحيد والصفات والقدر (العدل) لم يتلقوه لا عن كتاب ولا سنة ولا عن أئمة أهل البيت، وإنما يزعمون أن العقل دلهم عليه، كما يقول ذلك المعتزلة، وهم فى الحقيقة إنما تلقوه عن المعتزلة، وهم شيوخهم فى العدل والتوحيد''. *المصدر السابق*، ج٢، ص ٢٨٧.

خلافة أبي بكر وعمر وعثمان. وبحسب ما جرت الإشارة آنفاً، فإن ابن تيمية قد ناقش تلك الفصول مناقشة مستفيضة؛ وإلى حد أن الواحدة من عبارات ابن المطهر كانت مناقشتها تستغرق من ابن تيمية صفحات طويلة.

ب. نظام المنهج عند ابن تيمية

يستلزم الأمر، قبل الدخول فى مناقشة ابن تيمية المفصلة لأفكار ابن المطهر ونقده لها، وجوب التعرُّف على منهجه فى النقد، والتفكير على العموم. والحق أن منهج ابن تيمية ينبني كلياً على آلية ''التفكير بالنص''، وعلى النحو الذى لا يكون معه من مجالٍ لإشتغال العقل إلا بيان دلالة النص والمراد منه؛ وبكيفية يكون معها واقعاً فى قبضة النص الذى يكون- والحال كذلك- ''سلطة'' لا سبيل إلا إلى الانصياع لسطوتها، وليس ''نقطة بدء'' يبدأ منها هذا العقل اشتغاله. فهو ''يجعل الكتاب والسنة وآثار الصحابة سنده الأول فى بحوثه وآرائه، بل مستنده الوحيد بعبارة أدق...؛ وذلك بأن القرآن قد تضمن الشريعة التى أُمرنا بإتباعها- فى أصول الدين وفى فروعه وأحكامه العملية المعروفة بالفقه، وفى غير هذا وذاك كله من الآداب والأخلاق- أحياناً فى إجمال، وأحياناً فى تفصيل، ثم بيَّن الرسول ذلك كله، وأخذ الصحابة رضي الله عنهم بيانه وتفسيره، وعنهم أخذ التابعون بإحسان. فليس لنا بعد هذا إلا أن نسير على هذا المنهج فنصل إلى ما نريد من معرفة الدين وأصوله، وشريعة الله ورسوله، وسائر ما يجب معرفته مما فيه خير الدنيا والآخرة. وليس لنا أن نتبع غير ما عرفناه عن السلف الصالح الذين بلَّغوا إلينا ما فهموه عن الرسول فأحسنوا التبليغ، وإلا ضللنا ضلالاً بعيداً''[11]. وبالرغم مما يُقال عن معارضة ابن تيمية للفكر الأشعرى[12]، فإنه- وللمفارقة- قد استفاد الكثير من عناصر منهجه، وبنفس مفرداتها تقريباً، من الأشعري. فقارئ ''الرسالة إلى أهل الثغر'' للأشعري يدرك التأثير الهائل الذى تركته هذه الرسالة على ابن تيمية، وإلى حد ما يبدو من نقله عنها فى الأغلب. وهكذا فإنه إذا كان ابن تيمية قد مضى فى رسالته ''معارج الوصول إلى معرفة أن أصول الدين وفروعه قد بيَّنها الرسول'' إلى ''أن رسول الله صلى الله عليه وسلم بيَّن الدين؛ أصوله وفروعه، باطنه وظاهره، علمه وعمله. فإن هذا الأصل هو أصل أصول العلم والإيمان، وإن من كان أعظم إعتصاماً بهذا الأصل كان أولى بالحق

---

[11] محمد يوسف موسى: *ابن تيمية* (سبق ذكره) ص ١٢٢- ١٢٧.

[12] بل إن ذلك ما يقول به ابن تيمية نفسه فى أكثر من موضع من كتابه. ومنها مثلاً ما مضى إليه من أن ''من المنتسبين إلى السنة، كالأشعري وأمثاله، من يقولون أقوالاً باطلة''. انظر: ابن تيمية: *منهاج السنة* (سبق ذكره) ج٢، ص ٢٦٤.

علماً وعملاً... وأهل العلم والإيمان متفقون على أن الرسل لم يقولوا إلا الحق، وأنهم بيّنوه مع علمهم بأنهم أعلم الخلق بالحق؛ فهم الصادقون المصدوقون علموا الحق وبيّنوه....، وأما العمليات وما تسميه أناس الفروع والشرع والفقه، فهذا قد بيّنه الرسول أحسن بيان. فما من شئ مما أمر الله به أو نهى عنه أو حلله أو حرّمه إلا بيّن ذلك. وقد قال الله تعالى: ''اليوم أكملت لكم دينكم''،[١٣] فإن ذلك بعينه ما يكاد أن يكون ترجيعاً بالنص لما مضى إليه الأشعري، فى رسالته السابق الإشارة إليها، من أن ''ما دعاهم إليه (الرسول) عليه السلام من معرفة حدثهم، والمعرفة بمحدِثهم، ومعرفة أسمائه الحسنى وصفاته العليا وعدله وحكمته، فقد بيّن لهم وجوه الأدلة فى جميعه، حتى ثلجت صدورهم به، وامتنعوا على استئناف الأدلة فيه، وبلَّغوا جميع ما وقفوا عليه من ذلك واتفقوا عليه إلى من بعدهم، فكان عذر هم فيما دُعوا إليه من ذلك مقطوعاً بما نبههم عليه النبي (صلعم) من الدلالة على ذلك، وما شاهدوا من آيات الدلالة على صدقه، وعذر سائر من تأخر عنهم مقطوع بنقلهم (أى الصحابة) ذلك إليهم، ونقل أهل كل زمان حجة على من بعدهم، من غير أن يُحتاج- فى المعرفة بسائر ما دُعينا إلى اعتقاده إلى استئناف أدلة غير الأدلة التى نبه النبي (صلعم) عليها، ودعا سائر أمته إلى تأملها. إذ كان من المستحيل أن يأتى أحدٌ بأهدى مما أتى أو يصلوا إلى ما بعد عنه عليه السلام....، فقد أكمل الله لجميعهم طرق الدين، وأغناهم عن التطلع إلى غير ها من البراهين، ودلَّ على ذلك قوله عز وجل:''اليوم أكملت لكم دينكم، وأتممت عليكم نعمتى، ورضيت لكم الإسلام ديناً''، وليس يجوز أن يخبر الله عز وجل عن إكمال الدين مع الحاجة إلى غير ما أكمل لهم الدين به''[١٤]. وهكذا فإنه يلوح، فى النهاية، وكأن ابن تيمية لا يفعل إلا أن يردد ما سبق للأشعرى ترسيخه من استحالة التفكير بغير الأدلة التى بيّنها ونبه عليها النبي؛ وبما يعنيه ذلك من انعدام الحاجة إلى استئناف أى أدلة جديدة غير ها؛ بل والنظر إلى أى محاولة من هذا القبيل باعتبار ها دفعاً للرسل وإنكاراً لدور هم. والحق أن معرفة ابن تيمية بالأشعري، واعتماده عليه، إنما تتجاوز مجرد قضية المنهج إلى تعويله بالكامل على كتابه ''مقالات الإسلاميين'' كمصدر له فى التعرُّف على آراء معظم الفرق التى تعرض لها؛ ومن بينها فرق الشيعة بالذات؛ وإلى حد ما يفعله من نقل صفحات كاملة عن هذا الكتاب/الموسوعة[١٥].

---

١٣ نقلاً عن: محمد يوسف موسى: *ابن تيمية*، ص ١٢٣-١٢٤.

١٤ الأشعري : *رسالة إلى أهل الثغر*، تحقيق عبد الله شاكر الجندي (مؤسسة علوم القرآن) بيروت ط١٩٨٨ ، ص ١٨١- ١٩٩.

١٥ أنظر مثلا: ابن تيمية: *منهاج السنة* (سبق ذكره) ج٢، ص ١٧١- ١٨٥.

وهكذا ينبني المنهج على الأولوية المطلقة "للمنقول"، وذلك على حساب "المعقول" الذى لا يحضر إلا تابعاً للمنقول ومأموماً به، ولمجرد إثبات دلالته[16]. وتطبيقاً لهذا المنهج، فإن ابن تيمية يبني نقده للشيعة على النصوص المنقولة (من القرآن والسنة والآثار)، وليس للعقل من دورٍ فى هذا النقد إلا ما يسميه "بالإعتبار العقلي"؛ والذى يعني به نوعاً من "ضرب الأمثال مما يظهر به الحال؛ حيث فيها (أى الأمثال) الكثير من البيان، وهو القياس العقلي الذى يهدي به الله من يشاء"[17]. ولعل ما يعنيه من القياس العقلي هو ذلك النوع من القياس الذى يتواتر فى كتابه بكثرة؛ وأعني به "قياس الأوْلَى"[18] الذى يأخذ فى "منهاج السنة" صورة القول بأنه "إذا بطلت الشبهة القوية، فالأضعف منها أولى بالبطلان، وإذا ثبتت الحجة الضعيفة، أو التى غيرها أقوى منها، فالحجة القوية أولى منها بالإثبات"[19]؛ وهو القياس الذى يعتمد عليه بقوة فى نقده للرافضة. فقد مضى إلى أنه "لا يوجد لأهل السنة قول ضعيف، إلا وفى الشيعة من يقوله، ويقول ما هو أضعف منه، ولا يوجد للشيعة قول قوي إلا وفى أهل السنة من يقوله ويقول ما هو أقوى منه، ولا يُتصور أن يوجد للشيعة قول قوي لم يقله أحد من أهل السنة. فثبت أن أهل السنة أولى بكل خير منهم، كما أن المسلمين أولى بكل خير من اليهود والنصارى"[20]. وهكذا يجعل ابن تيمية موقع الشيعة من أهل السنة، فى نفس موقع اليهود والنصارى من المسلمين؛ وبحيث يتشارك أهل السنة والمسلمين فى الموقع الأعلى، فيما يتوحد الشيعة واليهود والنصارى فى الدرك الأدنى.

جـ. من الشيعة إلى الرافضة

إذا كانت التسمية تلعب دوراً فى تحديد هوية المُسمىَ، فإن ابن تيمية قد راح بالتسمية يُحدد هوية خصمه الشيعي على نحو يسمح له بالسيطرة عليه. فقد أعطاهم اسم الرافضة

---

[16] ولعل ذلك هو ما يُستفاد من عبارة "موافقة صريح المعقول لصحيح المنقول" التى جعلها ابن تيمية عنواناً لأحد كتبه؛ والتى ترتب العلاقة بين المنقول والمعقول على نحو يكون فيه "المعقول" هو الفرع المُقاس على المنقول الذى يمثل الأصل فى تلك المقايسة.

[17] ابن تيمية: منهاج السنة (سبق ذكره) ج٢، ص ٥٦، ٢٦٧.

[18] ويعرّف ابن تيمية هذا النوع من القياس بأنه "ما يكون الحكم المطلوب فيه أولى بالثبوت من الصورة المذكورة فى الدليل الدال عليه. وهذا النمط هو الذى كان السلف والأئمة كالإمام أحمد وغيره من السلف يسلكونه من القياس العقلي فى أمر الربوبية، وهو الذى جاء به القرآن". أنظر: ابن تيمية: شرح العقيدة الأصفهانية، نشرة: محمد حسنين مخلوف (دار الكتب الإسلامية) القاهرة، ١٩٦٦، ص ٤٩.

[19] المصدر السابق، ج١، ص ٣٩.

[20] المصدر السابق، ج١، ص ٢٩١.

المُثقل بإيحاءات سلبية مرذولة، بدلاً من لفظ ''الشيعة'' الذى يكاد أن يكون مسكوناً، عنده، بدلالة محمودة. فالحق أنه يميز بين شيعة متقدمين يعترف لهم ببعض الفضل، وبين رافضة متأخرين لا يملكون إلا الكذب والجهل. وهو يرد ظهور لفظ الرافضة إلى الربع الأول من القرن الثانى الهجرى حين رفض الشيعة زيد بن علي بن الحسين الذى قاد أحد ثوراتهم فى عهد هشام بن عبدالملك. ''فمن زمن خروج زيد افترقت الشيعة إلى رافضة وزيدية، فإنه لما سُئل عن أبي بكر وعمر فترحّم عليهما، رفضه قوم، فقال لهم: رفضتمونى! فسموا رافضة لرفضهم إياه، وسُميّ من لم يرفضه من الشيعة زيدياً لإنتسابهم إليه''[21]. وإذا كان الأشعري قد مضى إلى أنهم ''إنما سُموا رافضة لرفضهم إمامة أبى بكر وعمر''[22]، فإن هذا التعليل يبدو الأقرب إلى الحقيقة؛ وذلك من حيث أن رفض الإمام زيد راجعٌ بالأساس إلى قبوله لإمامة أبي بكر وعمر وليس رفضه لها؛ وبما يعنيه ذلك من أن رفضهم لزيد مبنيٌ على رفضهم لأبي بكر وعمر أولاً. وعلى أى الأحوال فإن تسميتهم ''رافضة'' إبتداءً من ذلك، إنما تكشف عن مركزية إمامة أبي بكر وعمر فى وعي من أطلقوها عليهم، فنسبوهم إلى الرفض، ولم ينسبوهم إلى الإمامة بحسب ما فعل البعض وسموهم ''إمامية''. وبالطبع فإن الفارق كبير بين نسبتهم إلى ''الإمامة''، ونسبتهم إلى ''الرفض''؛ إذ فيما تكون النسبة فى الحال الأولى إيجابية، أو حتى محايدة، فإنها تكون بالغة السلبية فى الحال الثانية.   والملاحظ أن ابن تيمية كان واعياً تماماً بما يسكن تسمية ''الرافضة'' من السلب، مقارنة بتسمية ''الشيعة'' التى اكتسبها المتقدمون ـ بحسب إقراره هو نفسه- من صحبتهم للإمام علي؛ وعلى النحو الذى جعله يمتدحهم، لا بسبب صحبتهم لعلي، بل لأنهم ''لم يتنازعوا فى تفضيل أبي بكر وعمر، وإنما كان نزاعهم فى تفضيل علي وعثمان، وهذا مما يعترف به علماء الشيعة الأكابر من الأوائل والأواخر. حتى ذكر مثل ذلك أبو القاسم البلخي، قال: سأل سائل شريك ابن عبدالله ابن أبي نمر، فقال له: أيهما أفضل أبوبكر أو علي؟ فقال له: أبوبكر. فقال السائل: أتقول هذا وأنت من الشيعة؟ فقال: نعم، إنما الشيعي من قال مثل هذا، والله لقد رقى علي هذه الأعواد، فقال: ألا إن خير هذه الأمة بعد نبيها: أبوبكر ثم عمر. أفكنا نرد قوله؟ أكنا نكذّبه؟ والله ما كان كذاباً''[23]. وبالطبع فإن ما يراه ابن تيمية فى الشيعة المتقدمين من ''علماء أكابر'' إنما يكشف عن تثمينه لهم، وذلك فى مقابل تبخيسه البالغ لورثتهم المتأخرين من ''الرافضة''

---

[21] المصدر السابق، ج١، ص ٢٢.

[22] الأشعري: مقالات الإسلاميين واختلاف المصلّين، نشرة هلموت ريتر (الهيئة العامة لقصور الثقافة) ط٤، القاهرة ٢٠٠٠، ص ١٦.

[23] ابن تيمية: منهاج السنة (سبق ذكره) ج١، ص ٩.

الذين ''هم أضل الناس فى المعقول والمنقول''²⁴.

وإذ حاصر ابن تيمية خصومه من خلال تلك التسمية المثقلة بالإيحاءات السلبية المرذولة، فإنه سرعان ما راح يمهد لنقده بذكر بعض المخازي والحماقات التى تنسبها الأخبار المتواترة عن السلف إليهم؛ والتى هى جميعاً، فى رأيه، من قبيل ما لا يمكن نسبته إلى ذوي العقول. وغنيٌّ عن البيان أنه لا يكتفى بذكر حماقاتهم بل يرد عليها بما يبطلها من الخبر من القرآن أو من سنة النبي (صلعم) العملية والقولية، أو حتى من التابعين وتابعي التابعين. فإذا كان من حماقاتهم مثلاً، أن ''بعضهم لا يشرب من نهر حفره يزيد''، فإنه يرد بأن ''النبي والذين معه كانوا يشربون من آبار وأنهار حفرها الكفار''، أو أنهم ''يكرهون التكلُّم بلفظ العشرة لكونهم يبغضون خيار الصحابة، وهم العشرة المشهود لهم بالجنة...، ويبغضون سائر المهاجرين والأنصار السابقين الأولين الذين بايعوا رسول الله (صلعم) تحت الشجرة- وكانوا ألفاً وأربعمائة- مع أن الله قد أخبر أنه قد رضي عنهم...، وكذلك هجرهم لاسم أبي بكر وعمر وعثمان، ولمن يتسمى بذلك حتى أنهم يكرهون معاملته، مع أن النبي والمؤمنون لم يكونوا يكرهون اسماً من الأسماء لكونه قد تسمى به كافر من الكفار، ومن حماقاتهم (أيضاً): إقامة المأتم والنياحة على من قُتِل من سنين عديدة، مع أنه قد ثبت فى الصحيح عن النبي (صلعم) أنه قال: ليس منا من لطم الخدود وشق الجيوب ودعا بدعوى الجاهلية''²⁵.

وضمن سياق هجائه للرافضة، فإنه يلزم التنويه بما أقامه ابن تيمية من المماثلة بينهم من جهة، وبين اليهود والنصارى من جهة أخرى. ولعله يلزم ملاحظة التباين الهائل بين ما عدده ابن تيمية من وجوه التماثل بين الرافضة وبين اليهود من جهة، وبينهم وبين النصارى من جهة أخرى. إذ فيما راح يذكر من وجوه التماثل بينهم وبين اليهود فى خمس عشرة مسألة، فإنه لم يذكر من وجوه تماثلهم مع النصارى إلا مجرد مسألة واحدة فقط تتعلق بزواج المتعة؛ حيث إن ''النصارى ليس لنسائهم صداق إنما يتمتعون بهن تمتعاً، وكذلك الرافضة يتزوجون بالمتعة''²⁶. ولعل تركيزه على تماثلهم مع اليهود يرتبط بما شاع من ربط نشأة التشيُّع بأصل

---

²⁴ المصدر السابق، ج١، ص ٣٦. ''فإن الرافضة فى الأصل ليسوا أهل علم وخبرة بطريق النظر والمناظرة ومعرفة الأدلة وما يدخل فيها من المنع والمعارضة، كما أنهم من أجهل الناس بمعرفة المنقولات والأحاديث والآثار والتمييز بين صحيحها وضعيفها. وإنما عمدتهم فى المنقولات على تواريخ منقطعة الإسناد، وكثير منها من وضع المعروفين بالكذب، بل وبالإلحاد''. أنظر: نفس المصدر، ص ٣٧.

²⁵ المصدر السابق، ج١، ص ٢٤- ٣٣.

²⁶ المصدر السابق، ج١، ص ١٧. والملاحظ أنه يذكر وجهاً أخر لتماثلهم مع النصارى يتمثل فى غلو النصارى فى الحواريين، وغلو الرافضة فى الأئمة (ص ٢٩٦ من ذات المصدر). وأنظر تعداده لوجوه التماثل بين الرافضة واليهود الخمسة عشر (ص ١٦ – ١٧ من المصدر نفسه).

يهودي يتمثّل فى عبدالله ابن سبأ؛ الذى يُقال ''أنه كان يهودياً (من يهود صنعاء) فأسلم ووالى علياً، وكان يقول، وهو على يهوديته، فى يوشع بن نون وصي موسى بهذه المقالة. فقال فى إسلامه بعد وفاة رسول الله (صلعم) فى علي بمثل ذلك، وهو أول من شهد بالقول بفرض إمامة علي ابن أبى طالب، وأظهر البراءة من أعدائه، وكاشف مخالفيه وأكفرهم. فمن ها هنا قال من خالف الشيعة: إن أصل الرفض مأخوذ من اليهودية''²⁷. والغريب أن ابن تيمية يفضل اليهود والنصارى على الرافضة بخصلتين، فقد ''سُئلت اليهود: من خير أهل ملتكم؟ قالوا: أصحاب موسى. وسُئلت النصارى: من خير أهل ملتكم؟ قالوا: حواريّ عيسى. وسُئلت الرافضة: من شر أهل ملتكم؟ قالوا: أصحاب محمد (صلعم). أُمروا بالاستغفار لهم فسبوهم''²⁸. والحق أن هذا التبخيس للرافضة، من خلال تسميتهم المرذولة، ثم التنزُّل بهم إلى حيث يصبحون أسوأ من اليهود والنصارى كانت جزءاً من استراتيجية ابن تيمية فى التمهيد لنقدهم؛ والتى أضاف إليها تجريدهم من السلاح الذى يستندون إليه متمثلاً فى القول بموالاتهم لأهل البيت، وذلك من خلال تأكيده على ''مخالفتهم لأهل البيت فى عامة أصولهم، فليس فى أئمة أهل البيت- مثل علي بن الحسين، وأبي جعفر الباقر، وإبنه جعفر بن محمد الصادق- من كان ينكر الرؤية، أو يقول بخلق القرآن، أو ينكر القدر، أو يقول بالنص على علي، أو بعصمة الأئمة الإثنى عشر، أو يسب أبا بكر وعمر، والمنقولات الثابتة المتواترة عن هؤلاء (الأئمة) معروفة موجودة، وكانت مما يعتمد عليه أهل السنة''²⁹. وهكذا فإنه لا يكتفى بتجريدهم من سلاح ''أهل البيت''، بل إنه يوظفه لحسابه.

وهكذا يكون الطريق ممهداً لمناقشة أفكار ''منهاج الكرامة''؛ الذى يرى ابن تيمية أنه ''خليق بأن يسمى ''منهاج الندامة''. ويبدأ ابن تيمية بتفنيد ما مضى ابن المطهر، فى مقدمته، من أن ''الإمامة هى أهم المطالب فى أحكام الدين، وأشرف مسائل المسلمين''؛ قاطعاً أن ذلك ''كذب بإجماع المسلمين؛ سنيّهم وشيعيّهم، بل هذا كفر. فإن الإيمان بالله ورسوله أهم من مسألة الإمامة، وهذا معلوم بالإضطرار من دين الإسلام، فالكافر لا يصير مؤمناً حتى يشهد أن لا إله إلا الله، وأن محمداً رسول الله، وهذا هو الذى قاتل عليه الرسول (صلعم) الكفار أولاً كما استفاض عنه فى الصحاح وغيرها. ومن المتواتر أن الكفار على عهد رسول الله

---

²⁷ سعد بن عبدالله أبي خلف الأشعري القمي: كتاب *المقالات والفرق*، نشرة محمد جواد مشكور (مؤسسة مطبوعاتى عطائى) طهران، ١٩٦٣، ص ٢٠.

²⁸ ابن تيمية: *منهاج السنة*، ج١، ص ١٨.

²⁹ *المصدر السابق*، ج٢، ص ٢٨٧.

كانوا إذا أسلموا أُجري عليهم أحكام الإسلام ولم يذكر الإمامة بحال‏"‏‏"٣٠. وإذا احتج الرافضى بأن الإمامة هى الأهم لأن الرسول كان نبياً إماماً، فإن ابن تيمية يرد بنفس ما اعتمد عليه، وللمفارقة، صاحب كتاب ‏"‏الإسلام وأصول الحكم‏"‏ فى دحض دعوى الدولة الدينية، من أن ‏"‏النبى لم تجب طاعته على الناس لكونه إماماً، بل لكونه رسول الله إلى الناس...‏"‏، وكانت طاعته واجبة بمكة قبل أن يصير له أنصار وأعوان يقاتلون معه (أى قبل أن يكون إماماً له سلطان)، وقد بيَّن سبحانه وتعالى أنه ليس بموته يُنتقص حكم رسالته كما يُنتقص حكم الإمامة بموت الأئمة وقتلهم‏"‏٣١. وهكذا يكون ابن تيمية قد أثبت أن الإمامة ليست من المطالب الهامة فى الدين، أو أصلاً من أصول الإيمان بحسب ما يعتقد الشيعة، بل إنها- ورغم ضرورتها العملية- لا تؤثر على جوهر الإيمان الذى هو فقط باش والرسول. وإذ يحتج ابن المطهر على دعواه فى ذلك بحديث النبى (صلعم): ‏"‏من مات ولم يعرف إمام زمانه مات ميتة جاهلية‏"‏ بإعتبار أن عدم معرفة الإمام يؤدى بصاحبه إلى الجاهلية التى هى نقيض الإيمان، فإن ابن تيمية يرد على ذلك بأن ‏"‏الحديث بهذا اللفظ لا يُعرف...‏"‏، وإنما الحديث المعروف مثل ما روى مسلم فى صحيحه عن نافع، قال: جاء عبد الله بن عمر إلى عبد الله بن مطيع حين كان من أمر الحرَّة ما كان زمن يزيد ابن معاوية، فقال: اطرحوا لأبي عبد الرحمن وسادة. فقال: إنى لم آتك لأجلس، آتيتك لأحدثك حديثاً سمعته عن رسول الله (صلعم) يقوله. سمعته يقول: ‏"‏من خلع يداً من طاعة، لقى الله يوم القيامة لا حجة له، ومن مات وليس فى عنقه بيعة، مات ميتة جاهلية‏"‏. وهذا حدَّث به عبد الله بن عمر لعبد الله بن مطيع لما خلعوا طاعة أمير وقتهم يزيد، مع أنه كان فيه من الظلم ما كان...، فعُلم أن هذا الحديث دلَّ على ما دلَّ عليه سائر الأحاديث الآتية من أنه لا يُخرَج على ولاة أمور المسلمين بالسيف، وإن من لم يكن مطيعاً لولاة الأمور مات ميتة جاهلية‏"‏٣٢. وهكذا فإن تغيير لفظ الحديث يؤدى إلى تغيير دلالته من إعتبار ‏"‏عدم معرفة الإمام‏"‏ يفضي إلى الجاهلية بحسب الشيعة، إلى اعتبار ‏"‏عدم طاعة الإمام‏"‏- أياً ما يكون منه من الظلم- هو المفضي إلى الجاهلية بحسب أهل السنة. وبالطبع فإنه الفارق بين ما يبتغيه الشيعة من وجوب ‏"‏المعرفة بالإمام الحق‏"‏ ولو أدى ذلك إلى الخروج على الإمام القائم٣٣، وما يبتغيه أهل السنة من تثبيت الطاعة للإمام القائم.

---

٣٠ المصدر السابق، ج١، ص ٤٧- ٤٨.

٣١ نفس المصدر، ج١، ص ٤٩- ٥٢.

٣٢ المصدر السابق، ج١، ص ٦٩.

٣٣ ولعل ذلك ما جعل ابن تيمية يقطع بأن الشيعة ‏"‏هم أعظم الناس مخالفة لولاة الأمور، وأبعد الناس عن طاعتهم إلا كرهاً‏"‏. أنظر: المصدر السابق، ج١، نفس الصفحة.

وبالرغم من قوة هذا النقد وجديته، فإنه يبقى نقداً صورياً غايته تفنيد الخصم وإحراجه، وليس فهم جوهر دعواه، وكذا مجمل الشروط التى تبلورت هذه الدعوى ضمنها؛ وذلك ما ينبغى أن يكون جوهر البحث الذى يموضع نفسه خارج ساحات تلك الخصومة الشرسة. فإن تحوُّل الشيعة بالإمامة من كونها مجرد "مسألة سياسية"، إلى أن تكون "عقيدة دينية" يرتبط، فى الأساس، بما بدا لهم من اضطهاد أهل البيت وإصرار الناس على إقصائهم عن حقهم فى الإمامة، فراحوا يستغنون عن هؤلاء الناس الذين منعوا أهل البيت حقهم، متعالين بالإمامة إلى أن تكون شأناً "دينياً إلهياً"، وليس "سياسياً بشرياً".

والحق أن هذا التحول بالإمامة من السياسي (حيث القوة والسلطان) إلى الديني (حيث العلم والعرفان) هو ما سيحدد كلياً جوهر البناء الشيعي للإمامة؛ وأعنى من حيث ما سيفرضه ذلك التحول من القول بالنص والعصمة وغيرها من المسائل التى يتميز بها بناء الإمامة عند الشيعة. فإذ بدا إمام الشيعة عاجزاً- بسبب عدم حصوله على طاعة أهل الشوكة (والإمامة تثبت بموافقة أهل الشوكة عليها، ولا يصير الرجل إماماً حتى يوافقه أهل الشوكة عليها الذين يحصل بطاعتهم له مقصود الإمامة)[34]- عن تحقيق سلطته "عملاً فى العالم وفعلاً داخله"، فإنه يرتفع بها ليحققها "علماً ما ورائياً خارجه"؛ وبما يعنيه من أن العجز فى مجال "الشوكة والسلطان"، يتآدى إلى التسامي والتعويض فى مجال "العلم والعرفان". وبالطبع فإن هذا العلم لا يمكن أن يكون علماً عادياً مما يمكن أن يعلمه سائر الناس، بل علماً سرياً غيبياً لا يفيده الإمام من لدن نفسه، اجتهاداً وفكراً ودراسة، وإنما يتلقاه وحياً ووراثة. وبهذا العلم الموروث والمُوحى به، فإن الإمام لم يكن ليتميز عمن سواه من البشر العاديين فقط، بل وأن يتعالى إلى مرتبة يكون معها "نهاية الكل من الرسل"،[35] الذى "أقرت له جميع الملائكة والروح والرسل بمثل ما أقروا به لمحمد، لأنه يحمل مثل حمولته وهى حمولة الرب"[36]. وبالطبع فإن إماماً يتميز بهذا العلم المخصوص "يجب أن يكون معصوماً من جميع الرذائل والفواحش ما ظهر منها وما بطن من سن الطفولة إلى الموت، عمداً وسهواً. كما يجب أن يكون معصوماً من السهو والخطأ والنسيان"[37]. وهكذا يؤول "العلم" إلى "العصمة" التى ستؤول- بدورها- إلى

---

[34] *المصدر السابق*، ج١، ص ٣٢٧.

[35] محمد رضا المظفر: *عقائد الإمامية* (المطبعة العالمية)، ط٢، القاهرة، ١٩٧٣، ص ٧٣.

[36] أبويعقوب السجستاني: *إثبات النبوءات*، تحقيق: عارف تامر (المطبعة الكاثوليكية) بيروت، ١٩٦٦، ص ١٩١.

[37] محمد رضا المظفر: *عقائد الإمامية* (سبق ذكره). ص ٧٢.

بلورة ''العقيدة فى طاعة الأئمة''³⁸؛ ولكنها الطاعة هنا يفرضها ''العلم''، وليست ''الشوكة'' كما هو الحال عند أهل السنة³⁹. وإذا كان هذا العلم هو ـ عند جعفر الصادق ـ مما يُستغنى به عن الناس، ولا يستغني عنه الناس، فإن ذلك كان لابد أن يتأدى إلى أن نصب الإمام لا يكون من الناس، بل من الله؛ الذى هو مصدر هذا العلم. فإذا كان قد ثبت أن ''الإمام يجب أن يكون عالماً بجميع ما تحتاج إليه الأمة فى الأحكام، وأن يكون أفضل من كافة رعيته فى الدين عند الله، وإذا ثبتت هذه الأصول وجب إبانة الإمام من رعيته بالنص على عينه والعلم المعجز الخارق للعادات، إذ لا طريق إلى المعرفة بمن تجتمع له هذه الصفات إلا بنص الصادق عن الله تعالى أو المعجزة''⁴⁰. وفيما يختص بتداول هذه الإمامة بين الأئمة، فإنه يكون من الله أيضاً، لأنه هو صاحب العلم يضعه حيث يشاء؛ وبمعنى أن وصية الإمام على صاحب الأمر بعده إنما تكون من الله، لا من نفسه. ومن هنا تحذير الإمام الصادق لشيعته: ''لعلكم ترون أن هذا الأمر إلى رجل منا يضعه حيث شاء!، لا والله إنه لعهد رسول الله مسمى رجل فرجل حتى ينتهى الأمر إلى صاحبه''.

ولعله يمكن القول ـ على العموم ـ أن ما آلت إليه الإمامة من علم ماورائي سري، وذلك مع ابتداء حقبة العجز عن الفعل، هو المبدأ الأشمل القادر وحده على أن ينتظم كافة عناصر بناء الإمامة عند الشيعة؛ من نص ووصية ومعجزة وغيبة ورجعة ومهدوية، وإلى حد أن هذا البناء الإمامى إنما يتقوّض وينهار إذا ما انتفى هذا العلم الماورائي وزال. وإذ يبدو ـ هكذا ـ أن التحول من سلطة ''الشوكة'' بمعناها السياسي العملي، إلى سلطة ''العلم'' بمعناه الإلهي الماورائي هو الأساس العميق لبناء الإمامة عند الشيعة ـ وهو التحوّل الذى يرتبط بما تأصل فى نفوس الشيعة من العجز واليأس من سلطة القوة القائمة ـ فإنه يلزم لأى اشتغال نقدي على الشيعة أن يكون على وعي بهذا الأساس العميق الكامن لبناء الإمامة، وإلا فإنه سوف يبقى أقرب إلى منطق المساجلة (الذى يعيد فيه المرء إنتاج منطق خصمه، وإن بمضمون مختلف) منه إلى النقد بمعناه المنتج. ومن هنا أنه إذا كان الشيعة يؤسسون

---

³⁸ المصدر السابق، ص ٧٤.

³⁹ ويُشار هنا إلى أن الفارق الأهم بين كل من الشيعة وأهل السنة فيما يتعلق بالإمامة، إنما يتأتى بالأساس من تمحوّر الإمامة عند الشيعة حول ''العلم''، وذلك فيما تتمحور ـ عند أهل السنة ـ حول الشوكة. وبالطبع فإنه يمكن القول بأن محورة الشيعة للإمامة حول العلم قد تبلور كرد فعل على إنبنائها حول القوة أو الشوكة عند أهل السنة. فالإمامة تقوم على سلطة ''العلم'' كانت هى الممكن المأمول الذى يرد به الشيعة على تحققها القائم حول سلطة ''الشوكة'' عند أهل السنة.

⁴⁰ الشيخ المفيد: الثقلان، ص ١٧٩، نقلاً عن: أحمد الكاتب: تطور الفكر السياسي الشيعي (عمان ـ الأردن) ط١، ١٩٩٧، ص ٥٣.

دعواهم على أحقية علي بالإمامة على ما يقولون أنه النص (الجلي أو الخفي) على إمامته
من جهة، وعلى ما تواتر عن فضله من جهة أخرى، فإن ابن تيمية لا يفعل إلا أن يحشد ما
لا حصر له من النصوص الدالة على تفضيل أبي بكر وعمر وعثمان على عليّ من جهة،
بل ويمضى إلى تفضيل النصوص الدالة على إمامة أبي بكر من جهة أخرى⁴¹؛ وبما يعنيه
ذلك من أنه لا يفعل إلا أن يعيد إنتاج خصمه. بل إنه يلزم التنويه بأن سطوة النص على ابن
تيمية كانت تبلغ أحياناً حد معارضة التاريخ به.

فإذ يمضى ابن المطهر مستعرضاً ما جرى تاريخياً من التنازع حول الإمامة، قائلاً:
"إنه لما حدثت البلية بموت النبي (صلعم)، واختلف الناس بعده، وتعددت آراؤهم بحسب
تعدد أهوائهم، فبعضهم طلب الأمر لنفسه بغير حق وبايعه أكثر الناس طلباً للدنيا...، وبعضهم
اشتبه الأمر عليه ورأى لطالب الدنيا متابعاً، فقلده وبايعه، وقصّر فى نظره....، وبعضهم قلّد
لقصور فطنته، ورأى الجم الغفير فتابعهم، وتوهم أن الكثرة تستلزم الصواب...، وبعضهم
طلب الأمر لنفسه بحق له، وبايعه الأقلون الذين أعرضوا عن الدنيا وزينتها...، وحيث حصل
للمسلمين هذه البلية، وجب على كل أحد النظر فى الحق واعتماد الإنصاف، وأن يقر الحق
مستقره، ولا يظلم مستحقه"⁴²، فإن استراتيجية ابن تيمية فى الرد على ذلك تتبنى على السكوت
عن ذكر ما جرى من التنازع حول الإمامة رغم ما تزخر به كتب الفرق من التأكيد على أن
"أول ما حدث من الاختلاف بين المسلمين بعد نبيهم صلى الله عليه وسلم (هو) اختلافهم فى
الإمامة"⁴³، ويركز القول، مستنداً على نصوص القرآن والحديث، فى الثناء على الصحابة
جميعهم، معتبراً أن ما مضى إليه ابن المطهر من "جعل المسلمين بعد نبيهم أربعة أصناف
(هو) من أعظم الكذب"⁴⁴، ثم يبدأ فى ذكر النصوص القرآنية؛ التى تثنى على الصحابة
جميعاً (من المهاجرين والأنصار) وعلى من جاء بعدهم من الذين يستغفرون لهم، ثم يورد

⁴¹ فإن "كثيراً من أهل السنة يقولون: إن خلافته ثبتت بالنص، وهم يستندون فى ذلك إلى أحاديث
معروفة صحيحة. ولا ريب أن قول هؤلاء أوجه من قول من يقول: إن خلافة علي أو العباس ثبتت بالنص،
فإن هؤلاء ليس معهم إلا الكذب والبهتان، الذى يعلم بطلانه بالضرورة كل من كان عارفاً بأحوال الإسلام، أو
إستدلال بألفاظ لا تدل على ذلك، كحديث إستخلافه فى غزوة تبوك". أنظر: ابن تيمية: منهاج السنة، ج١، ص
٣٢١. وهكذا فإنه فيما النصوص على خلافة أبي بكر "معروفة صحيحة"، فإنها باطلة أو لا تدل فى حال علي.
ومن هنا أنه "إن وجب أن يكون الخليفة منصوصاً عليه، كان القول بهذا النص (أى على خلافة أبي بكر) أولى
من القول بذاك (أى على إمامة علي)، وإن لم يجب هذا بطل ذاك". أنظر: المصدر السابق، نفس الصفحة.

⁴² ابن تيمية: منهاج السنة (سبق ذكره) ج٢ ص ٣ - ٥.

⁴³ الأشعرى: مقالات الإسلاميين (سبق ذكره) ص ٢.

⁴⁴ ابن تيمية: منهاج السنة (سبق ذكره) ج٢، ص ٦.

بعد ذلك كثرة من الأحاديث التى تنهى عن سب الصحابة وذمهم، ومعها حديث ''خير القرون قرنى''؛ وعلى النحو الذى لا يوجد فيه نص من القرآن أو من الحديث فى فضل الصحابة إلا استخدمه فى حجاجه. وحين تتم معارضته بنصوص من القرآن تتحدث عن وجود المنافقين فى عصر الرسول؛ وبما يعنيه ذلك من أن الكافة ممن عاصروا الرسول لم يكونوا موضوعاً للفضل، فإنه يرد مستنداً على إخبار القرآن أيضاً بأن المنافقين هم خارج طائفة الصحابة الذين اختصهم الله بفضله، بل ويتجاوز إلى أن ''هؤلاء (المنافقين) لا يوجدون فى طائفة من المتظاهرين بالإسلام أكثر منهم فى الرافضة، ومن انضوى تحتهم...، فهم أهل النفاق الذين يقولون بألسنتهم ما ليس فى قلوبهم، ويعتبرون ذلك من أصول دينهم ويسمونه التقية التى يردونها إلى أهل البيت، مع أن دين أهل البيت كان التقوى وليس التقية.

د. أصول الشرعيات عند الرافضة وغلوهم فى الأئمة

ذكر ابن تيمية في عدة مواضع: أن الرافضة الإمامية أصّلوا لهم أصولاً اعتمدوها في كلّ ما يُنقل عن أئمة البيت، وهذه الأصول هي: الأصل الأول: أن هؤلاء الأئمة معصومون كعصمة النبي. الأصل الثاني: أن كل ما يقوله هؤلاء الأئمة منقولٌ عن النبي. الأصل الثالث: أن إجماع العترة حجة ، ثم يدّعون أن العترة هم الاثنا عشر ، ويدعون أن ما يُنقل عن أحدهم فقد أجمعوا كلهم عليه. قال ابن تيمية بعد أن ذكر هذه الأصول : ''فهذه أصول الشرعيات عندهم ، وهي أصول فاسدة كما سنبين ذلك في موضعه، لا يعتمدون على القرآن ولا على الحديث ولا على الإجماع ، ولا على القياس وإن كان واضحاً جلّياً''[45]. فالرافضة إذن بالغوا في أئمتهم ، ومن غلوّهم في الأئمة : اعتقادهم أن ''كل واحد من هؤلاء قد بلغ الغاية في الكمال؛ (وإلى الحد الذى صار معه هؤلاء) الأئمة الاثنا عشر أفضل من السابقين الأولين من المهاجرين والأنصار، وغلاتهم يقولون : إنهم أفضل من الأنبياء، لأنهم يعتقدون فيهم الإلهية كما اعتقدتها النصارى في المسيح''[46]. ولهذا: فإن الغلو لا يوجد في ''طائفة أكثر مما يوجد فيهم، ومنهم من ادعى إلهية البشر، وادعى النبوة في غير النبي (صلعم)، وادعى العصمة في الأئمة، ونحو ذلك مما هو أعظم مما يوجد في سائر الطوائف''[47]. وتزعم الرافضةـ على قوله ـ أن ''كل ما أفتى به الواحد من هؤلاء فهو منقول عنده عن النبي. ثم ترتب على هذا ''أن الدين مُسَلّم إلى الأئمة، فالحلال ما حللوه، والحرام

---

[45] المصدر السابق، ج١، ص ٦٩.

[46] المصدر السابق، ج١، ٤٨١ـ ٤٨٢.

[47] المصدر السابق، ج٢، ص ٣٤.

ما حرموه، والدين ما شرَّعوه"⁴⁸. والحق أنهم "يُريدون أن يجعلوا ما قاله الواحد من هؤلاء هو قول الرسول الذي بعثه الله إلى جميع المؤمنين، بمنزلة القرآن والمتواتر من السنة"⁴⁹. ومن عجائب بعضهم: ترجيحهم للقول الذي لا يُعرف قائله؛ لأنّ المنتظر المعصوم يقول به. فكان دينهم مبنيًّا على مجهول ومعدوم⁵⁰.

ومع ذلك الغلو والتعظيم الشديد للأئمة، فإن الرافضة وقعوا في الأمور التالية: الأمر الأول اختلافهم فى تعيين الأئمة: فقد اختلفوا في تعيين أولئك الأئمةاختلافاً متبايناً، وكل فرقة من فرقهم تدعي أنها هي التي على الحق، بدون حجة أو برهان⁵¹. والغريب أن الرافضة مخالفون- على قول ابن تيمية- لأئمتهم رغم غلوهم فيهم؛ ومن هنا قوله: "لا نُسلِّم أن الإمامية أخذوا مذهبهم عن أهل البيت: لا الاثنا عشرية ولا غيرهم، بل هم مخالفون لعلي (رضي الله عنه) وأئمة أهل البيت في جميع أصولهم التي فارقوا فيها أهل السنة والجماعة ... والنقل بذلك مستفيضٌ في كتب أهل العلم، بحيث إن معرفة المنقول في هذا الباب عن أئمة أهل البيت يوجب علمًا ضروريًّا بأن الرافضة مخالفون لهم لا موافقون لهم"⁵². ثم أنهم لا يهتمون بتمييز المنقولات عن الأئمة؛ فإن "عمدتهم في الشرعيات ما نُقِل لهم عن بعض أهل البيت، وذلك النقل منه ما هو صدق، ومنه ما هو كذب عمداً أو خطأً وليسوا أهل معرفة بصحيح المنقول وضعيفه كأهل المعرفة بالحديث"⁵³. ومن هنا ما يتهمهم به ابن تيمية من أن "الكذب (فيهم) على هؤلاء [يعني: الأئمة الاثني عشر] من أعظم الأمور، لا سيما على جعفر بن محمد الصادق، فإنه ما كُذب على أحدٍ ما كُذب عليه، حتى نسبوا إليه: كتاب الجَفْر والبطاقة والهفت. وفي الجملة: فمن جرّب الرافضة في كتابهم وخطابهم علم أنهم من أكذب خلق الله، فكيف يثق القلب بنقل من كثر منهم الكذب قبل أن يعرف صدق الناقِل؟"⁵⁴. ويرتب ابن تيمية على ذلك "أن الأئمة الذين يُدَّعى فيهم العصمة قد ماتوا منذ سنين كثيرة، والمنتظر له غائب أكثر من أربعمئة وخمسين سنة، وعند آخرين هو معدوم لم يوجد، والذين يُطاعون شيوخٌ من شيوخ الرافضة، أو كتب صنفها بعض شيوخ الرافضة، وذكروا أن ما فيها منقول

⁴⁸ المصدر السابق، ج٢، ص ٤٦٢.

⁴⁹ المصدر السابق، ج٣، ص ١٦٥.

⁵⁰ المصدر السابق، ج١، ص ٩٠.

⁵¹ المصدر السابق، ج٣، ص ٣٦٩.

⁵² المصدر السابق، ج ٣، ص ١٦- ١٧.

⁵³ المصدر السابق، ج١، ص ٦٩.

⁵⁴ المصدر السابق، ج٢، ص ٤٦٤، ٤٦٧.

عن أولئك المعصومين، وهؤلاء الشيوخ المصنفون ليسوا معصومين بالاتفاق، ولامقطوعاً لهم بالنجاة. فإذن: الرافضة لا يتبعون إلا أئمة لا يقطعون بنجاتهم ولا سعادتهم، فلم يكونوا قاطعين لا بنجاتهم ولا بنجاة أئمتهم الذين يُباشرونهم بالأمر والنهي، وهم أئمتهم حقّاً، وإنهم في انتسابهم إلى أولئك بمنزلة كثير من أتباع شيوخهم الذين ينتسبون إلى شيخ قد مات من مدة، ولا يدرون بماذا أمر، ولا عن ماذا نهى، بل له أتباع يأكلون أموالهم بالباطل ويصدّون عن سبيل الله، يأمرونهم بالغلو في ذلك الشيخ وفي خلفائه وأن يتخذوهم أرباباً‟ ٥٥. ومع أن الإمامة عند الرافضة هي- على قول ابن تيمية- من أهم مطالب الدين، وأشرف مسائل المسلمين، إلا أنهم قد قالوا فيها ‟أسخف قول وأفسده في العقل والدين‟ ٥٦؛ ويعنى بذلك قولهم فى المهدى المنتظر. فإنه ‟لما علم اسم ذلك الإمام ونسبه يعني: المنتظر، لم يظفر بشيء من مطلوبه، ولا وصل إليه شيء من تعليمه وإرشاده، ولا أمره ولا نهيه، ولا حصل له من جهته منفعة ولا مصلحة أصلاً، إلا إذهاب نفسه وماله، وقطع الأسفار، وطول الانتظار بالليل والنهار، ومعاداة الجمهور لداخل في سرداب، ليس له عمل ولا خطاب، ولو كان موجوداً بيقين لما حصل به منفعة لهؤلاء المساكين، فكيف وعقلاء الناس يعلمون أنه ليس معهم إلا الإفلاس، وأن الحسن بن علي العسكري لم ينسل ولم يُعقب، كما ذكر ذلك محمد بن جرير الطبري، وعبد الباقي بن قانع، وغيرهما من أهل العلم بالنسب‟ ٥٧. وينتهى ابن تيمية إلى تأكيد شرك الرافضة الذين انتهى بهم غلوهم في الأئمة إلى أن ‟ اتخذوهم أرباباً من دون الله، فتركوا عبادة الله وحده لا شريك له التي أمرهم بها الرسل، وكذّبوا الرسول فيما أخبر به من توبة الأنبياء واستغفارهم، فتجدهم يُعطلون المساجد التي أمر الله أن تُرفع ويُذكر فيها اسمه، فلا يصلون فيها جمعة ولا جماعة، وليس لها عندهم كبير حُرمة، وإن صلوا فيها صلوا وحداناً، ويُعظمون المشاهد المبنية على القبور، فيعكفون عليها مشابهة للمشركين، ويحجون إليها كما يحج الحاج إلى البيت العتيق، ومنهم من يجعل الحج إليها أعظم من الحج إلى الكعبة، وقد ثبت في الصحاح عن النبي (صلعم) أنه قال: ‟لعن الله اليهود والنصارى اتخذوا قبور أنبيائهم مساجد، يحذر ما فعلوا‟. وقد صنف شيخهم ابن النعمان، المعروف عندهم بالمفيد وهو شيخ الموسوي والطوسي كتاباً سماه (مناسك المشاهد)، جعل قبور المخلوقين تُحج كما تحج الكعبة البيت الحرام الذي جعله الله قياماً للناس، وهو أول بيت وضع للناس فلا يُطاف

---

٥٥ *المصدر السابق، ج٣، ص ٤٨٨*.

٥٦ *المصدر السابق، ج١، ص ١٠٠*.

٥٧ *المصدر السابق، ج١، ص ١٢١- ١٢٢*.

إلا به، ولا يُصلى إلا إليه، ولم يأمر الله إلا بحجه"⁵⁸.

وهكذا ينتهى ابن تيمية إلى إدراج الرافضة ضمن طوائف المشركين ليجعلهم أدنى من اليهود والنصارى، أو فى نفس الموقع على الأقل، وذلك بعد ليس فقط عدم إنتسابهم لأئمتهم، بل والتأكيد على مخالفتهم لهؤلاء الأئمة وإفترائهم عليهم. ومن دون أن ينسى إضافة إجتهاد هؤلاء الأئمة إلى أهل السنة؛ وبحيث يتسنى له جعل هؤلاء الرافضة مفاليس من أى خير يتمسحون به.

---

⁵⁸ *المصدر السابق، ج١، ص ٤٧٤.*

المصادر

ابن تيمية، *منهاج السنة النبوية فى نقض كلام الشيعة القدرية*، تحقيق: محمد رشاد سالم (دار الفضيلة للنشر) الرياض، ١٤٢٤، ج١.

-----، *شرح العقيدة الأصفهانية*، نشرة: محمد حسنين مخلوف (دار الكتب الإسلامية) القاهرة، ١٩٦٦.

أبو يعقوب السجستاني، *إثبات النبؤات*، تحقيق: عارف تامر (المطبعة الكاثوليكية) بيروت، ١٩٦٦.

أحمد الكاتب، *تطور الفكر السياسي الشيعي* (عمان- الأردن) ط١، ١٩٩

الأشعري، *رسالة إلى أهل الثغر*، تحقيق عبد الله شاكر الجندي (مؤسسة علوم القرآن) بيروت ط ١٩٨٨.

الأشعري، *مقالات الإسلاميين واختلاف المصلِّين*، نشرة هلموت ريتر (الهيئة العامة لقصور الثقافة) ط٤، القاهرة ٢٠٠٠.

الخياط، *الإنتصار والرد على ابن الراوندي الملحد*، تقديم ومراجعة: محمد حجازي (مكتبة الثقافة الدينية) القاهرة ١٩٨٨.

سعد بن عبدالله أبي خلف الأشعري القمي، كتاب *المقالات والفرق*، نشرة محمد جواد مشكور(مؤسسة مطبوعاتى عطائي) طهران، ١٩٦٣.

القاضى عبدالجبار، *تثبيت دلائل النبوة*، تحقيق عبدالكريم العثمان (مكتبة وهبة) القاهرة ١٩٦٦، ج١.

محمد رضا المظفر، *عقائد الإمامية* (المطبعة العالمية)، ط٢، القاهرة، ١٩٧٣.

محمد يوسف موسى، *ابن تيمية* (المؤسسة المصرية العامة للتأليف والترجمة والنشر) القاهرة ١٩٦٢.

Ali Mabrook

القصاص فيما دون النفس بين الأب وابنه في ضوء نظرية التعسف في استعمال الحق في الفقه الإسلامي

حمزة عبد الكريم حماد

كبير المحاضرين الزائرين، أكاديمية الدراسات الإسلامية، جامعة ملايا

الملخص

هدفت هذه الدراسة إلى بيان موقف الفقه الإسلامي من مسألة القصاص فيما دون النفس بين الأب والابن. وقد قام هذا البحث على دراسة فقهية بين المذاهب الفقهية المختلفة، معرجا على نظرية التعسف في استعمال الحق في هذه القضية. وتوصلت الدراسة إلى وقوع القصاص من الأب إذا اعتدى على ابنه فيما دون نفسه إن كان الضرر كبيرا، وإلى عدم وقوع القصاص إن كان الضرر يسيرا رغم ضمانه ما أحدثه من ضرر، وتوصلت كذلك إلى وقوع القصاص من الابن إذا اعتدى على والده. وتوصي الدراسة بإجراء مزيد من الأبحاث الفقهية على ضوء النظريات الفقهية الحديثة.

الكلمات المفتاحية: القِصاص، دون النفس، الأبوة والبنوة، نظرية التعسف في استمال الحق

أ.   المـقدمـة

إن العلاقة بين الأب والابن قائمة على مبدأ الرحمة، تلك العلاقة التي حثت عليها النصوص القرآنية والأحاديث النبوية الشريفة، وبرزت اليوم ظاهرة غريبة عن النسيج الإسلامي لهذه العلاقة؛ تتمثل في العنف الزائد في العلاقة بين الأب وابنه؛ لأسباب يطول شرحها، فهل أجازت الشريعة الإسلامية للأب أن يؤدب ابنه إلى حد الإضرار بجسده، وإذا أساء الأب في استعمال حقه؛ فهل يقتص الابن من أبيه؟

تتبلور أهمية هذه الدراسة من جانبين؛ أولهما الجانب الفقهي العلمي، وذلك من خلال الوقوف على حكم الاعتداء من قِبل الأب على ابنه ضرباً أو جرحاً فيما دون القتل، وكذلك حكم اعتداء الابن على أبيه ضرباً أو جرحاً فيما دون النفس، أما الجانب الثاني، ألا وهو الجانب النظري، فيتمثل في الدراسة التطبيقية لنظرية التعسف في استعمال الحق، وذلك من خلال تطبيق هذه النظرية على مسألة فقهية واقعية.

تتمركز مشكلة هذه الدراسة في بيان موقف المذاهب الفقهية من مسألة القصاص فيما دون النفس بين الأب وابنه في ضوء نظرية التعسف في استعمال الحق، وذلك من خلال الإجابة على الأسئلة الآتية:

- ما مفهوم القصاص فيما دون النفس؟

- ما هو موقف المذاهب الإسلامية من هذه القضية، وما أسباب اختلافهم فيها، وما هي أدلتهم؟

- ما وجه الربط بين هذه المسألة ونظرية التعسف في استعمال الحق في الفقه الإسلامي؟

وللإجابة على هذه الأسئلة تتبع هذه الدراسة المنهجية البحثية الآتية: استقراء المادة العلمية للبحث المنثورة في أمهات كتب المذاهب الفقهية، ووصف المسألة كما وردت فيها، ثم المقارنة والتحليل لهذه الآراء، ثم الربط بين هذه المسألة المطروحة ونظرية التعسف، وبيان مدى انطباق معايير نظرية التعسف على المسألة المطروحة.

كثرت الدراسات التي تناولت أحكام الجنايات أو العقوبات في الفقه الإسلامي سواء أكانت في كتب مستقلة ولعل من أشهرها في الوقت الراهن كتاب التشريع الجنائي الإسلامي لعبد القادر عودة، وكتاب الجريمة والعقوبة لأبي زهرة، أم كانت في ثنايا الكتب الفقهية القديمة والحديثة، أما نظرية التعسف في استعمال الحق، فقد يكون الكتاب الرائد فيها نظرية التعسف في استعمال الحق لفتحي الدريني، بيد أن المسألة المطروحة في ثنايا هذه الدراسة فلم يقف الباحث ــ في حدود اطلاعه ــ على دراسة مستقلة لهذه القضية، وذلك بالجمع بين البنية الفقهية المتمثلة في موقف المذاهب الإسلامية المتعددة، مع ربطها ببنية نظرية التعسف في استعمال الحق في الفقه الإسلامي.

القصاص لغة: من قصَّ قصًّا وقصيصاً، أي: تتبع أثره، وفي القرآن الكريم: (وَقَالَتْ لِأُخْتِهِ قُصِّيهِ)١، والقِصاص (بكسر القاف): هو أن يوقع على الجاني مثل ما جنى،

---
١ سورة القصص من آية (١١).

النفس بالنفس، والجرح بالجرح٢.

اصطلاحاً: القتل بإزاء القتل، واتلاف الطرف بإزاء اتلاف الطرف، ويقال: أقصَّ السلطان فلاناً إقصاصاً، أي: قتله قوداً، وأقصَّه من فلان، أي: جرحه مثل جرحه٣.

أما (فيما دون النفس) فهوكل أذى يقع على جسم الإنسان من غيره فلا يودي بحياته، وهو تعبير دقيق يتسع لكل أنواع الاعتداء والإيذاء التي يمكن تصورها فيدخل فيه الجرح والضرب والجذب والعصر والضغط٤.

ب. صورة المسألة، وتحرير محل النزاع، وسبب اختلاف الفقهاء

١. صورة المسألة

قام الباحث بدراسة صورتين لهذه المسألة: (١) قيام الأب بإيقاع أذى على جسم ابنه كضرب أو جرح مثلاً، فهل يقتص الابن من أبيه إن أمكن القصاص؟ و(٢) قيام الابن بإيقاع أذى على جسم والده كضرب أو جرح مثلاً، فهل يقتص الأب من ابنه إن أمكن القصاص؟٥

٢. تحرير محل النزاع

اتفق الفقهاء على أنه يقتص الأب من ابنه إذا قام الابن بإيقاع الأذى على جسم والده كضرب، أو جرح، أو كسر سنٍ مثلا إن أمكن القصاص٦.

واختلف الفقهاء في حالة اعتداء الأب على ابنه، على أقوال عدة سيأتي بيانها في النقطة

---

٢ انظر: الفيروز آبادي، القاموس المحيط ص٦٢٧، مادة: قصص؛ مجمع اللغة العربية، المعجم الوجيز، ص٥٠٤.

٣ انظر: النسفي، طلبة الطلبة في الاصطلاحات الفقهية، ١٤١٨هـ ـ ١٩٩٧م، ص٢٩٥؛ الفيومي، المصباح المنير، ج٢، ص٦٩٣-٦٩٤.

٤ عودة، التشريع الجنائي الإسلامي، ج٢، ص ٢٠٤.

٥ يحرم على الابن القيام بهذه الأمور عملاً بمفهوم المخالفة في قوله تعالى: (فَلَا تَقُلْ لَهُمَا أُفٍّ وَلَا تَنْهَرْهُمَا وَقُلْ لَهُمَا قَوْلًا كَرِيمًا)، سورة الإسراء / من آية (٢٣).

٦ انظر: ابن عابدين، رد المحتار على الدر المختار، ج١٠/ ص١٧٥؛ الكاساني، بدائع الصنائع، ج٨/ ص ٧٣؛ الشربيني، مغني المحتاج، ج٤/ ص٢٧؛ الكوهجي، زاد المحتاج، ج٤/ ص٢٤؛ ابن مفلح الحنبلي، المبدع، ج٧/ ص٢١٩-٢٢٠؛ الخرشي، حاشية الخرشي على مختصر سيدي خليل، ج٨/ ص٧؛ المرتضى، البحر الزخار، ج٦/ ص٣٤٦؛ الشوكاني، السيل الجرار المتدفق على حدائق الأزهار، ج٤/ ص٣٨٩، الحلي، المختصر النافع، ص٣١٣-٣١٤؛ الثميني، النيل وشفاء العليل، ج١٥/ ص٩٦؛ الدسوقي، حاشية الدسوقي على الشرح الكبير، ج٤/ ص٢٨٨؛ الغرياني، مدونة الفقه المالكي وأدلته، ج٤/ ص٥١٠-٥١١.

الآتية.

٣. سبب اختلاف الفقهاء

من خلال النظر في أمهات الكتب الفقهية؛[٧] وجد الباحث أن هذه المسألة الجزئية تندرج تحت المسألة الأم ألا وهي القصاص في النفس، فيحمل سبب اختلافهم في القصاص في النفس بين الأب وابنه على القصاص في النفس فيما دون النفس، وسبب الاختلاف في المسألة الأم هو ما روي عن يحيى بن سعيد عن عمرو بن شعيب: أن رجلاً من بني-مدلج يقال له قتادة- حذف ابنا له بالسيف فأصاب ساقه، فنُزي جرحه فمات، فقدِم سراقة بن جعشم على عمر بن الخطاب رضي الله عنه فذكر ذلك له، فقال له عمر: اعدد على ماء قديد عشرين و مائة بعير حتى أقدم عليك، فلما قدم عمر أخذ من تلك الإبل ثلاثين حقة[٨] وثلاثين جذعة[٩] وأربعين خلفة[١٠]، ثم قال: أين أخو المقتول؟ فقال: ها أنا ذا، قال: خذها، فإن رسول الله صلى الله عليه وسلم قال: «ليس لقاتل شيء»[١١].

فالإمام مالك حمل هذا الحديث على أنه لم يكن عمداً محضاً، وأثبت منه شبه العمد فيما بين الابن والأب. وأما الجمهور فحملوه على ظاهره من أنه عمد لإجماعهم أن من حذف آخر بسيف فقتله فهو عمد. وأما الإمام مالك فرأى لما للأب من التسلط على تأديب ابنه، ومن

---

[٧] انظر: الكاساني، بدائع الصنائع، ج/٢، ص١٦٧؛ الغرياني، مدونة الفقه المالكي وأدلته، ج/٤، ص٥١١، الشيرازي، التنبيه في الفقه الشافعي، ص٥١١؛ الكوهجي، زاد المحتاج شرح المنهاج، ج/٤، ص٣٦-٣٧؛ الشربيني، مغني المحتاج إلى معرفة ألفاظ المنهاج، ج/٤، ص٣٦-٣٧؛ البهوتي، كشاف القناع عن متن الاقناع، ج/٥، ص٦٤٥؛ ابن مفلح، المبدع شرح المقنع، ج/٧، ص٢٤٨-٢٤٩؛ الرحيباني، مطالب أولى النهى، ج/٦، ص٦٢-٦٣؛ الحلي، المختصر النافع في فقه الإمامية، ص٣١٧؛ المرتضى الزبيدي، البحر الزخار، ج/٦، ص٣٤٦-٣٤٧.

[٨] الحُقُّة من الإبل: هي التي استكملت ثلاث سنين ودخلت في الرابعة، وسميت بذلك لاستحقاقها الحمل والركوب؛ انظر:النسفي، طلبة الطلبة، ص٣٥.

[٩] الجَذَعة من الأبل (بفتح الذال): هي التي استكملت أربع سنوات ودخلت في السنة الخامسة. انظر: النسفي، طلبة الطلبة، ص ٣٥، كتاب الزكاة.

[١٠] خَلِفَة: جمع الخَلِفات (بفتح الخاء وكسر اللام): الحوامل من النوق؛ انظر: النسفي، طلبة الطلبة، ص ٢٩٩، كتاب الديات؛ النووي، تهذيب الأسماء واللغات، ج/٣،ص٩٧.

[١١] انظر: ابن ماجة، السنن، كتاب: الديات، باب: لا يرث القاتل، حديث رقم: ٢٦٤٦، ص٢٨٨ (ط. بيت الأفكار)؛ البيهقي، السنن الكبرى، كتاب الجنايات، باب الرجل يقتل ابنه، ج/٨، ص٣٨-٣٩؛ مالك، الموطأ، كتاب: العقول، باب: ميراث العقل والتغليظ فيه، رقم: ٣٢٢٩، ج/٥، ص١٢٧٣. حكم عليه الشيخ الألباني بالصحة، انظر الحكم مفصلاً في: الألباني، إرواء الغليل، رقم: ١٦٧٠، ج/٦، ص١٥٥ وما بعدها، ورقم: ٢٢١٥، ج/٧، ص٢٧٢ وما بعدها.

المحبة له أن حمل القتل الذي يكون في أمثال هذه الأحوال على أنه ليس بعمد، ولم يتهمه إذ كان ليس بقتل غيلة، فإنما يحمل على أنه قصد القتل من جهة غلبة الظن وقوة التهمة، إذ كانت النيات لا يطلع عليها إلا الله تعالى، فمالك لم يتهم الأب حيث اتهم الأجنبي، لقوة المحبة التي بين الأب والابن. والجمهور إنما عللوا درء الحد عن الأب لمكان حقه على الابن، والذي يجيء على أصول أهل الظاهر أن يقاد، فهذا هو القول في الموجب¹².

جـ. أقوال الفقهاء وأدلتهم

١. القول الأول: لا يقتص للولد من الوالد (أم وأب) وإن علو

وذهب إلى هذا القول الحنفية¹³، والشافعية¹⁴، والحنابلة¹⁵، والزيدية¹⁶، والإباضية¹⁷. استدل أصحاب هذا القول بجملة أدلة من القرآن الكريم، والسنة النبوية، والمعقول، منها:

١) قال الله تعالى: (وَوَصَّيْنَا الإِنسَانَ بِوَالِدَيْهِ حَمَلَتْهُ أُمُّهُ وَهْنًا عَلَى وَهْنٍ وَفِصَالُهُ فِي عَامَيْنِ أَنِ اشْكُرْ لِي وَلِوَالِدَيْكَ إِلَيَّ الْمَصِيرُ _ وَإِن جَاهَدَاكَ عَلَى أَن تُشْرِكَ بِي مَا لَيْسَ لَكَ بِهِ عِلْمٌ فَلَا تُطِعْهُمَا وَصَاحِبْهُمَا فِي الدُّنْيَا مَعْرُوفًا)¹⁸.

٢) قال الله تعالى: (وَوَصَّيْنَا الإِنسَانَ بِوَالِدَيْهِ حُسْنًا)¹⁹.

٣) قال الله تعالى: (إِمَّا يَبْلُغَنَّ عِندَكَ الْكِبَرَ أَحَدُهُمَا أَوْ كِلَاهُمَا فَلَا تَقُل لَّهُمَا أُفٍّ وَلَا تَنْهَرْهُمَا وَقُل لَّهُمَا قَوْلًا كَرِيمًا _ وَاخْفِضْ لَهُمَا جَنَاحَ الذُّلِّ مِنَ الرَّحْمَةِ وَقُل رَّبِّ ارْحَمْهُمَا كَمَا رَبَّيَانِي صَغِيرًا)²⁰.

ووجه الاستدلال بالنصوص القرآنية: إن الله عز وجل أمر بمصاحبة الوالدين وقرن شكرهما بشكره، ولم يخص بذلك حالاً دون حال، بل أمر الإنسان بذلك مطلقاً، والقصاص

---

¹²ابن رشد، بداية المجتهد، ج٢/ ص٣٨٣.

¹³ابن عابدين، رد المحتار، ج١٠/ ص١٧٥؛ الكاساني، بدائع الصنائع، ج٨/ ص ٧٣.

¹⁴الشربيني. مغني المحتاج، ج٤/ ص٢٧؛ الكوهجي، زاد المحتاج، ج٤/ ص٢٤.

¹⁵ابن مفلح الحنبلي، المبدع، ج٧/ ص٢١٩-٢٢٠؛ الرحيباني، مطالب أولى النهى، ج٦/ ص٣٧.

¹⁶المرتضى، البحر الزخار، ج٦/ ص٣٤٦؛ الشوكاني، السيل الجرار، ج٤/ ص٣٨٩.

¹⁷الحلي، المختصر النافع، ص٣١٣-٣١٤؛ الثميني، النيل وشفاء العليل، ج١٥/ ص٩٦.

¹⁸سورة لقمان، ١٤-١٥.

¹⁹العنكبوت: ٨.

²⁰الإسراء: ٢٣-٢٤.

منهما ينافي ما أمر الله به[21] .

واستدل أصحاب هذا القول من السنة النبوية بعدد من الأدلة، منها:-

١)   قال صلى الله عليه وسلم: «لا يقاد الأب من ابنه»[22] .

٢)   قال عليه الصلاة والسلام: "لا يقاد الوالد بالولد"[23]

وجه الاستدلال من النصوص النبوية: إن النبي صلى الله عليه وسلم نهى عن القصاص للولد من الوالد، وهذا نص في المسألة، ثم إن الحديث الثاني خبر مستفيض عن عمر بن الخطاب رضي الله عنه بحضرة الصحابة من غير خلاف من واحد منهم[24] .

٣)   قال رسول الله صلى الله عليه وسلم: «أنت ومالك لأبيك»[25]

وجه الاستدلال بالحديث: إضافة نفس الولد لأبيه كإضافة ماله، وإطلاق هذه الإضافة ينفي القود. والأب وإن كان غير مالك لابنه في الحقيقة إلا أن هذه الإضافة تعد شبهة في إسقاط القود[26] .

والاستدلال بالمعقول، إن القصاص شرع لزجر المجرمين وردعهم من الاعتداء، ولا شك أن الحاجة ماسة لردع الولد عن الجناية على الوالد، ذلك أن الوالد يحب الولد لذاته لا لنفسه، وفي الوالد شفقة تمنعه من الجناية على الولد. أما الولد فإنه يحب والده لنفسه، ولوصول النفع إليه من جهته، وعليه لم تكن هذه الحجة مانعة من القتل، وبما أن الأب هو

---

[21] الجصاص، أحكام القرآن، ج١/ ص١٧٩.

[22] البيهقي، السنن الكبرى، كتاب: الجنايات، باب: الرجل يقتل ابنه، ج٨/ ص٣٨. حكم عليه الدكتور محمد الأعظمي بالصحة بعد أن قام بجمع طرقه. للتفصيل في طرق الحديث للتلطف بالنظر إلى: الأعظمي، المنة الكبرى شرح وتخريج السنن الصغرى، كتاب الجراح، باب الرجل يقتل ابنه، ج٧/ ص٣١ وما بعدها.

[23] الترمذي، الجامع الصحيح، حديث رقم ١٤٠٥، ص٤٣١، وقال الترمذي: هذا حديث لا نعرفه بهذا الإسناد مرفوعاً إلا من إسماعيل بن مسلم، وقد تكلم فيه بعض أهل العلم من قبل حفظه؛ ابن ماجه، سنن ابن ماجه، كتاب الديات، باب: لا يقتل الوالد بولده، حديث رقم: ٢٦٦٢، ص٣٨٣. حكم عليه الشيخ محمد ناصر الدين الألباني بأنه حديث صحيح؛ الألباني، صحيح سنن ابن ماجه، حديث رقم ٢١٥٦-٢٦٦١، ج٢/ ص١٠١.

[24] الجصاص، أحكام القرآن، ج١/ ص١٧٨؛ قاضي زاده، نتائج الأفكار في كشف الرموز والأسرار (تكملة شرح فتح القدير)، ج١٠/ ص٢٤١؛ الشربيني، مغني المحتاج، ج٤/ ص٢٧؛ الكوهجي، زاد المحتاج، ج٤/ ص٢٤؛ الرحيباني، مطالب أولي النهى، ج٦/ ص٣٨.

[25] أبو داود، سنن أبي داود، كتاب البيوع، باب: الرجل يأكل من مال ولده، حديث رقم: ٣٥٣، ص٥٠٨؛ وحكم الشيخ محمد ناصر الدين الألباني عليه بأنه حديث حسن صحيح؛ الألباني، صحيح سنن أبي داود، حديث رقم: ٣٠١٥ – ٣٥٣٠، ج٢/ ص٦٧٤.

[26] الجصاص، أحكام القرآن، ج١/ ص١٧٩؛ ابن مفلح، المبدع، ج٧/ ص٢١٩؛ ابن قدامة، المغني، ج٩/ ص٣٦٠.

السبب في إيجاد الولد، فالأصل ألا يكون الولد سبباً في إعدامه٢٧ .

والجد وإن علا كالأب سواء أكان من جهة الأب أو من جهة الأم؛ لدخوله في عموم النص، ولأن ذلك حكم يتعلق بالولادة فاستوى فيه القريب والبعيد كالمحرمية، والجد من قبل الأم كالجد من قبل الأب؛ لأن ابن البنت يسمى ابناً، قال عليه الصلاة والسلام للحسن بن علي رضي الله عنه، ابن السيدة فاطمة الزهراء رضي الله عنها: «إن ابني هذا سيد»٢٨ . والأم كالأب؛ لأنها أحد الوالدين، ولأنها أولى بالبر فكانت أولى بنفي القصاص عنها٢٩ . واسم الولد يتناول كل ولد وأن سفل.٣٠

٢. القول الثاني: يقتص للولد من الوالد إذا ظهر منه قصد القتل، كأن يرمي عنقه بالسيف، أو بأن يضجعه فيذبحه، أما إذا لم يظهر منه قصد القتل فلا يقتص منه

وذهب إلى هذا المالكية٣١ .

وعمدة أدلتهم هنا عموم قوله تعالى: (يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلَى الْحُرُّ بِالْحُرِّ وَالْعَبْدُ بِالْعَبْدِ وَالْأُنْثَى بِالْأُنْثَى)٣٢

وذهب إلى هذا القول كذلك ابن المنذر، مستدلاً بظواهر آيات القرآن الموجبة للقصاص، ولأنهما حران مسلمان من أهل القصاص٣٣ .

أما رأي الظاهرية؛ فلم يقف الباحث على رأي لهم في المسألة، لكنه وقف على الأصل العام، وهو ما نص عليه الإمام ابن حزم في المحلى إذ يقول:»إن القصاص واجب في كل ما كان بعمد من جرح أو كسر؛ لإيجاب القرآن ذلك، و ورود السنن الثابتة عن رسول الله

---

٢٧ قاضي زاده، نتائج الأفكار، ج١٠/ ص٢٤٠؛ الكاساني، بدائع الصنائع، ج٨/ ص٧٣؛ الشربيني، مغني المحتاج، ج٤/ ص٢٧؛ الكوهجي، زاد المحتاج، ج٤/ ص٢٤؛ ابن مفلح، المبدع، ج٧/ ص٢١٩.

٢٨ البخاري، صحيح البخاري، كتاب الصلح، باب قول النبي صلى الله عليه وسلم للحسن بن علي رضي الله عنه: إن ابني هذا سيد، حديث رقم: ٢٧٠٤، ص٤٤١-٤٤٢.

٢٩ ابن قدامة، المغني، ج٩/ ص٣٦٠-٣٦١.

٣٠ الكاساني، بدائع الصنائع، ج٧، ص٢٣٥. (ط. العلمية). وانظر: المناوي، فيض القدير، شرح حديث رقم: ٩٨٣٩، ج٦، ص٤١٤.

٣١ الخرشي، حاشية الخرشي، ج٨/ ص٧؛ الدسوقي، حاشية الدسوقي، ج٤/ ص٢٨٨؛ الغرياني، مدونة الفقه المالكي وأدلته، ج٤/ ص٥١٠-٥١١.

٣٢ البقرة: ١٧٨.

٣٣ ابن قدامة، المغني، ج٩/ص٣٦٠.

صلى الله عليه وسلم.»³⁴

٣. القول الثالث: *لا يقتص للأبناء من الآباء، ويقتص لهم من الأجداد والجدات*³⁵

نقله النووي عن ابن القاص³⁶ وابن سلمة³⁷ من الشافعية، وبيّن النووي أنه-أي القول- شاذ منكر، ولم يذكر له أدلة ³⁸ .

د. المناقشة والترجيح وربط المسألة بنظرية التعسف في استعمال الحق

يمكن للباحث أن يتناول المناقشة من جهتين؛ أولهما، مناقشة القضية الأصلية ألا وهي القصاص في النفس، حيث يرى الباحث أن التوجه العام في الفقه الإسلامي عدم القصاص من الوالد إذا قام بقتل ابنه، والقصاص من الابن إذا قتل والده؛ للنصوص القرآنية والنبوية الدالة على ذلك، غير أنه إن تجرد الأب من الرحمة والشفقة فقام بذبح ولده عمدا؛ فيرى الباحث ضرورة الأخذ بمذهب المالكية في هذه الجزئية؛ لأن المدار العقلي لمنع القصاص كان الرحمة والشفقة من الأب، فإن تجرد الأب منهما في الزمن الرديء؛ كان رأي المالكية هو العلاج لمثل هذه الحالة.

أما المناقشة الثانية؛ ألا وهي القصاص فيما دون النفس، فالاتجاه السائد في الفقه الإسلامي عدم القصاص من الوالد إن اعتدى على علة ابنه، والقصاص من الابن إن اعتدى على أبيه، لكن الواقع المعاش يطالعنا بقيام الآباء بأعمال لا تليق بالحيوانات فضلا عن البشر، فهل نبقى متمترسين في خندق جمهور الفقهاء الذين وصفوا الأحكام لزمانهم، وبينوا أن لا ينكر تغير الأحكام بتغير الأزمان؟ الذي يذهب إليه الباحث هو توسيع دائرة العمل بمذهب المالكية في مسألة القصاص في النفس حين وضحوا بعض الصور التي يتضح فيها انعدام الشفقة

---

³⁴ ابن حزم، *المحلى*، ج١٢/ص ٥٣، مسألة رقم: ٢٠٣٠.

³⁵ النووي، *روضة الطالبين*، ج٧/ ص٣١.

³⁶ ابن القاص هو: أبو العباس، أحمد بن أبي أحمد الطبري، أحد أئمة المذهب الشافعي، أخذ الفقه عن ابن سريج وتفقه عليه أهل طبرستان، وقد صنف التصانيف الكثيرة؛ منها: التلخيص، وأدب القضاء، توفي سنة ٣٣٥هـ. انظر ترجمته في: ابن قاضي شهبة، *طبقات الشافعية*، ج١، ص٧١-٧٢، ترجمة رقم: ٥٢.

³⁷ ابن سلمة هو: أبو الطيب، محمد بن المفضل بن سلمة بن عاصم الضبي البغدادي، من كبار فقهاء الشافعية، تفقه على ابن سريج وكان موصوفاً بفرط الذكاء، توفي سنة ٣٠٨هـ. انظر ترجمته في: ابن قاضي شهبة، *طبقات الشافعية*، ج١، ص٦٦-٦٧، ترجمة رقم: ٤٨.

³⁸ *المرجع السابق؛* وذكر هذا الرأي الحصني في كفاية الاخبار: «قيل يقتص من الأجداد والجدات» ولم يذكر من أصحاب هذا القول من الشافعية ولم يذكر أدلتهم كذلك. انظر: الحصني، *كفاية الأخبار*، ص٥٩٩.

والرحمة والأبوة فبنوا عليها القصاص بين الوالد وابنه؛ يرى الباحث أن قيام الآباء بأعمال تنعدم فيها الرأفة في حق أولادهم توجب القصاص، وتقدير تلك الأعمال يعود للقضاء، وإن تعذر القصاص فنلجأ إلى التعزير إضافة إلى تحمل الوالد المسؤولية الكاملة عما أحدثه في جسم ولده من ضرر فهو ملزم بعلاجه، لكون الشريعة الإسلامية جاءت لرفع الضرر ودفعه.

الربط بين المسألة المعروضة ونظرية التعسف في استعمال الحق في الفقه الإسلامي

بداية: تعد النظريات الفقهية حديثة النشأة في الفقه الإسلامي، والتي يمكن تعريفها بأنها: مفاهيم كبرى وقواعد عظمى تؤلف كل واحدة منها نظاما كاملاً، ينضوي تحته العديد من الجزئيات والفروع الفقهية، ومن أبرز النظريات الفقهية نظرية الملكية، ونظرية الضمان، ونظرية العقد، ونظرية التعسف في استعمال الحق، وبالرغم من حداثة النظريات الفقهية إلا أن فروع هذه النظريات الفقهية مبثوثة في ثنايا الكتب الفقهية.

هذا بالنسبة إلى مفهوم النظرية الفقهية أما التعسف في استعمال الحق، فيمكن تعريفه بأن يمارس الشخص فعلاً مشروعاً في الأصل بمقتضى حق شرعي ثبت له على وجه يلحق الضرر بغيره أو يخالف حكمة مشروعيته.[39] وتستند هذه النظرية إلى جملة من الأسس الشرعية، أهمها القاعدة الفقهية: «لا ضرر ولا ضرار»، فللإنسان حرية التصرف في ملكه شريطة عدم الإضرار بالغير، فلمالك العقار مثلا أن يبني في أرضه ما يشاء ولكن لجاره الحق في أن لا يضار ببنائه كأن يكشف عورات جاره. إذاً إن استعمال الحق مقيد بجملة ضوابط منها: ألا يلحق هذا الاستعمال ضرراً بالآخرين، وألا يتعمد قصد الإضرار بالغير.

وإذا أردنا حمل المسألة المدروسة في طيات هذه الدراسة على نظرية التعسف في استعمال الحق؛ نلحظ أمور عدة؛ منها:

- إن الوالد له الحق في هذه المسألة في تأديب ابنه بالصورة التي يراها مناسبة، وهذا حق شرع لمصلحة مقيدة شرعاً، ولم يشرع للإضرار بالابن كجرح أو كسر مثلاً.

- إن الوالد هنا في استعماله لحقه ترتب عليه ضرر فاحش بالابن وهذا يتنافى مع قواعد الشريعة القاضية بدفع الضرر قبل وقوعه وبإزالته بعد الوقوع، بل يتناقض مع الأصل العام الذي قامت عليه الشريعة وهو جلب المصالح ودرء المفاسد، وكون درء المفاسد مقدم على جلب المصالح.

- يشترط في استعمال هذا الحق أن لا تترتب عليه ضرر عظيم؛ لأن ما غلب ضرره على نفعه لا يشرع.

---

[39] الدريني، نظرية التعسف في استعمال الحق، ص٤٦-٤٧.

- إن كانت جناية الأب على ابنه فيما دون نفسه ليس لها هدف سوى الضرر، وإلحاق الضرر بالآخرين؛ فهي ممنوعة شرعاً.
- إن جناية الابن على أبيه لا تدخل ضمن نظرية التعسف فالابن ليس له حق الجناية على أبيه فهو يعتدي؛ لأن فعله غير مشروع ابتداءً، أما فعل الأب فهو مشروع ابتداءً لكنه ـأي الأب ـ تعسف في استعمال الحق المأذون له فيه بحسب الأصل.

هـ. الإختتام

هدفت هذه الدراسة إلى بيان موقف الفقه الإسلامي من مسألة القصاص فيما دون النفس بين الأب والابن. وقد قام هذا البحث على دراسة فقهية بين المذاهب الفقهية المختلفة، معرجة على نظرية التعسف في استعمال الحق في الفقه الإسلامي. وتوصلت الدراسة إلى وقوع القصاص من الأب إذا اعتدى على ابنه فيما دون نفسه إن كان الضرر كبيرا، وإلى عدم وقوع القصاص إن كان الضرر يسيرا رغم ضمانه ما أحدثه من ضرر، وتوصلت كذلك إلى وقوع القصاص من الابن إذا اعتدى على والده، وهذا الأمر يلقي بظلاله على أمرين في غاية الأهمية؛ أولهما ضرورة البحث الدقيق في أسباب مثل هذه الظواهر التي يتجرد فيها الأب من أبوته فيعتدي على ابنه اعتداء ليس ببشري، والحال كذلك مع الأبن حينما يعتدي على أبيه، والأمر الآخر ضرورة النظر إلى الحكم الفقهي في ظل الواقع الذي صدر من خلاله وعدم قطع النص واجتزائه عن بقية مكونات الصورة؛ فإذا أراد الباحث إسقاط الحكم الفقهي على الواقع اليوم، فحري به الالتفات إلى هذا الأمر.

المصادر

ابن حزم، أبو محمد، علي بن أحمد، *المحلى*، تحقيق: أحمد شاكر، ط١، دار احياء التراث العربي، و مؤسسة التاريخ العربي-بيروت، ١٤١٨هـ،١٩٩٧م.

ابن ماجه، أبو عبد الله، محمد بن يزيد، *سنن ابن ماجة*، إشراف ومراجعة: الشيخ صالح آل الشيخ، ط١، دار السلام ــ الرياض، ١٤٢٠ هـ ١٩٩٩م.

ابن قاضي شهبة، أبو بكر بن أحمد بن محمد، *طبقات الشافعية*، اعتنى بتصحيحه: الحافظ عبد العيم خان، ط١، الهند: مطبعة مجلس دائرة المعارف العثمانية، ١٣٩٨هـ، ١٩٧٨م.

ابن قدامة، أبو محمد، عبد الله بن أحمد، *المغني*، ط: بدون، دار الفكر، بيروت، ١٤١٢هـ ــ ١٩٩٢م.

ابن عابدين، محمد أمين، رد *المحتار على الدر المختار شرح تنوير الأبصار*، دراسة وتحقيق: وتعليق: عادل عبد الموجود، وعلي معوض، طبعة خاصة، دار عالم الكتب ــ الرياض، ١٤٢٣هـ ــ ٢٠٠٣م.

ابن رشد، أبو الوليد، محمد بن أحمد، *بداية المجتهد ونهاية المقتصد*، اعتنى به: هيثم طعيمي، ط١، المكتبة العصرية، بيروت، ١٤٢٣هـ ــ ٢٠٠٢م.

ابن مفلح، أبو اسحاق، إبراهيم بن محمد، *المبدع شرح المقنع*، تحقيق: محمد الشافعي، ط١، دار الكتب العلمية ــ بيروت، ١٤١٨هـ ــ ١٩٩٧م.

أبو داود، سليمان بن الأشعث، *سنن أبي داود*، إشراف ومراجعة: الشيخ صالح آل الشيخ، ط١، دار السلام ــ الرياض، ١٤٢٠هـ ــ ١٩٩٩م.

الأعظمي، محمد ضياء الرحمن، *المنة الكبرى شرح وتخريج السنن الصغرى*، ط١، مكتبة الرشد ـالرياض، ١٤٢٢هـ، ٢٠٠١م.

الألباني، محمد ناصر الدين، *إرواء الغليل في تخريج أحاديث منار السبيل*، إشراف: زهير الشاويش، ط١، المكتب الإسلامي- دمشق، ١٣٩٩هـ، ١٩٧٩م.

-----، محمد ناصر الدين، *صحيح سنن ابن ماجة*، ط١، الرياض: مكتب التربية العربي لدول الخليج، ١٤٠٧هـ، ١٩٨٦م.

-----، محمد ناصر الدين، *صحيح سنن أبي داود*، اختصر أسانيده وعلق عليه وفهرسه: زهير الشاويش، ط١، مكتب التربية العربي لدول الخليج- الرياض، ١٤٠٩هـ،١٩٨٩م.

البخاري، أبو عبد الله، محمد بن اسماعيل، *صحيح البخاري*، ط٢، دار الفيحاء- دمشق، ودار السلام ـ الرياض، ١٤١٩هـ، ١٩٩٩م.

البهوتي، منصور بن يونس، *كشاف القناع عن متن الاقناع*، تحقيق: محمد الشافعي، ط١،

دار الكتب العلمية-بيروت، ١٤١٨هـ، ١٩٩٧م.

البيهقي، أبو بكر، أحمد بن الحسين، *السنن الكبرى*، ط١، مجلس دائرة المعارف العثمانية- الهند، ١٣٥٤هـ.

الترمذي، أبو عيسى، محمد بن عيسى، *الجامع الصحيح*، ط١، دار ابن حزم – بيروت، ١٤٢٢هـ ـ ٢٠٠٢م.

الثميني، ضياء الدين عبد العزيز، *النيل وشفاء العليل*، ط٣، مكتبة الارشاد، جدة، ١٤٠٥ هـ ـ ١٩٨٥م.

الجصاص، أبو بكر، أحمد بن علي، *أحكام القرآن*، تحقيق: محمد قمحاوي، ط: بدون، دار إحياء التراث العربي – بيروت، ١٤٠٥هـ ـ ١٩٨٥م.

الحصني، أبو بكر بن محمد الحسيني، *كفاية الأخيار في حل غاية الاختصار*، تحقيق: كامل عويضة، ط١، بيروت: دار الكتب العلمية، ١٤٢٢هـ، ٢٠٠١م.

الحلي، أبو القاسم، جعفر بن الحسن، *المختصر النافع في فقه الإمامية*، ط: بدون، مطبعة النعمان – النجف، ١٣٨٣هـ ـ ١٩٦٤م.

الخرشي، محمد بن عبد الله، *حاشية الخرشي على مختصر سيدي خليل*، ط: بدون، دار صادر، بيروت.

الديني، فتحي، *نظرية التعسف في استعمال الحق في الفقه الإسلامي*، ط٤، مؤسسة الرسالة، بيروت، ١٤٠٨هـ ـ ١٩٨٨م، ص٤٦-٤٧.

الدسوقي، محمد عرفة، *حاشية الدسوقي على الشرح الكبير*، ط: بدون، دار الفكر، بيروت.

الرحيباني، مصطفى السيوطي، *مطالب أولى النهى في شرح غاية المنتهى*، ط١، المكتب الإسلامي، دمشق، ١٣٨١هـ ـ ١٩٦١م.

الشربيني، شمس الدين، محمد بن الخطيب، *مغني المحتاج إلى معرفة ألفاظ المنهاج*، اعتنى به: محمد عيثاني، ط١، دار المعرفة – بيروت، ١٤١٨هـ ـ ١٩٩٧م.

الشوكاني، محمد بن علي، *السيل الجرار المتدفق على حدائق الأزهار*، تحقيق: محمود زايد، ط: بدون، دار الكتب العلمية، ١٤٠٥هـ ـ ١٩٨٥م.

الشيرازي، أبو اسحاق، إبراهيم بن علي، *التنبيه في الفقه الشافعي*، تحقيق: علي معوض، وعادل عبد الموجود، ط١، دار الأرقم – بيروت، ١٤١٨هـ ـ ١٩٩٧م.

عودة، عبد القادر، *التشريع الجنائي الإسلامي مقارناً بالقانون الوضعي*، ط١٤، مؤسسة الرسالة، بيروت، ١٤٢٢هـ ـ ٢٠٠١م.

الغرياني، الصادق عبد الرحمن، *مدونة الفقه المالكي وأدلته*، ط١، مؤسسة الريان، بيروت – ١٤٢٣هـ ـ ٢٠٠٢م.

الفيروز آبادي، مجد الدين، محمد بن يعقوب، (ت ٨١٧هـ)، *القاموس المحيط* تحقيق: مكتب تحقيق التراث في مؤسسة الرسالة، ط٦، مؤسسة الرسالة، بيروت، ١٤١٩ هـ ـ ١٩٩٨م.

الفيومي، أحمد بن علي، *المصباح المنير في غريب الشرح الكبير للرافعي*، ط: بدون، دار القلم، بيروت، (د.ت).

قاضي زاده، أحمد قودر، نتائج الأفكار في كشف الرموز والأسرار *(تكملة شرح فتح القدير)*، علق عليه وأخرج آياته وأحاديثه: عبد الرزاق المهدي، ط١، دار الكتب العلمية ـ بيروت، ١٤١٥هـ ـ ١٩٩٥م.

الكاساني، أبو بكر بن مسعود، *بدائع الصنائع في ترتيب الشرائع*، ط٢، بيروت: دار الكتب العلمية.

ــــــ، *بدائع الصنائع في ترتيب الشرائع*، تحقيق: محمد حلبي، ط١، دار المعرفة ـ بيروت، ١٤٢٠هـ ـ ٢٠٠٠م.

الكوهجي، عبد الله بن الشيخ حسن، زاد المحتاج *شرح المنهاج*، حققه وراجعه: عبد الله الأنصاري، ط١، طبع على نفقة الشؤون الدينية بدولة قطر.

مالك، مالك بن أنس، *الموطأ*، تحيقي: محمد الأعظمي، ط١، أبو ظبي: مؤسسة زايد آل نهيان، ١٤٢٥هـ، ٢٠٠٤م.

مجمع اللغة العربية، *المعجم الوجيز*، جمهورية مصر العربية، ١٩٨٩م.

المرتضى الزبيدي، أحمد بن يحيى، *البحر الزخار الجامع لمذاهب علماء الأمصار*، ضبط نصه:ـ د. محمد تامر، ط١، دار الكتب العلمية ـ بيروت، ١٤٢٢هـ ـ ٢٠٠١م.

المناوي، محمد عبد الرؤوف، *فيض القدير شرح الجامع الصغير*، ط٢، بيروت: دار المعرفة، ١٣٩١هـ، ١٩٧٢م.

النسفي، أبو حفص، عمر بن محمد، *طلبة الطلبة في الاصطلاحات الفقهية*، علق عليه ووضع حواشيه: محمد حسن الشافعي، دار الكتب العلمية ـ بيروت، ط١، ١٤١٨هـ، ١٩٩٧م.

النووي، أبو زكريا، يحيى بن شرف، *روضة الطالبين*، تحقيق: عادل عبد الموجود، وعلي معوض، ط: خاصة، الرياض: دار عالم الكتب، ١٤٢٣هـ، ٢٠٠٣م.

ــــــ، *تهذيب الأسماء واللغات*، دار الكتب العلمية ـ بيروت، د.ت.

Ḥamza ‘Abd al-Karīm Ḥammād

الوعي التاريخي في التفسير القرآني:
نظرية الوعي التاريخي عند غادامير من خلال تفسير جامع الأحكام للقرطبي

عبد الجليل

الجامعة لعلوم القرآن جاوة الوسطى، ونوصوبو، اندونيسيا

الملخص

يحاول الباحث في هذه الورقة أن يرى ويحلل نظرية الوعي التاريخي الفعال أو وعي التأثر بالتاريخ لهانس جورج غادامير في التفسير القرآني من خلال أحد كتب التفاسير الفقهية، الجامع لأحكام القرآن للقرطبي. هل تأثر القرطبي بالأفق التاريخي للنص و بالأفق المعاصر له، وكيف كانت تأثير ميولاته المذهبية والكلامية في التفسير. هل حدث كما يقول غادامير أن الإنسان يتأثر بلا وعي أم بوعي بالأفق التاريخي والمعرفي له، وإن كان يرى غادامير أن المهمة صعبة للحصول على هذا الوعي. كان القرطبي واعيا في طريقة تفسيره وفي كثير من عباراته تجاه المؤثرات الشخصية أو الخارجية، فحاول مناقشتها من غير نسيان الأفق التاريخي أو المعنى التاريخي للنص والأفق المعاصر له، فاستطاع مراقبة التجارب الشخصية والأحوال الإجتماعية والمذهب الفقهي له. ولكننا وجدناه يتأثر وينجرف بشكل أكبر للنحلة الكلامية التابعة للمدرسة الأشعرية وذلك من خلال تأويله لآيات الصفات. إذن فالأمور المتعلقة بالعقيدة والمذهب الكلامي هي أقوى المؤثرات على الإنسان والمفسر، والوعي تجاه تأثيرها هي من أصعب مستويات الوعي التاريخي.

أ. المقدمة

«إن الإنسان ابن عصره» هكذا يقال في الأمثال الشعبية، أي أن كل شخص-وعى أم لا- يتأثر بما جرى حوله من الأحداث، وما تلقاه من علوم وما إلى ذلك خلال مسيرة حياته، وهذا التأثر يكون على الصعيد النفسي والإيديولوجي والفكري للفرد، ومن ثم معاملته مع الآخرين ونظرته لهم وانطباعاته الأولى عنهم، وهذا ينطبق أيضا مع معاملته وطريقة فهمه للنصوص العلمية والأدبية والدينية أيضا، وهي من المسلمات التي لا يمكن ردها. والقرآن كنص أوكخطاب إلهي للبشر قد احتل مكانة مهمة أو بالأحرى أساسية في حياة المسلم في مختلف العصور والأمكنة والطبقات منذ أن أنزله الله على خير البرية، حيث لم يتطرق على نصه تغير أو تحريف ولكن طريقة فهمه وتفسيره وتأويله وترجمته في الحياة هي المتغيرة، ولذلك كانت ألوان ومناهج المفسرين ديناميكية الحركة والتنوع من عصر الصحابة إلى الوقت الحاضر، وهذا قريب بما قال عنه محمد شحرور بـ» ثبات الصيغة اللغوية (النص) وحركة المحتوى».[1] إن تأثر المفسر بالتاريخ المحيط وحواره مع التراث وكل ما يتعلق به من أمور من جهة ستطبع من جهة أخرى على محاولة فهمه للنص القرآني، أو بعبارة شحرور أن الإنسان مهما بلغ من العبقرية فإنه يحمل طابع النسبية الزمانية والمكانية.[2] في هذا الصدد يعلق خليل عبد الكريم (ت ٢٠٠٢ م) على بعض المفسرين المعاصرين الذين يهتمون –فقط– بجمع وشرح ما كتبه السلف في كتبهم وعدم الإعتبار بالسياقات التاريخية للنصوص بقوله:

«إن من أصعب الأمور أن نصدق أن المفسر المعاصر الحديث يجهل أن سلفه الصالح قد عاش في زمان غير زمانه وفي مجتمع غير مجتمعه... وحصل على علوم تفاصل علومه، وواكبته أنساق إجتماعية وإقتصادية ومعرفية وسياسية وإعلامية وتعليمية... إلخ لا وجه للمقارنة بينها وبين أندادها من الأنساق التي تحايثه. ومن أبعد الفروض أن نؤمن أنه لا يفقه أن تلك الإكراهات جميعا لابد أن تطبع تفسير سلفه بميسمها، وهذا ما يؤكده علم إجتماع المعرفة».[3]

أنزل الله القرآن لحكم عظيمة غايتها ونهايتها أمران هما: تصحيح العقيدة وتقويم السلوك. فتصحيح العقيدة تولت بشرحها آيات العقائد، أما تقويم السلوك فقد تكفلت بها آيات

---

[1] محمد شحرور، *الكتاب والقرآن: قراءة معاصرة* (دمشق: الأهالي للطباعة والنشر والتوزيع)، ص. ٣٦.

[2] محمد شحرور، *الكتاب والقرآن*، ص. ٣٥.

[3] خليل عبد الكريم، *النص المؤسس ومجتمعه*، السفر الأول (القاهرة: دار مصر المحروسة، ٢٠٠٢)، ص. ١٢.

الأحكام، وما عداهما من آيات القصص والوعيد وغيرهما فهي داخلة تحت دائرة هذين الركنين.⁴ ومن آيات الأحكام والسنة النبوية والمتطلبات الحياتية لكل عصر ظهر علم الفقه الإسلامي الذي يحمل طابع التاريخية (النسبية المكانية والزمانية).⁵ ونظرا إلى أن الظروف المعيشية وتطور المسائل اليومية المتعلقة بالفرد والمجتمع متغيرة ومتجددة، فقد حاول الفقهاء مسايرة المستجدات والبحث عن الأحكام المتوافقة مع كل عصر استنادا على بعض القواعد والأصول الفقهية مثل « تغير الأحكام بتغير الأزمان» أو « الحكم يدور مع علته وجودا وعدما» أو كما تقول نظرية شحرور « أن الأحكام تتغير أيضا بتغير النظام المعرفي».⁶ ومن هنا يمكن بسط الإشكال التالي وهو مدى تأثر المفسرين بالمؤثرات الداخلية والخارجية المحيطة بهم أو بالأفق المعرفي والتاريخي للفرد.

سنحاول في هذا البحث رصد نظرية الوعي التاريخي الفعال أوالإيجابي (*historically effected consciousness*) للفيلسوف الألماني هانس جورج غادامير Hans-Georg Gadamer⁷ (ت ٢٠٠٢ م) ومدى وعي المفسرين بذلك التأثر وآثاره على كتابتهم ومنهجهم وتفاسيرهم، وذلك من خلال أحد التفاسير ذى الطابع الفقهي وهو تفسير جامع الأحكام للقرطبي المالكي (ت ٦٧١هـ)، إلى أي مدى كان تأثر القرطبي في تفسيره بمذهبه الفقهي والكلامي؟ وهل كانت هناك علاقة بين فهمه للآيات والحوادث التاريخية التي مرت به ومجتمعه ومدى تأثره بها وبمذهبه الفقهي والكلامي. هذا البحث سيحاول تحليل وتناول تفسير القرطبي للآيات المتعلقة بالصفات تناولا بمنظور الوعي التاريخي الفلسفي لغادامير وكذلك بتتبع خطة ومنهج أمين الخولي (ت ١٩٦٦م) في دراسته للنص وهي دراسة ماحول النص ودراسة ما في النص.⁸

---

⁴   فهد بن عبد الرحمن الرومي، بحوث في *أصول التفسير ومناهجه*، ط ٤ (مكتبة التوبة، ١٤١٩)، ص. ٩١-٩٢.

⁵   محمد شحرور، *الكتاب والقران*، ص. ٣١.

⁶   محمد شحرور، *تجفيف منابع الإرهاب* (دمشق: الأهالي للطباعة والنشر والتوزيع، ٢٠٠٨)، ص. ٤٣.

⁷   Gadamer تكتب بالعربية غادامر، غادامير، جادامر، جادامير.

⁸   أمين الخولي، مناهج التجديد: في النحو والبلاغة والتفسير والأدب (القاهرة: الهيئة المصرية العامة للكتاب، ١٩٩٥)، ص. ٢٣٣.

ب. الوعي التاريخي الفعال عند غادامير

الهرمنيوطيقا أو التأويلية (hermeneutics) هي دراسة نظرية التفسير، الفن من التفسير،
أو النظرية والممارسة في التفسير. والتأويل التقليدي (traditional hermeneutics) --والذي
يضم تفسير الكتاب المقدس-- يشير إلى دراسة للتفسيرات تجاه النصوص المكتوبة وخاصة
النصوص في مجالات الأدب والدين والقانون. أما التأويل المعاصر أو الحديث (modern
hermeneutics) فلا يتركز على القضايا التي تنطوي على النص المكتوب فقط، ولكن كل شيء
في عملية التفسير والتأويل. وهذا يشمل أشكال الألفاظ المنطوقة أو الشفاهية وغير المنطوقة
للاتصالات والتواصل فضلا عن الجوانب السابقة التي تؤثر عليها، مثل الافتراضات، الأفكار
المسبقة، المعاني وفلسفة اللغة.⁹ والمشكلة الأساسية للهرمنيوطيقا في المصطلح القديم هي
مشكلة تفسير النص حيث تحاول البحث عن طبيعة العلاقة بين النص والتراث والتقاليد من
جهة، وعلاقته بالمؤلف من جهة أخرى، أو علاقة المفسر أوالناقد بالنص، ثم اتسع مفهوم
المصطلح وانتقل من مجال علم اللاهوت إلى مجالات أوسع تشمل كافة العلوم الإنسانية و
الفلسفة والأدب والفلكلور.¹⁰

المهمة الأولى التي تشرع الهرمنيوطيقا في اختراقه هو الكلام بالتأكيد والكلام المكتوب
بالأخص، ومن أهم الأسباب التي جعلت الهرمنيوطيقا مرتبطة بالكلام أو اللغة هي خاصية
تعدد المعاني، أي سمة كلامنا في إمتلاك أكثر من دلالة عندما نفحصها من خارج إستعمالها
في سياق محدد.¹¹ ثم تطورت الهرمنيوطيقا العامة من خلال تطور فقه اللغة الكلاسيكي
وتطور العلوم التاريخية في نهاية القرن الثامن عشر وبداية القرن التاسع عشر حتى أصبحت
القضية الهرمنيوطيقية مع شلير ماخر Shleiermacher (ت ١٨٣٤ م) وديلثى Wilhelm
Dilthey (ت ١٩١١ م) قضية فلسفية، ثم ارتبطت بعد ذلك بالكثير من العلوم مثل العلوم
الإنسانية والإجتماعية وعلم النفس.¹²

---

⁹   انظر http://en.wikipedia.org/wiki/Hermeneutics

¹⁰   نصر حامد أبو زيد، *إشكاليات القراءة وآليات التأويل*، ط ٣ (الدار البيضاء: المركز الثقافي
العربي، ١٩٩٤)، ص ١٣؛ محمد هادي معرفة، *التأويل في مختلف المذاهب والآراء*، (طهران: المجمع العالمي
للتقريب بين المذاهب و الآراء، ٢٠٠٦)، ص. ١٥٣.

¹¹   بول ريكور، *من النص إلى الفعل: أبحاث التأويل Du texte a l'action: Essais d'hermeneutique*،
ترجمة: محمد برادة و حسان بورقية (الهرم: عين للدراسات الإنسانية والإجتماعية، ٢٠٠١)، ص. ٥٩.

¹²   انظر بول ريكور، *صراع التأويلات، دراسات هرمنيوطيقية Le Conflit des interpretations*،
ترجمة: منذر عياشي (بيروت: دار الكتاب الجديد المتحدة، ٢٠٠٥)، ص. ٣٥-٣٦.

يرى غادامير¹³ أن الفن الهرمنيوطيقي هو في الحقيقة فن فهم شيء ما يبدو غريبا وغير مفهوم بالنسبة لنا،¹⁴ ويركز غادامير بشكل أساسي على مشكلة الفهم باعتبارها مشكلة وجودية، حيث يرى أن نقطة البدأ في العملية التأويلية ليست هي ما يجب فعله أو ما يجب تجنبه في عملية الفهم، بل الأحرى الإهتمام بما يحدث بالفعل في هذه العملية بغض النظر عما ننوي أو نقصد.¹⁵ هناك ثلاثة مفاهيم أساسية في الهرمنطيقا الفلسفية عند غادامير وهي التفسير والفهم والحوار، وهذه المفاهيم الثلاثة ترتبط بعضها البعض إرتباطا جدليا في العملية الهرمنيوطيقية، لا ارتباطا منهجيا تصاعديا تترتب فيه خطوة على خطوة سابقة. ذلك أن التفسير يتطلب دائما الفهم وينطوي عليه بالضرورة، ولكن الفهم بدوره لا يكون فهما حقا إلا من خلال الحوار.¹⁶

إحدى النظريات المهمة في هرمنيوطيقا غادامير هي نظرية وعي التأثر بالتاريخ. ينتقد غادامير فكرة الوعي التاريخي الذي يقوم على أساس التخلص من النوازع والأهواء الذاتية لتجربتنا الحاضرة، والتي تلون حكمنا على التاريخ. فبالعكس، يرى غادامير أن الأهواء والنوازع هي التي تؤسس موقفنا الوجودي الراهن الذي ننطلق منه لفهم الماضي والحاضر معا. إن المنهج الذي يطالب المؤرخ بالتخلص من أهوائه ونوازعه وكل ما يشكل أفق تجربته الراهن لا يفعل أكثر من أن يترك مثل هذه النوازع تمارس فعلها في الخفاء بدلا من مواجهتها باعتبارها عوامل أصيلة في تأسيس عملية الفهم. إن الوجود الإنساني تاريخي

---

¹³ ولد (Gadamer)غادامير في ماربورغ (Marburg) بألمانيا. كان والده يحثه على تعلم العلوم الطبيعية ولكنه أصبحت لديه اهتمامات أكثر في العلوم الإنسانية والإجتماعية. نشأ وترعرع ودرس الفلسفة في بريسلاو (Breslau) تحت إشراف Richard Hönigswald، ولكن سرعان ما انتقل مرة أخرى إلى ماربورغ للدراسة مع الفلاسفة المعاصرين أمثال Paul Natorp و Nicolai Hartmann، وقد نوقشت أطروحته للدكتوراه في عام ١٩٢٢. بعد ذلك بفترة قصيرة انتقل غادامير إلى جامعة فرايبورغ وبدأ الدراسة مع مارتن هايدغر وأصبحت بينهما علاقة وثيقة وقد تأثر به كثيرا، ثم انتقل هايدغر إلى ماربورغ لحصوله على وظيفة هناك وتبعه غادامير لتلك المنطقة. قضى غادامير محاضرا في ماربورغ خلفا لهايدغر حتى أوائل سنة ١٩٣٠، كان غادامير ضد النازية على الرغم من انه لم يكن ناشطا سياسيا. ، توفي في عام ٢٠٠٢ عن عمر يناهز ال ١٠٢. لديه الكثير من الأعمال والمؤلفات والتي من أهمها كتابه الضخم الحقيقة والمنهج (Wahrheit und Methode Truth and Method) الذي نشر في عام ١٩٦٠. انظر .http://en.wikipedia. org/wiki/Hans-Georg_Gadamer

¹⁴ جادامر، *تجلي الجميل ومقالات أخرى* *The Relevance of the Beautiful and Other Essays*، ترجمة: سعيد توفيق (المجلس الأعلى للثقافة: المشروع القومي للترجمة، ١٩٩٧)، ص. ٢٨٥.

¹⁵ أبو زيد، *إشكاليات القراءة*، ص. ٣٧.

¹⁶ سعيد توفيق، مقدمة المترجم «الهرمنوطيقا والفن عند جادامر»، هانز-جيورج جادامر، *تجلي الجميل*، ص. ١١.

ومعاصر في نفس الوقت، فالتقاليد التي إنتقلت إلينا عبر الزمن هي المحيط الذي نعيش فيه وهي التي تشكل وعينا الراهن، ونحن حين نبدأ من أفقنا الراهن لفهم الماضي لا نكون في غيبة عن التقاليد والتاريخ. وعلى ذلك فإن فهمنا للتاريخ لا يبدأ من فراغ، بل يبدأ من الأفق الراهن الذي يعتبر التاريخ أحد مؤسساته الأصيلة، إن علاقتنا بالتاريخ وفهمنا له تقوم على الجدل والحوار لا على الإنصات السلبي.¹⁷ حيث يرى غادامر أن الوعي التاريخي سيظهر من خلال التفاهم الواعي حول المسافة بين الحاضر والماضي الموروث، ويرى في نظريته أن الإنسان –ككائن تاريخي- سيتأثر بالتاريخ وسيؤثر ذلك تجاه فهمه للتراث أو التقاليد.¹⁸

وكذلك يرى لويس جوتشلك Louis Gottschalk بأن المؤرخ لا يستطيع أن يتجنب فلسفة ما أو دستورا أخلاقيا، وعلى ذلك فعليه أن يتبنى تلك الفلسفة أو ذلك الدستور بصراحة،¹⁹ لأنه –أي شخص أو مؤرخ- مزود بالفطرة بذاكرة تحتفظ بمحصول سنوات عديدة من التجارب،²⁰ ومن الطبيعي أن يؤثر هذا كله عليه. ويعترف لويس بتأثير الحاضر في فهم الماضي تأثيرا عميقا، فالحوادث المعاصرة لا تتحكم في التخمينات فحسب، وإنما تؤثر كذلك في فهم حوادث ماضية ذات طبيعة مشابهة.²¹ هناك عملية حوار بين الماضي والحاضر بحيث أننا لن نستطيع أن نفهم الحاضر إلا بفهمنا للماضي، وبطريقة عكسية في سيرنا لفهم المجهول (الماضي) فإننا سنتدرج ونسير من فهمنا للمعلوم (تجربتنا الخاصة بنا)

---

¹⁷ أبو زيد، *إشكاليات القراءة*، ص. ٤١-٤٢.

¹⁸ يقول غادامير:

But certainly since the birth of historical consciousness, which involves a fundamental distance between the present and all historical tradition, understanding has been a task requiring methodical direction. My thesis is that the element of effective history affects all understanding of tradition; Hans-Georg Gadamer, *Truth and Method*, 2nd revised ed. translation revised by Joel Weinsheimer and Donald G. Marshall (London: Continuum Publishing Group, 2006), p. xxx.

صدرت الترجمة العربية لهذا الكتاب بعنوان «*الحقيقة والمنهج؛ الخطوط الأساسية لتأويلية فلسفية*»، تأليف هانز جورج غادامير، ترجمة وتحقيق حسن ناظم - علي حاكم صالح - جورج كتوره، الناشر: دار أويا للطباعة والنشر، ولكن لم نحصل على نسخة منه.

¹⁹ لويس جوتشلك، *كيف نفهم التاريخ: مدخل إلى تطبيق المنهج التاريخي Understanding History*، ترجمة: عائدة سليمان عارف و أحمد مصطفى أبو حاكمة (بيروت: دار الكاتب العربي- مؤسسة فرنكلين للطباعة والنشر، ١٩٦٦)، ص. ٢٢.

²⁰ لويس، *كيف نفهم التاريخ*، ص. ٣٩.

²¹ لويس، *كيف نفهم التاريخ*، ص. ٣٠٧.

وهو أمر لا نستطيع التهرب منه إلا بصعوبة.٢٢

ومما يتعلق بالوعي التاريخي ما يطلق عليه في المنهج التاريخي بالعقلية التاريخية حيث أنها القدرة على أن يضع المرء نفسه في مكان الآخرين في الأزمنة الأخرى والقيام بتحليل الحوادث والحكم على الشخصيات وتقيم السلوك وفهم الوثائق وما يرتبط بها من تطور معاني المفردات من واقع حالها ومستوياتها وعواطفها دون أن يتخلى المرء عن مستوياته الشخصية، ولكنه في مرحلة "وضع نفسه في مكان الآخرين" عليه أن يتخلى أو يخفي شخصيته ويتقمص على قدر الإستطاعه شخصية موضوعه محاولا أن يتفهم لغة الأخير ونوازعه وما يتعلق به.٢٣ أما الوعي التاريخي عند غادامير فهو وعي محكوم تاريخيا، أي محكوم بمحددات تاريخية فعالة ومؤثرة في وعينا التاريخي والعلمي الحديث، ولأن وجودنا يكون متأثرا بمجمل تاريخنا، فإن وجودنا يتجاوز القدر الذي نعرفه عن أنفسنا، فنحن أكثر مما نعرفه عن أنفسنا، وهذا يعني أن نعي تراثنا الذي يكون بمثابة محددات الوعي السابقة على الوعي أي نتعرف على أنفسنا من خلال التعرف على تاريخنا.٢٤ يقول غادامير: «نحن لا نقول، أن التأثر من التاريخ يجب أن توضع بوصفها ضوابط أو عناصر مستقلة جديدة تابعة إلى العلوم الإنسانية، ولكننا ينبغي أن نتعلم أن نفهم أنفسنا بشكل أفضل، وندرك أنه في كل فهم، سواء كنا صراحة على علم به أم لا، فإن فعالية أو تأثير التاريخ موجود».٢٥ فهو وعي بأن تكون معرضا للتاريخ وفعله، بالطريقة التي لا نستطيع إسقاط هذا الفعل علينا لأنه جزء من الظاهرة التاريخية نفسها، حيث أننا لا نستطيع أن نستثني أنفسنا من الصيرورة التاريخية٢٦ أي أن التاريخ دائما ما يمارس فعله علينا ويؤثر فينا.

في الواقع أن أفق الحاضر في طور التشكل باستمرار،لأننا وبشكل متواصل نختبر جميع الأحكام المسبقة لدينا. وجزء مهم من هذا الاختبار يحدث في مواجهة الماضي وفهم التراث الذي وصلنا. ومن هنا نرى أن أفق الحاضر لا يمكن أن يتم تشكيله دون الماضي. لم

---

٢٢ لويس، كيف نفهم التاريخ، ص. ٣٠٩.

٢٣ لويس، كيف نفهم التاريخ، ص. ١٥٨-١٦٠.

٢٤ سعيد توفيق، مقدمة المترجم، هانز-جيورج جادامر، تجلي الجميل، ص. ١٤.

٢٥ يقول غادامير:

We are not saying, then, that history of effect must be developed as a new independent discipline ancillary to the human sciences, but that we should learn to understand ourselves better and recognize that in all understanding, whether we are expressly aware of it or not, the efficacy of history is at work; Gadamer, *Truth and Method*, p. 300.

٢٦ بول ريكور، من النص إلى الفعل، ص. ٧٦.

يعد هناك بالإمكان عزل الأفق الحاضر في حد ذاته عن وجود الآفاق التاريخية والتي يجب الحصول عليها. بدلا من ذلك، فالفهم دائما هو انصهار هذه الآفاق في ذاتها.[27]

الأفق horizon[28] (أفق المرء العقلي) هو مدى الرؤية التي تتضمن كل شيء يمكن أن يرى من وجهة نظر معينة. والشخص الذي لا يوجد لديه أفق لا يستطيع الرؤية بعيدا بما فيه الكفاية، وبالتالي الإفراط في التقيم لما هو أقرب إليه. من ناحية أخرى، «لإيجاد الأفق» لا يعني أن تقتصر على ما هو قريب ولكن أن تكون قادرا على رؤية ما وراء ذلك. والشخص الذي لديه الأفق يعرف الأهمية النسبية لهذا كل ما في الأفق إذا كان من قريب أو بعيد، كبير أو صغير.[29] إن التلاقي بين التاريخ والتراث وأسئلة الحاضر هو تلاق ضروري من أجل إجراء الحوار بين الماضي والحاضر والسماح بانصهار أو إندماج أفق الحاضر بأفق التاريخ والتراث قصد وصول إلى فهم جديد أفضل و واعي.

جـ. الوعي التاريخي في علوم القران والتفسير

كما أسلفنا سابقا بأن الوعي التاريخي هو وعي بعدة أبعاد و اتجاهات، وعي بالأفق الحاضر وبالمفسر أو الناقد نفسه بكل ما يحمله من ميول أو نزعات ومذاهب وتأثره بها وبتاريخه، ومن جهة أخرى وعي تجاه أفق النص «الماضي» ومتلبساته وخصوصياته. ولكن ماذا عن تعامل المفسرين أو المسلمين بشكل عام تجاه النص أو الخطاب القرآني، وإلى أي مدى كان الوعي التاريخي عندهم، هل هو وعي ببعد أو إتجاه واحد أم كان هناك حوار بين المعطيات التاريخية للنص والمعطيات المعاصرة للمفسر.[30]

---

[27] يقول غادامير:

In fact the horizon of the present is continually in the process of being formed because we are continually having to test all our prejudices. An important part of this testing occurs in encountering the past and in understanding the tradition from which we come. Hence the horizon of the present cannot be formed without the past. There is no more an isolated horizon of the present in itself than there are historical horizons which have to be acquired. Rather, understanding is always the fusion of these horizons supposedly existing by themselves. Gadamer, *Truth and Method*, p. 305.

[28] يعرف غادامير الأفق بقوله:

The horizon is the range of vision that includes everything that can be seen from a particular vantage point. Gadamer, *Truth and Method*, p. 301.

[29] Gadamer, *Truth and Method*، ص.٣٠١.

[30] إذا اعتبرنا أن بعض من عمليات التفسير فيها الكثير من التشابه من عملية البحث التاريخي فقد

بشكل عام هناك نوعان أو اتجاهان في التفسير، الأول هو التفسير بالمأثور[31] حيث يهدف تجميع الأدلة التاريخية واللغوية التي تساعد على فهم النص فهما موضوعيا كما فهمه المعاصرون لنزول هذا النص. أما النوع الثاني، وهو التفسير بالرأي،[32] فيبدأ المفسر بموقفه الراهن محاولا أن يجد في القرآن سندا لهذا الموقف. في الإتجاه الأول ─أي التفسير بالمأثور─ يتجاهل المفسر ويلغي وجوده لحساب النص وحقائقه التاريخية واللغوية، بينما لا يتجاهل الفريق الثاني ─التفسير بالرأي─ مثل هذه العلاقة، بل يؤكدها على خلاف في مستويات هذا التأكيد وفعاليتها.[33]

يرى حسين الذهبي (ت ١٩٧٧ م) تطور التفسير من بالمأثور إلى التفسير بالرأي وخضوع التفسير للميول الشخصية والمذاهب العقدية وغير العقدية للمفسر قد فتح على المسلمين باب شر خطير، ويرجع الخطأ في التفسير بالرأي إلى عدة أسباب، أهمها: ١- أن يعتقد المفسر معنى من المعاني، ثم يريد أن يحمل ألفاظ القران على ذلك المعنى. ٢- أن يفسر القرآن بمجرد ما يسوغ أن يريده من كلامه من كان من الناطقين بلغة العرب، بدون النظر إلى المتكلم بالقرآن، والمنزل عليه، والمخاطب به.[34] ولعل السبب الأول في الخطأ

يكون هناك على الأقل اتجاهين أو موقفين من المفسرين قريبة من اتجاهات المؤرخين، حيث يرى لويس أن هناك نوع من المؤرخين الذي يرى نفسه في الماضي حيث يدرس الماضي من أجل الماضي ليس إلا، وذلك بغرض المحافظة على التراث الثقافي من التجارب والأفكار والعادات، بينما هناك من يحاول ربط تلك الاتجاهات والنواحي التاريخية إلى مفاهيم أوسع وإلى تعميمات إجتماعية أخرى، انظر لويس، كيف *نفهم التاريخ*، ص. ٤٧-٤٨.

[31] التفسير بالمأثور أو التفسير النقلي هو التفسير الذي يشمل ما جاء في القرآن نفسه من البيان والتفصيل لبعض آياته، وما نقل عن النبي في سنته، وما نقل عن الصحابة، و ما نقل عن التابعين من كل ماهو بيان وتوضيح لمراد الله من نصوص كتابه، محمد حسين الذهبي، *التفسير والمفسرون*، ج ١، ط٧ (القاهرة: مكتبة وهبة، ٢٠٠٠)، ص. ١١٢. وانظر خالد عبد الرحمن العك، *أصول التفسير وقواعده*، ط ٥ (بيروت: دار النفائس للطباعة والنشر، ٢٠٠٧)، ص. ١١١.

[32] التفسر بالرأي أو التفسير العقلي وهو التفسير القرآن بالإجتهاد بعد معرفة المفسر لكلام العرب ومناحيهم في القول، ومعرفة الألفاظ العربية ودلالاتها، والوقوف على أسباب النزول وغير ذلك من الأدوات التي يحتاج إليها المفسر. الذهبي، *التفسير والمفسرون*، ج١، ص ١٨٣. خالد عبالرحمن العك، *قواعد التفسير*، ص. ١٦٧.

[33] أبو زيد، *إشكاليات القراءة*، ص. ١٤-١٦.

[34] محمد حسين الذهبي، *بحوث في علوم التفسير والفقه والدعوة*، (القاهرة: دار الحديث، ٢٠٠٥)، ص. ١٥٤-١٥٥. ولعل الذهبي قد نقل تلك الأسباب عن ابن تيمية من غير ذكر المصدر، انظر ابن تيمية، *التنقيح والتحرير على مقدمة في أصول التفسير*، تحقيق وتعليق: أبو أويس الكردي، ط١ (المنصورة: دار التأصيل للنشر والتوزيع، ٢٠٠٨)، ص. ٨٢. وانظر أيضا جلال الدين السيوطي، *الإتقان في علوم القرآن*،

هو قريب مما ذكره غادامير بالأفكار أو الأحكام المسبقة مرورا أو موصلة لما يسميه أبو زيد بالقراءة المغرضة أو التلوينية. أما السبب الثاني فهو بسبب عدم إعتبار السياق النصي والتاريخي للآيات.

تعقيب الباحث على ماذكره الذهبي هو أليس في التفسير بالمأثور ميول شخصية أو فكرية أيضا؟ أو التأثر بالتاريخ؟ مثلا يقول الذهبي عن تطور التفسير في العصر العباسي «وأخيرا وجدنا كل من برع في فن من الفنون يغلب على تفسيره بصورة واضحة فنه الذي برع فيه»،³⁵ أليس هناك إرتباط بين أصحاب التفسير بالمأثور أمثال يزيد بن هارون السلمي (ت ١١٧هـ) وسفيان بن عيينة (ت ١٩٨هـ) وبين العلم الذي إشتهروا به، وهم الذين قال عنهم الذهبي نفسه «كانوا من أئمة الحديث».³⁶ وكذلك الطبري (ت ٣١٠هـ) صاحب تفسير جامع البيان، والحافظ ابن كثير (ت ٧٧٤هـ) صاحب تفسر القرآن العظيم، والدر المنثور للسيوطي، فهؤلاء ممن اشتهر بسعة علمهم في الحديث والتاريخ، وكل منهم له مؤلف في التاريخ والحديث أيضا. يرى الباحث أنه حتى في التفسير بالمأثور (تفسير القرآن بالقرآن أو بالسنة وأقوال الصحابة) فالميول الشخصية والفكرية والمذهبية تؤثر بشكل ملحوظ على نوعية المرويات المستشهد بها، فإذا كان هناك قسمان أو نوعان للتفسير بالرأي وهما المقبول أو المحمود وغير المقبول أو المذموم³⁷ فقد يكون هناك أيضا قسمان للتفسير بالمأثور وهما المقبول أو المحمود وغير المقبول أو المذموم أيضا، وذلك على حسب نوعية المرويات، وطبيعة الاجتهادات في ربط المرويات والآثار بمعاني الآيات، وإلى أي مدى يكون الوعي بالتأثر بالتاريخ وأثره في الحكم على الروايات.³⁸

ط٢ (بيروت: دار الكتب العلمية، ٢٠٠٧)، ص. ٥٧٥.

³⁵ الذهبي، بحوث في علوم التفسير، ص. ١٥٣.

³⁶ الذهبي، بحوث في علوم التفسير، ص. ١٥٢.

³⁷ الذهبي، التفسير والمفسرون، ج١، ص. ٢٠٢.

³⁸ يرى الذهبي أن حذف الأسانيد كان سببا من أسباب الوضع في الروايات، ولكنه وحتى بوجود الأسانيد فالإختلاف في الحكم على الروايات لا تزال موجودة وقائمة تبعا لقواعد تحقيق الأحاديث وما يتعلق بالجرح والتعديل، كمثال إختلاف علم الرجال بين الشيعة وأهل السنة. وكذلك يرى نصر حامد أبو زيد أن أصحاب التفاسير الذين يعتمدون فقط على الآثار وتفاسير الصحابة والتابعين فموقفهم لا يخلو من جانب اختياري أو إجتهادي يعتمد على الترجيح بين الأراء، هذا الموقف الإختياري القائم على الترجيح يعكس موقفا تأويليا نابعا من موقف المفسر وهموم عصره وإطاره الثقافي والفكري. انظر نصر حامد أبو زيد، فلسفة التأويل: دراسة في تأويل القرآن عند محي الدين بن عربي، (بيروت: دار التنوير للطباعة والنشر، ١٩٨٣)، ص. ١٢.

إن من أحد الآثار أو النتائج المترتبة على غياب الوعي التاريخي هو-كما يقول خليل عبد الكريم- أن التفاسير الحديثة ليست للقرآن إنما هي للتفاسير التراثية السلفية القديمة التي مرت عليها القرون وتلقتها الأمة بالقبول، ومن ثم فإن المفسرين المحدثين أو المعاصرين لا يطرحون تفسيرا للنص الأصلي بل هي توضيحات وتعليقات ومختصرات لما في التفاسير السابقة، مع أن المفسر من أولئك الأفذاذ –يعني السابقين- عاش في قرن معين وبيئة محددة ومجتمع له أبعاده وأعرافه، وهو نفسه تملك ثقافة خاصة به، وله ذكاؤه و وعيه ومنحاه الفكري واتجاهه الأيديولوجي، ومن خلال كل هذه القنوات الخاصة والعامة تسرب تفسيره وتأويله ومن طبائع الأمور أن يتأثر بها.[39] إن ثبوت «الإسرائليات» و«المعجبات» –وإن تجنبها المعاصرون ما استطاعوا- كشف بدون لبس عن المستوى الثقافي للمفسر، و وضح الرتبة الحضارية للمجتمع الذي شب فيه والبعد المعرفي للبيئة الذي نشأ بها.[40] إن ما يرمي إليه خليل عبدالكريم هو محاولة البعد عن التفاسير التقليدية أو التراثية للقرآن المدون و المعروف بـ «مصحف عثمان»[41] والتوجه نحو القرآن المتلو والمقروء الذي حفظه الصحابة في صدورهم، وذلك من خلال التنقيب عن أسباب النزول والملابسات التي واكبت ظهور الآيات.[42]

إن أكثر ما نجد في علوم القرآن هي تلك العلوم المتعلقة بالأفق التاريخي للنص، مثل أسباب النزول والناسخ والمنسوخ والتقسيمات المتعلقة بنزول الآيات كمواقيت ومواطن النزول لهي تحليلات حول الملابسات التاريخية للنص وهي مهمة أيضا، فمن معرفة أسباب النزول نستطيع أن نعرف وجه الحكمة الباعثة على تشريع الحكم والوقوف على المعنى وإزالة الإشكال،[43] و لا ننكر اهتمام الفقهاء والأصوليين باكتشاف الطرائق التي يمكن أن يستجيب بها النص لمتغيرات الواقع في حركته النامية والديناميكية عبر التاريخ وذلك من خلال علم الخاص والعام أو المطلق والمقيد والمناقشات حول دلالات بعض الآيات هل هي عند عموم اللفظ أم عند خصوص السبب.[44] بل حتى فيما اقترحه أمين الخولي فيما يتعلق

---

[39]   انظر خليل عبدالكريم، *النص المؤسس*، السفر الأول، ص. ١٠.

[40]   خليل عبد الكريم، *النص المؤسس*، السفر الأول، ص. ١٥-١٦.

[41]   هذا لا يعني أن خليل عبد الكريم يرى أن القرآن المتلو والمقروء الذي حفظه الصحابة غير أو مختلف عن القرآن المدون في المصحف، ولكن كل مافي الأمر أن طبيعة القرآن المقروء قد اتسم بالحركة والديناميكية، لأنه ارتبط بحياة الصحابة ومشاغل حياتهم، وهذا بخلاف المصحف المكتوب. انظر خليل عبد الكريم، *النص المؤسس*، السفر الأول، ص. ٢٥-٢٦.

[42]   خليل عبد الكريم، *النص المؤسس*، السفر الاول، ص. ١٨ و٢١.

[43]   انظر السيوطي، *الإتقان*، ص. ٤٨.

[44]   انظر السيوطي، *الإتقان*، ص. ٥٠ وما بعدها. نصر حامد أبو زيد، *مفهوم النص: دراسة في*

بالمنهج الأمثل للتفسير أو التفسير اليوم وهو التفسير الموضوعي من خلال تناوله بالمنهج الأدبي الذي يتركز على خطوتين: دراسة ماحول القرآن ودراسة في القرآن،[٤٥] فهو يهتم بالأفق التاريخي للنص بشكل أكبر ولكننا نادرا ما نبحث عن المفسر أو الأفق التاريخي للمفسر ودوره في تحديد معنى النص، وإن كانت هناك محاولات جيدة مثل كتاب التفسير والمفسرون للذهبي.

إن إشكاليات القراءة-كما يرى أبو زيد- لا تقف عند حدود اكتشاف الدلالات في سياقها التاريخي الثقافي الفكري، بل تتعدى ذلك إلى محاولة الوصول إلى المغزى المعاصر للنص التراثي في أي مجال معرفي، ولفضل الرحمن Fazlur Rahman (ت ١٩٨٨ م) محاولات جيدة في هذا المجال أيضا وذلك عند اقتراحه بطريقة التفسير الحركة المزدوجة «double movement'' وهي الحركة من الوضعية الراهنة إلى الأزمان القرآنية ثم في عودة إلى الزمن الراهن مع التركيز على القيم والمبادئ الأخلاقية العامة للنص.[٤٦] إن أي قراءة لا تبدأ من فراغ، بل من طرح أسئلة تبحث لها عن إجابات، وطبيعة الأسئلة تحدد للقراءة آلياتها، فهناك فرق بين الأسئلة المعلنة ذات الآليات الواعية والتي تكون القراءة المنتجة، بخلاف الأسئلة المضمرة التي تتظاهر بالموضوعية لإخفاء الطابع الأيديولوجي النفعي والتي تكون القراءة المتحيزة.[٤٧] وللوصول لمغزى النص فعلى الباحث أو القارئ التمييز على الأقل بين مستويات سياقية ثلاثة تتفاعل في إنتاج المعنى والدلالة، وهي: المستوى الأول هو مستويات السياق التاريخي والمعنى التاريخي الناتج عن تلك القراءة السياقية، أو بعبارة غادامير «الأفق الماضي للنص أو التراث». المستوى الثاني هو سياق القارئ أو الباحث المعاصر «الأفق المعاصر أو الحاضر» وهو المستوى المنتج للمعنى المعاصر، الذي هو ناتج عن تفاعل المعنى التاريخي مع سياق القراءة في بعدها الراهن والحاضر. المستوى الثالث هو مستوى

علوم القرآن، ط٥ (الدار البيضاء: المركز الثقافي العربي، ٢٠٠٠)، ص. ١٩٥ وما بعدها. انتقد خليل عبد الكريم قاعدة «العبرة بعموم اللفظ لا بخصوص السبب» حيث يرى أن فيها إهدارلتاريخية النص، انظر خليل عبد الكريم، النص المؤسس، السفر الثاني، ص. ٣٦٣ ومابعدها.

[٤٥] دراسة ماحول القرآن هي دراسة عامة حول كل ا يتصل بالبيئة المادية والمعنويةالتي ظهر فيها القرآن وعاش. أما دراسة ما في القرآن فهي تبدأ بالنظر في المفردات وتدرج دلالة الألفاظ وأثرها. انظر أمين الخولي، مناهج التجديد، ص ٢٣١ وما بعدها.

[٤٦] فضل الرحمن، الإسلام وضرورة التحديث Islam and Modernity، ترجمة: إبراهيم العريس (بيروت: دار الساقي، ١٩٩٣)، ص. ١٤.

[٤٧] انظر أبو زيد، إشكاليات القراءة، ص. ٦.

المغزى الناتج عن تفاعل السياقين السابقين أو انصهار الآفاق بقول غادامير،⁴⁸ والذي يتحتم أن ينبثق عنهما من خلال وعي الباحث النقدي بموقفه وإدراكه النقدي لتحيزاته المسبقة، وهو الوعي الذي يعصمه من تركها تعمل وتمارس تأثيرها من خلف ظهره⁴⁹ وإن كان يرى غادامير أن الحصول على هذا الوعي هي مهمة صعبة.⁵⁰

يظهر لقراءتنا لبعض مقدمات كتب التفسير أن بعضا منها كانت هناك دوافع إجتماعية معاصرة له وراء تأليف المفسر للتفسير، أي أن هناك وعي معاصر أو إجتماعي و إهتمامات للحالة المعاصرة لتلك المجتمعات من الناحية الإجتماعية، والسياسية والفكرية وغيرها. سنورد هنا بعض الأمثلة من عبارات المفسرين من مقدماتهم للتفسير.

فمثلا يتحدث الألوسي (ت ١٢٧٠ هـ) عن الرؤية التي لا يعدها من أضغاث أحلام وهي التي كانت الدافع الأقوى وراء كتابته للتفسير حيث رأى في المنام أن الله أمره بطي السماوات والأرض حتى رفع يدا إلى السماء وأخرى لمستقر الأرض، ثم انتبه من نومه حتى قال: « فجعلت أفتش لها عن تعبير فرأيت في بعض الكتب أنها إشارة إلى كتابة تفسير».⁵¹ لا أعتقد أن هذه الحادثة لم تكن ذا معنى مؤثر في حياة الألوسي، وإلا لما كتبها في مقدمة تفسيره. إن التجارب الشخصية وخاصة الروحية والصوفية منها تظل عالقة في ذهن الإنسان كامنة في أعماقه.⁵² فيما يعبر رشيد رضا (ت ١٣٥٤ هـ\ ١٩٣٥ م) أن الناس في زمنه طلبوا العلوم والفنون ولكنهم أهملوا التربية المصلحة للنفس، ولذلك فالناس لحاجة لتفسير يبين لهم القرآن ككتاب هداية معتنيا لأمور ومقتضيات ذلك العصر مراعيا سهولة التعبير وأفهام الناس المعاصرين، وذلك بخلاف التفاسير السابقة التي شغلت القارئ بحشدها للمرويات ومسائلها

---

⁴⁸ يقول غادامير:

understandding is always the fusion of these horizons –the horizon of the present and the past- supposedly existing by themselves. Gadamer, *Truth and Method*, p. 305.

⁴⁹ نصر حامد أبو زيد، *الخطاب والتأويل* (الدار البيضاء: المركز الثقافي العربي، ٢٠٠٠)، ص. ٢٦٣.

⁵⁰ Gadamer, *Truth and Method*، ص. ٣٠١.

⁵¹ أبي الفضل شهاب الدين السيد محمود الألوسي، *روح المعاني في تفسير القران العظيم والسبع المثاني*، ج١ (بيروت: دار إحياء التراث العربي)، ص. ٤.

⁵² يعترف نصر حامد أبو زيد بأثر مثل هذه التجارب الروحية أو الصوفية في نفسه منذ الصغر واستماعه لقصص الأنبياء و كرامات الأولياء، ورؤيته لحلقات الذكر التي كانت تعقد في قريته ومرورا بقربه بـ «عم حسن» أحد أصدقاء والده الذي كان كثيرا ما يكاشفه بالأسرار والتجارب الروحية أو الصوفية التي مر بها حتى الرؤية المنامية التي رأى فيها عم حسن النبي. انظر نصر حامد أبو زيد، *هكذا تكلم ابن عربي*، ط٢ (الدار البيضاء: المركز الثقافي العربي، ٢٠٠٤)، ص. ٧ وما بعدها.

المذهبية والكلامية والفلسفية عن المقاصد السامية للقرآن.°٣ إن اختلاف وتطور متطلبات العصر وكذلك طريقة الفكر للمجتمع جعلت من الشيخ محمد عبده (ت ١٣٢٣ هـ\ ١٩٠٥م) ـوالذي تبعه تلميذه رشيد رضا- يغير من الطريقة والمنهج المتبع في التفسير الكلاسيكي، وأصبح له لونه الخاص المغاير الذي اشتهر بعد ذلك باللون الأدبي الإجتماعي.°٤

والأمثلة كثيرة يطول ذكرها هنا، إن ما يهمنا هو أن المفسر ـكما رأينا ـبوعي أو بلاوعي- بالتجارب الشخصية، وضع المجتمع الراهن له، قراءاته ونزعاته الفكرية والمذهبية والتي معظمها ستظهر تبعا على تفسيره. سنرى في المبحث التالي كيف نستطيع أن نستشف بعض أوضاع المجتمع ومشكلاته والنزعات الكلامية للمفسر من خلال أمثلة من عبارات تفسير أحكام القرآن للقرطبي.

د. الوعي التاريخي في تفسير القرطبي

سنبحث في هذا القسم عن كيفية تأثر و ميول القرطبي°° تجاه أحد الآراء والمدارس الكلامية، ووعيه واهتمامه بأحوال المجتمع المعاصر له وانتقاده لكثير من سلبياته من ناحية أخرى.°٦

°٣ انظر محمد رشيد رضا، *تفسير المنار*، ط٢، ج١ (القاهرة: دار المنار، ١٩٤٧)، ص. ٦ وما بعدها.

°٤ انظر الذهبي، *التفسير والمفسرون*، ج٢، ص. ٤٠١ وما بعدها.

°° هو أبو عبدالله محمد بن أحمد بن أبي بكر بن فرج الأنصاري الخزرجي الأندلسي القرطبي، ولد بقرطبة بالأندلس حيث تعلم القرآن وقواعد اللغة والفقه وغيرها. من عباد الله الصالحين والعلماء العارفين الزاهدين، أوقاته معمورة بالتوجه إلى الله وعبادته تارة والتصنيف والتأليف تارة، تأثر الإمام القرطبي كثيرا بالغنى الثقافي والمعرفي الذي كانت تعرفه الأندلس عامة وقرطبة خاصة. فنشطت الحركة العلمية في شتى الميادين اللغوية والعلمية والشرعية، نال منها الإمام القرطبي الشيء الكثير فهو إمام متفنن متبحر في العلم، له تصانيف كثيرة من مصنفاته: الأسنى في شرح أسماء الله الحسنى وصفاته، التذكرة في أحوال الموتى وأمور الآخرة، والجامع لأحكام القرآن. كانت الحياة العلمية نشيطة بالمغرب والأندلس في عصر الموحدين (٥١٤ ـ ٦٦٨ هـ) وهو العصر الذى عاش فيه القرطبى فترة من حياته أيام إن كان بالأندلس وقبل أن ينتقل إلى مصر، انتقل إلى رصم واستقر بمنية بني خصيب في شمال أسيوط حتى وافته المنية في ٦٧١هـ. انظر الذهبي، *التفسير والمفسرون*، ج٢، ص. ٣٣٦. وكذلك القرطبي*www.ar.wikipedia.org/ wiki*.

°٦ استعنا كثيرا في هذا القسم بكتاب *كشاف وتحليلي للمسائل الفقهية في تفسير القرطبي* لمشهور حسن سلمان و جمال عبداللطيف الدسوقي (الطائف: مكتبة الصديق، ١٩٨٨).

١. تجارب القرطبي الشخصية

يذكر القرطبي عند تفسيره لقوله تعالى: {ولا تحسبن الذين قتلوا في سبيل الله أمواتا، بل أحياء عند ربهم يرزقون}⁵⁷ في المسألة الخامسة عن حكم الميت الذي أغار عليه العدو في البيت فقتله، ما حكمه، ثم يستذكر القرطبي بحادثة حدثت بقرطبة سنة ٦٢٧ هـ حيث أصبح عليهم العدو على غفلة فقتل وأسر، وكان من جملة القتلى والده، وعندما استفتى أحد مشايخه أفتاه بأن والده يغسل ويكفن ويصلى عليه مثل حكم سائر الموتى، ففعل ذلك، ولكنه وقف على المسألة في كتاب التبصرة فتبين له أنه كان عليه ألا يغسله بل يدفنه بدمه في ثيابه، أي حكمه حكم القتيل في المعترك.⁵⁸ حاول القرطبي في تفسيره السابق التحرك بجهتين، نحو الأفق التاريخي للنص ومن ثم التحرك تجاه الأفق المعاصر للمفسر وذلك باستحضار الملابسات التاريخية للآية المذكورة، فذكر ثمان مسائل بدءا بالروايات المختلفة لأسباب النزول وفيمن نزلت، ثم الروايات الأخرى التي لها صلة بمعنى الآية، وحتى اختلاف العلماء حول حياة الشهداء وأحكامهم.⁵⁹ لم يحاول القرطبي إعطاء معنى مباشر مغاير عن المعنى التاريخي للآية، لكنه استحضر الكثير من الأقوال والمعاني قبل أن ينتهي إلى حادثة أبيه واعتباره من زمرة الشهداء في المعترك، مع أنه وبغير شك كانت تلك الحادثة قد أثرت كثيرا في حياته ولكنه استحضرها وناقشها على أنها أسئلة معلنة.

الحادثة الأخرى التي ذكرها القرطبي في تفسيره هي مطاردة العدو له، ثم اختباؤه في أحد الحصون بقرطبة وقراءته في ذلك الوقت بأول سورة يس وغيرها من آي القرآن، حتى مر به العدو ولم يره مع أنه لم يكن هناك ما يستره عن أعين الأعداء. هذه التجربة التي يتذكرها القرطبي جيدا جعلته يربط بين خاصية أول سورة يس وبين خاصية قوله تعالى: {وإذا قرأت القرآن جعلنا بينك وبين الذين لا يؤمنون بالآخرة حجابا مستورا}⁶⁰ و كيف أن النبي تحصن بهذه الآية عندما أرادت أم جميل بنت حرب الأذى بالنبي حتى قرأ هذه الآية فلم تره وكان أبو بكر بجانبه.⁶¹ إن التجارب الشخصية للإنسان يجعله يعتقد ويصدق بأمور قد يراها البعض غير معقوله، وقد يؤمن المسلم بمثل تلك المعجزات الواردة عن سيرة النبي

---

⁵⁷ سورة آل عمران [٣]: ١٦٩.

⁵⁸ أبو عبدالله محمد بن أحمد القرطبي، *الجامع لأحكام القرآن والمبين لما تضمنته من السنة وآي الفرقان*، تحقيق: عبدالله عبدالمحسن التركي، ط١، ج٥ (بيروت: مؤسسة الرسالة، ٢٠٠٦)، ص. ٤١٢-٤١٣.

⁵⁹ انظر القرطبي، *الجامع لأحكام القرآن*، ج٥، ص. ٤٠٦ وما بعدها.

⁶⁰ سورة الإسراء [١٧]: ٤٥.

⁶¹ القرطبي، *الجامع لأحكام القرآن*، ج١٣، ص. ٩٢ وما بعدها.

الدالة على صدقه وصدق القرآن ولكن إذا مر الإنسان بنفس التجربة بنفسه فالأمر مختلف.⁶²

٢ . اهتمامه وانتقاده لحالة المجتمع المعاصر له

يعبر القرطبي في كثير من المواضع عن شوقه لقرطبة وحسرته على استيلاء العدو لتلك البلاد، وهو يذكر الأسباب التي أضعفت المسلمين وأغرت العدو بهم. منها تقاعس المسلمين عن الجهاد، وكثرت المعاصي وسوء النيات. مثال ما قاله القرطبي أن من أراد الحلال الصرف في زمانه فعليه بشرب الماء من العيون والأنهار بكفيه آناء الليل و النهار.⁶³ يدل قوله هذا على كثرة الشبهات و انتشار المعاصي ─على ما يرى القرطبي- في ذلك العصر حتى يصعب العثور على طعام حلال خالص، هذا الميول الصوفي والزهد الظاهر عند القرطبي ظهر على تفسيره الذي يعكس مدى أسفه على مجتمعه مع أنه كان يفسر آية {إلا من اغترف غرفة بيده}⁶⁴ التي تحكي عن طالوت وجنوده. ويعلق أيضا عند تفسيره لقوله تعالى: {والذين إذا فعلوا فاحشة أو ظلموا أنفسهم ذكروا الله فاستغفروا لذنوبهم}⁶⁵ بعد إيراده لقول الحسن البصري (إستغفارنا يحتاج إلى إستغفار) بقوله: «قلت: هذا يقوله في زمانه، فكيف في زماننا هذا الذي يرى فيه الإنسان مكبا على الظلم ! حريصا عليه لا يقلع، والسُبْحة في يده زاعما أنه يستغفر الله من ذنبه وذلك استهزاء منه واستخفاف».⁶⁶

أما ما يتعلق بأسباب الهزائم واستيلاء العدو على الأندلس فكثيرة، منها على سبيل المثال لا الحصر: عند تفسيره لقوله تعالى: {كتب عليكم القتال وهو كره لكم، وعسى أن تكرهوا شيئا وهو خير لكم}⁶⁷ قال القرطبي:

«... وهذا صحيح لا غبار عليه، كما اتفق في بلاد الأندلس، تركوا الجهاد وجبنوا عن القتال وأكثروا من الفرار، فاستولى العدو على البلاد، وأي بلاد ؟ ! وأسر وقتل وسبى واسترق،

---

⁶² نذكر هنا أيضا كيف أن التجربة التي مر بها ابن عربي في صغره عندما كان مريضا مرضا شديدا ورؤيته في المنام بشخص جميل يدافع عنه ويحميه من القوم الذين يريدون إيذائه فسأله ابن عربي فأجابه الرجل أنه سورة يس يدافع عنه، وعندما استيقظ ابن عربي من نومه رأى والده بجانبه يقرأ سورة يس، يرى بعض المؤرخين أن هذه الواقعة كانت نقطة مهمة وأساسية في تغير مسيرة الشيخ الأكبر. انظر أبو زيد، *هكذا تكلم ابن عربي*، ص. ٣٦.

⁶³ القرطبي، *الجامع لأحكام القرآن*، ج٤، ص. ٢٤٣.

⁶⁴ سورة البقرة [٢]: ٢٤٩.

⁶⁵ سورة آل عمران [٣]: ١٣٥.

⁶⁶ القرطبي، *الجامع لأحكام القرآن*، ج٥، ص. ٣٢٤-٣٢٥.

⁶⁷ سورة البقرة [٢]: ٢١٦.

فإنا لله وإنا إليه راجعون! ذلك بما قدمت أيدينا وكسبته!».⁶⁸ ويذكر أيضا عند تفسيره لقوله تعالى: {كم من فئة قليلة غلبت فئة كثيرة بإذن الله}⁶⁹ أن هذه الآية هي للتحريض على القتال والحث على الصبر، ثم يذكر أسفه على زمانه ويرى أن أسباب الهزائم التي ألمت بالمسلمين هي بسبب أعمالهم وسوء نياتهم، بقوله:

«قلت: هكذا يجب علينا نحن أن نفعل؟ لكن الأعمال القبيحة والنيات الفاسدة منعت من ذلك حتى ينكسر العدد الكبير منا قدام اليسير من العدو كما شاهدناه غير مرة، وذلك بما كسبت أيدينا فالأعمال فاسدة والضعفاء مهملون والصبر قليل والاعتماد ضعيف والتقوى زائلة، فهذه أسباب النصر وشروطه وهي معدومة عندنا غير موجودة فينا، فإنا لله وإنا إليه راجعون على ما أصابنا وحل بنا! بل لم يبق من الإسلام إلا ذكره، ولا من الدين إلا رسمه لظهور الفساد ولكثرة الطغيان وقلة الرشاد حتى استولى العدو شرقا وغربا، برا وبحرا، وعمت الفتن وعظمت المحن ولا عاصم إلا من رحم».⁷⁰

وهناك الكثير من الأمثلة الأخرى التي تدل على إهتمامه بمشكلات عصره وأنه ـأي القرطبي- هو ابن زمانه بمعنى أنه لا ينفصل عن احتياجاته و مستجداته.⁷¹ إذن فالتفسير ذو اللون الأدبي الإجتماعي لم يظهر بدءا من عصر محمد عبده أو تلاميذه، بل كانت هناك جذور تاريخية لهذا اللون وبوادر لها عند المفسرين القدامى أمثال القرطبي، ولكن لاسم التفسير ـالجامع لأحكام القرآن- وشهرة القرطبي بعلم الفقه وميوله إليها وطريقته في تفسير الآيات التي تتعلق بالأحكام الفقهية جعل هذا التفسير يطغى عليه اللون الفقهي مشتهرا بأنه أحد أهم كتب التفسير الفقهي على المذهب المالكي.

---

⁶⁸ القرطبي، *الجامع لأحكام القرآن*، ج٣، ص. ٤١٧-٤١٨.

⁶⁹ سورة البقرة [٢]: ٢٤٩.

⁷⁰ القرطبي، *الجامع لأحكام القرآن*، ج٤، ص. ٢٤٥.

⁷¹ انظر مثلا انتقاده لبعض معتقدات الناس الذين لا يهتمون بالشريعة أو النصوص الدينية ـالقرآن والسنة- ويقبلون ـفقط- على ما ينكشف لهم من التجليات والأسرار القلبية عند تفسيره {ومن أظلم ممن افترى على الله كذبا} الأنعام [٦]: ٩٣، القرطبي، *الجامع لأحكام القرآن*، ج٨، ص. ٤٥٨-٤٥٩. وانتقاده وتعليقه على الكثير من العادات والتقاليد السيئة في الديار المصرية كاتيان الرؤساء للمنجمين والكهان عند تفسيره لقوله تعالى: {وعنده مفاتح الغيب} الأنعام[٦]: ٥٩. القرطبي، ج٨، ص ٤٠٤. ونعوتهم أنفسهم ـأي المصريين- بألقاب تقتضي التزكية كزكي الدين ومحي الدين عند تفسير الآية {ألم تر إلى الذين يزكون أنفسهم} النساء [٤]: ٤٩. القرطبي، ج٦، ص. ٤٠٨.

٣. النزعة الكلامية عند القرطبي وتأثره بها

لم يتعصب القرطبي ‑كما يذكر الباحثون‑ للمذهب المالكي بل كان يمشي مع الدليل حتى يصل إلى ما يراه الصواب أيا كان قائله،[72] هذا بخلاف ابن العربي (ت ٥٤٣ هـ) أحد علماء الأندلس أيضا و صاحب تفسير أحكام القرآن، فقد ظهر تعصبه للمذهب المالكي وحمله على مخالفي مذهبه.[73] فمثلا يرى القرطبي أيضا أن إختلاف الأماكن قد تغير من تطبيق الأحكام. قال القرطبي عند تفسيره لقوله تعالى: {ألم تر إلى الذين أوتوا نصيبا من الكتاب يدعون إلى كتاب الله ليحكم بينهم}[74] أن هذه الآية دليل على وجوب ارتفاع المدعو إلى الحاكم لأنه دعي إلى كتاب الله؛ فإن لم يفعل كان مخالفا يتعين عليه الزجر بالأدب على قدر المخالِف والمخالَف. وهذا الحكم جار بالأندلس وبلاد المغرب وليس بالديار المصرية.[75] ولكن ماذا عن ميوله الكلامية؟ سنحاول هنا أن نرى النزعات والميول المذهبية الكلامية للقرطبي عند تفسيره لصفة اليد والإستواء ومدى تأثره بها.[76]

---

[72] الذهبي، *التفسير والمفسرون*، ج٢، ص. ٣٣٨ وما بعدها. انظر مثلا تفسيره لقوله تعالى: {وأقيموا الصلاة} البقرة [٢]: ٤٣، تراه يخالف الإمام مالك في مسألة إمامة الصبي. القرطبي، *الجامع لأحكام القرآن*، ج٢، ص. ٢٢ وما بعدها.

[73] الذهبي، *التفسير والمفسرون*، ج٢، ص. ٣٣٠ وما بعدها.

[74] سورة آل عمران [٣]: ٢٣.

[75] القرطبي، الجامع لأحكام القرآن، ج٥، ص. ٧٧. لم يعرف الباحث ‑حسب اطلاعاته المحدودة‑ ما إذا كان القرطبي بدأ كتابته لتفسيره في قرطبه ثم أتمه بمصر، أم كتبه جميعه بمصر؟ وإن كان يرى محمد المغراوي أن القرطبي كتب مؤلفاته بمصر، لأن أول حياته بالأندلس وافقت اضطرابا كبيرا وحروبا في الأندلس. انظر محمد عبد الرحمن المغراوي، *المفسرون بين التأويل والإثبات في آيات الصفات*، ط١، (بيروت: مؤسسة الرسالة، ٢٠٠٠)، ص. ١٥٧٤. كان القرطبي دائما مايظهر حنينه وشوقه للأندلس ولقرطبة بالتحديد، كمثال قوله «قرطبة أعادها الله» أو «عندنا في الأندلس» في عدة أماكن من تفسيره مع أنه كان بمصر، الأمر الآخر هو هل كان مقامه بمصر أحد أسباب عدم تعصبه للمذهب المالكي أم كانت بأسباب شخصية وفكرية كقدرته وتمكنه من الإجتهاد والإستنباط وغيرها. فقد كان المذهب المالكي هو المذهب الرسمي في الأندلس و الذي شجع انتشاره الأمراء المروانيين كنوع من الإستقلال السياسي خلافا للمذهب الحنفي المنتشر في العراق عند خصومهم العباسيين. انظر جودة هلال ومحمد محمود صبح، *قرطبة في التاريخ الإسلامي*، (القاهرة: الهيئة المصرية العامة للكتاب، ١٩٨٦)، ص. ٩٦ وما بعدها.

[76] يضع محمد عبدالرحمن المغراوي الإمام القرطبي من بين المفسرين المؤولين لآيات الصفات، انظر *المفسرون بين التأويل والإثبات في آيات الصفات*، ص. ١٥٧٥ وما بعدها.

أ‌) صفة اليد واليمين

يرى القرطبي أن مقولة اليهود ﴿وقالت اليهود يد الله مغلولة، غلت أيديهم ولعنوا بما قالوا﴾ [77] إنما هي للتمثيل على البخل أو البخيل، ثم يورد القرطبي بعد ذلك معاني اليد في كلام العرب فهي بمعنى الجارحة، النعمة، القوة، الملك والقدرة، الصلة، التأييد والنصرة، وعند إضافة الفعل إلى المخبر فهو بمعنى التشريف والتكريم. وفي نفس الآية يأول القرطبي صفة اليد في قوله تعالى: ﴿بل يداه مبسوطتان ينفق كيف يشاء﴾ بمعنى نعمته مبسوطة فاليد بمعنى النعمة، ويجوز أن تكون اليد في هذه الآية بمعنى القدرة، أي قدرته شاملة فإن شاء وسع وإن شاء قتر. [78] وعند قوله قوله تعالى: ﴿أَوَلَمْ يَرَوْا أَنَّا خَلَقْنَا لَهُمْ مِمَّا عَمِلَتْ أَيْدِينَا أنعاما فهم لها مالكون﴾ [79] يأولها بقوله أي مما أبدعناه وعملناه من غير واسطة ولا وكالة ولا شركة. [80] بينما في تفسيره لآية ﴿قال يا إبليس ما منعك أن تسجد لِمَا خَلَقْتُ بِيَدَيَّ﴾ [81] يرى القرطبي أن ذكر اليد هنا بمعنى التكريم وذلك حين أضاف خلقه إلى نفسه، فخاطب الناس بما يعرفونه في تعاملهم، فإن الرئيس من المخلوقين لا يباشر شيئا بيده إلا على سبيل الإعظام والتكرم. ثم يذكر أقوالا أخرى منها قول مجاهد (ت ١٠٤ هـ): بأن اليد ها هنا بمعنى التأكد والصلة؛ مجازه لما خلقت أنا، وقيل: أراد باليد القدرة؛ وقيل تأويل ﴿لِمَا خَلَقْتُ بِيَدَيَّ﴾ أي لما خلقت بغير واسطة. [82] أما قوله تعالى: ﴿إن الذين يبايعونك إنما يبايعون الله، يَدُ اللَّهِ فَوْقَ أَيْدِيهِمْ﴾ [83] فيفسرها القرطبي بيده في الثواب فوق أيديهم في الوفاء، ويده في المنة عليهم بالهداية فوق أيديهم في الطاعة. وقال الكلبي: معناه نعمة الله عليهم فوق ما صنعوا من البيعة. وقال ابن كيسان: قوة الله ونصرته فوق قوتهم ونصرتهم. [84]

---

[77] سورة المائدة [٥]: ٦٤.

[78] القرطبي، *الجامع لأحكام القرآن*، ج٨، ص. ٨١-٨٦.

[79] سورة يس [٣٦]: ٧١.

[80] القرطبي، *الجامع لأحكام القرآن*، ج١٧، ص. ٤٨٦.

[81] سورة ص [٣٨]: ٧٥.

[82] القرطبي، *الجامع لأحكام القرآن*، ج١٨، ص. ٢٣٩.

[83] سورة الفتح [٤٨]: ١٠.

[84] القرطبي، *الجامع لأحكام القرآن*، ج١٩، ص. ٣٠٦. لا نرى اختلافا كثيرا بين تأويل القرطبي والنووي في صفة اليد، فالنووي يأول ﴿بل يداه مبسوطتان﴾ بل هو تعالى جواد كريم بمعنى أن نعمة الله متتابعة ليست كما ادعي أنها مقبوضة. محمد عمر نووي الجاوي، *مراح لبيد لكشف معنى القرآن المجيد*، ط٣، المجلد الأول (بيروت: دار الكتب العلمية، ٢٠٠٦)، ص. ٢٨١. ويأول ﴿لما خلقت بيدي﴾ لما خلقته بقدرتي وإرادتي من غير أب أو أم. النووي، المجلد الثاني، ص ٣٢٢. ويأول الآية ﴿مما عملت أيدينا﴾ أي ما عملناه بقدرتنا

أما ما يتعلق بصفة اليمين ففي قوله تعالى: {وما قدروا الله حق قدره، وَالأَرْضُ جَمِيعاً قَبْضَتُهُ يوم القيامة}[٨٥] يقول القرطبي: «ويقبض الله الأرض» عبارة عن قدرته وإحاطته بجميع مخلوقاته. وقد يكون معنى القبض والطي إفناء الشيء وإذهابه فقوله جل وعز: {وَالأَرْضُ جَمِيعاً قَبْضَتُهُ} يحتمل أن يكون المراد به والأرض جميعا ذاهبة فانية يوم القيامة. وأما قوله تعالى: {وَالسَّمَاوَاتُ مَطْوِيَّاتٌ بِيَمِينِهِ} فالمراد بذلك الفناء والذهاب؛ وانطوى عنا دهر بمعنى المضي والذهاب، واليمين في كلام العرب قد تكون بمعنى القدرة والملك.[٨٦] أما قوله تعالى: {لأَخَذْنَا مِنْهُ بِالْيَمِينِ}[٨٧] فتأويلها أي بالقوة والقدرة، أي لأخذناه بالقوة. وقال السدي والحكم: «باليمين» بالحق، وقال الحسن: لقطعنا يده اليمين. وقيل: المعنى لقبضنا بيمينه عن التصرف؛ أو لأمرنا بالأخذ بيده وبالغنا في عقابه.[٨٨]

إن انتقال القرطبي بين المعاني اللغوية لليد في كلام العرب واختيار المناسب منها لسياق الآية والموافق لمعناها، بدءا من النعمة والقدرة وحتى اعتبارها بأنها دالة على العمل بغير واسطة. لهي أحد مؤشرات ذكاء القرطبي ووعيه بالمعاني الممكنة الأخرى. وحتى في تأويله لليمين فإنه يميل لمعنى القدرة والقوة، تكشف هذه التأويلات المتعددة لليد واليمين على مدى تأثر القرطبي بالمذهب الأشعري،[٨٩] فأكثر الأقوال التي يوردها هي القريبة من التأويل الأشعري وإن كان يفاضل بينها ويرجح بعضها على الآخر.

وإرادتنا. النووي، المجلد الثاني، ص. ٢٩٥. ويأول {يد الله فوق أيديهم} أي نعمة الله عليهم في الهداية فوق إحسانهم إلى الله. المجلد الثاني، ص. ٤٢٥. وانظر أيضا تأويل جلال الدين محمد أحمد المحلي و جلال الدين عبد الرحمن السيوطي، للآيات السابقة بقولهم «مبالغة في الوصف بالجود» و « عملناه بلا شريك ولا معين» و « توليت خلقه وهذا تشريف» و «هو تعالى مطلع على مبايعتهم»، تفسير الجلالين، ط١، (بيروت: دار الكتب العلمية، ٢٠٠٣)، ص. ٨٩، ٢٦٨، ٢٧٧، ٣٠٥.

[٨٥]   سورة الزمر [٣٩]: ٦٧.

[٨٦]   القرطبي، الجامع لأحكام القرآن، ج١٨، ص. ٣٠٨-٣١٠.

[٨٧]   سورة الحاقة [٦٩]: ٤٥.

[٨٨]   القرطبي، الجامع لأحكام القرآن، ج٢١، ص. ٢١٤-٢١٥. يفسر الشيخ نووي الجاوي قوله تعالى: {الأرض جميعا قبضته يوم القيامة والسماوات مطويات بيمينه} أي الأرض جميعا مقدورته يوم القيامة والسماوات مطويات بقدرته. مراح لبيد، المجلد الثاني، ص٣٣٨. قوله تعالى: {لأخذنا منه باليمين} أي لأخذنا يمينه، لسلبنا عنه القوة، لأخذناه بقوة منا. قال مقاتل: لانتقمنا منه بالحق. مراح لبيد، المجلد الثاني، ص. ٥٥٩-٥٦٠. وانظر أيضا تأويل الجلالين للآيات السابقة بقولهم «في ملكه وتصرفه» و «بقدرته» و»بالقوة والقدرة». تفسير الجلالين، ص. ٢٨١، ٣٤٧.

[٨٩]   المدرسة الأشعرية وأصحابها التابعين للإمام أبي الحسن علي بن إسماعيل الأشعري (ت ٣٢٤ هـ). انظر أبي الفتح محمد بن عبد الكريم بن أبي بكر الشهرستاني، الملل والنحل، ط٣، (بيروت دار المعرفة، ١٩٩٣)، ج١، ص. ١٠٦ وما بعدها.

ب) **صفة الإستواء**

يبدأ القرطبي تفسيره لقوله تعالى: ﴿هو الذي خلق لكم ما في الأرض جميعا ثم استوى إلى السماء فسواهن سبع سماوات﴾ ⁹⁰ بتوضيح معنى الإستواء لغة وهو الإرتفاع والعلو على الشيء مستشهدا بعدة آيات وأبيات من الشعر، ثم يكمل أن هذه الآية من المشكلات والناس فيها على ثلاثة أوجه، الفريق الأول: نقرؤها ونؤمن بها ولا نفسرها، الفريق الثاني: نقرؤها ونفسرها على ما يحتمله ظاهر اللغة. الفريق الثالث: نقرؤها ونتأولها ونحيل حملها على ظاهرها. ثم يذكر أقوال الفراء في معاني الإستواء في كلام العرب إلا أنه يميل —في هذه الآية— إلى معنى الإستواء بـ أقبل إليَّ وعليّ، لأن الإقبال هو القصد إلى خلق السماء، والقصد هو الإرادة وذلك جائز في صفات الله. ⁹¹ نرى من تفسير القرطبي للآية السابقة أنه يميل إلى الفريق الثالث أو إلى المؤولين مستندا على ما تجيزه اللغة مرجحا بين تلك المعاني على ما يجوز على الله من الصفات أو لا يجوز.

يقسم القرطبي موقف العلماء من آية ﴿إن ربكم الله الذي خلق السماوات والأرض في ستة أيام ثم استوى على العرش﴾ ⁹² إلى قسمين، فريق يقولون بوجوب تنزيه الله عن الجهة والتحيز لأنه —أي الجهة أو التحيز— يلزم التغير والحدوث، وهذا قول المتكلمين، بينما كان السلف لا يقولون بنفي الجهة بل أثبتوها لله تعالى، ولم ينكر أحد من السلف أن الله قد استوى على العرش حقيقة. وإنما جهلوا كيفية الإستواء فإنه لا تعلم حقيقته. ثم يشرح القرطبي المقولة المشهورة للإمام مالك (ت ١٧٩ هـ) بقوله «الإستواء معلوم يعني من اللغة، والكيف مجهول، والسؤال عنه بدعة. فهو —أي القرطبي— وبطريقة غير مباشرة كأنه يميل إلى التأويل على ما يجري في اللغة، ففي هذه الآية مثلا قد نرى من عباراته أنه يميل إلى الإثبات ولكنه يحاول مزجها بالمعنى اللغوي بقوله «الإستواء هو العلو والإرتفاع، فعلو الله تعالى وارتفاعه عبارة عن علو مجده وصفاته وملكوته. أي ليس فوقه فيما يجب له من معاني الجلال أحد، ولا معه من يكون العلو مشتركا بينه وبينه؛ لكنه العلي بالإطلاق سبحانه» ⁹³ لم تختلف طريقة تأويلات القرطبي لآيات الصفات، فهو يميل إلى معنى اللغة الموافق لما تجيزه العقيدة والعقل السليم. إن الذين يثير الإنتباه في تأويلاته أنه في كلمة واحدة « إستوى» —مثلا— يأولها على معنيين باختلاف سياق الآية وتركيبها. ففي آية البقرة يأولها بالإقبال بينما في آية الأعراف يأولها

---

⁹⁰ سورة البقرة [٢]: ٢٩.

⁹¹ القرطبي، *الجامع لأحكام القرآن*، ج١، ص. ٣٨٠-٣٨٣.

⁹² سورة الأعراف [٧]: ٥٤.

⁹³ القرطبي، *الجامع لأحكام القرآن*، ج٩، ص. ٢٣٨-٢٤٠.

بالعلو والإرتفاع، ولكنه العلو الذي يليق بالله سبحانه وتعالى، بمقابل أنه لا ينفي استواء الله على العرش حقيقة. فالذي يقرأ تفسير القرطبي لصفة الإستواء في سورة الأعراف قد يظن أنه يثبت صفة الإستواء من غير تأويل، ولكن الذي يقارنه بمؤلفاته الأخرى —كما يقول محمد المغراوي- يتبين أن القرطبي لا يثبت صفة الإستواء.[٩٤]

من خلال قراءتنا لتفسير القرطبي مرورا بهذين المثالين —تأويل صفة اليد والإستواء- يتضح أن القرطبي وإن كان في وعي في بوجود اتجاهات الآخرين وميولهم ومواقفهم تجاه آيات الصفات إلا أنه لا يستطيع أن يخفي تأثره في عقيدته بالمدرسة الأشعرية وأئمتها فهو أشعري المذهب في الأسماء والصفات، يظهر وعي القرطبي عند إيراده لعدة معان والتفسيرات ممكنة لفرق ومذاهب أخرى وإن كان الذي يذكره ما زالت قريبة من التأويل الأشعري، هذا بخلاف مفسر آخر —الشيخ نووي الجاوي (ت ١٣١٦ هـ) مثلا- الذي يفسر الإستواء في آية البقرة بمعنى القصد فقط،[٩٥] أما عند تفسيره لكلمة «إستوى» بالأعراف فإنه يذكر عدة أقوال أخرى ويميل إلى تفسيرها بـ «استوى على ملكه بمعنى ظهر تصرفه في هذه الأشياء وتدبيره له» فالمراد بذكر الإستواء على العرش هو نفاذ القدرة وجريان المشيئة، وإن كان يرى النووي أنه يجب علينا أن نقطع بكونه تعالى منزها عن المكان والجهة، فلا يجوز الخوض في تأويل هذه الآية على التفصيل.[٩٦] أما في تفسير الجلالين فقد ورد تأويل الآيات السابقة بقولهم {ثم إستوى} أي قصد،[٩٧] وقوله {ثم استوى على العرش} هو في اللغة سرير الملك استواء يليق به.[٩٨] ما نقصده من هذه المقارنة البسيطة هي إظهار وعي القرطبي بتأثره بالتاريخ، والتاريخ هنا-كما أسلفنا- هو كل ما يتعلق بالإنسان من تجارب وأفكار ونظرات ونزعات وميول وتطورات المجتمع، فعندما يناقش ويعلن القرطبي عن وجود عدة إتجاهات مذهبية وكلامية تجاه آيات الصفات، أي أنه يعي أنه موقفه تجاه تلك الآيات ليس موقفا وحيدا، وأنه عندما رجح معنى أو تأويلا لصفة من الصفات فهو يعي أن هناك معان وآراء وتأويلات أخرى غير ما رجحه، بخلاف ما رأينا في من طريقة التأويل تجاه آيات الصفات في مراح لبيد والجلالين ماعدا الجلالين في تفسير آية الإستواء في الأعراف فقد يظهر أو يفهم أنه

---

٩٤   محمد عبد الرحمن المغراوي، *المفسرون بين التأويل والإثبات*، ص. ١٥٧٦.

٩٥   نووي الجاوي، *مراح لبيد*، المجلد الأول، ص. ١٤.

٩٦   نووي الجاوي، *مراح لبيد*، المجلد الأول، ص. ٣٧٥.

٩٧   *تفسير الجلالين*، ص. ٦.

٩٨   *تفسير الجلالين*، ص. ١١٠.

يُثبتها من غير تأويل.⁹⁹

إن أحد استنتاجاتنا لقراءتنا للقرطبي من خلال منظار الوعي التاريخي الفعال أو التأثر بالتاريخ هو أن الإنسان أو المفسر قد يعي في بعض الأحيان بتأثره بآثار العوامل الداخلية أو الخارجية المحيطة به (الأفق المعرفي أو الأفق المعاصر للمفسر)، وقد يستطيع أن يتجاوز تلك العوامل والظروف ويراقب المؤثرات التي خلفه، فمثلا التجارب الشخصية أو المؤثرات الإجتماعية للقرطبي كموت أبيه، ومطاردة العدو له، وفساد المجتمع المحيط به، والعادات والتقاليد السيئة عند الناس في ذلك الوقت، كان يناقشها القرطبي وينتقدها بصراحة، ويستثمرها ـأي تلك المفاهيم المسبقة والتجربة الشخصيةـ لمعرفة معنى النص أو لإبراز فهم جديد، وبالتالي لم تفسد من طريقة تفسيره ومن شرحه للآيات، بل ذكرها في كثير من المواضع تحت مسائل تابعة للتفسير، وهذا ينطبق أيضا على المذهب الفقهي الذي يتبعه، كما قال عنه الباحثين أنه لم يكن متعصبا لمذهب الإمام مالك وظهر ذلك عند تفسيره لكثير من آيات الأحكام وعدم ترجيحه للمذهب المالكي، وهنا تكمن قيمة الأطروحات والمسائل التي تبناها القرطبي، ولكن من أصعب الأمور وأشدها على المرء أو المفسر هو الوعي بالتأثر بالمذهب العقدي أو الكلامي، أو محاولة التغير والإبتعاد عنه. بوعي أم بلا نحن نتأثر بالدين الذي ندين به، ومن ثم المعتقد والنحلة الكلامية أو الإتجاه الإيديولوجي أكثر من غيره. قد لا يظهر المذهب الفقهي للمفسر في بعض عباراته في التفسير، أو لا تظهر المشكلات الإجتماعية والسياسية المعاصرة للمفسر في التعبيرات والجمل، قد يكون هذا بسبب أسلوب الكتابة ولون التفسير المتبع في الكتاب، ولكن بنظرة بسيطة في موقف المفسر وطريقة تناوله لآيات الصفات نستطيع أن نرى من أي اتجاه كلامي هو، ومدى تأثره بالنحلة أوالمذهب العقدي.

---

⁹⁹ جاء إختيارنا لتفسير مراح لبيد والجلالين لأنهما من جملة التفاسير المقررة دراستها في الباسانترين *pesantren* أو المعهد التعليمي الإسلامي المنتشر في إندونيسيا. ولعل ميلهما للتأويل على الطريقة الأشعرية كانت أحد الأسباب التي جعلت تلك التفاسير هي الأشهر والأكثر تداولا في الباسانترين بإندونيسيا و لعل هناك أسباب أخرى مثل سهولة اللغة المستخدمة وبساطتها، وعدم خوضهما في المسائل الخلافية بشكل عميق ومفصل. يذكر د. أحسن سخاء محمد أن من أشهر التفاسير التي تدرس في الباسانترين هي تفسير الجلالين وتفسير المنير (مراح لبيد) وتفسير الخازن. ولكن ما ينقص هذه التفاسير هو عدم اهتماماتها بالجوانب الإجتماعية والمشاكل العصرية كالجانب العلمي أو الفقهي مما يحتم على الباسانترين الآن بالنظر في تطوير المناهج الدراسية والكتب المقررة في تدريس التفسير. انظر أحسن سخاء محمد، دراسة التفسير في الباسانترين. ص ١٩٧ وما بعدها. Ahsin Sakho Muhammad, «Kajian Tafsir di Pesantren» in *Bunga Rampai Mutiara al-Qurʾan*, (Jakarta: Pimpinan Pusat Jamʾiyyatul Qurraʾ wal Huffazh, 2006), p. 197.

هـ. الخاتمة

لقد تبين مما سبق أنه يمكن في بعض القضايا العصرية أو التراثية دمج النظريات المعاصرة من الفلسفة الغربية في قراءتنا للتراثنا الأدبي والإجتماعي والديني أيضا، كما قمنا به عند قراءتنا للتفاسير المختلفة وخاصة تفسير الجامع لأحكام القرآن للقرطبي من منظور نظرية الوعي التاريخي الفعال أو وعي التأثر بالتاريخ للفيلسوف الألماني هانس جيورج غادامير، والتي تركز على أن الإنسان عند قراءته للنص التاريخي أو التراثي سيتأثر بالتاريخ المحيط به، فعلينا أو من الأفضل أن نعي بكل هذه التأثيرات ونجعلها نصب أعيننا حتى لا تتلاعب وتؤثر فينا من خلفنا.

عند قراءتنا للقرطبي وجدنا أنه تأثر كثيرا بمستجدات ومشاكل عصره الإجتماعية والدينية والسياسية، ذلك التأثر وجدناه كثيرا ما تطرح على شكل مسائل فقهية و اجتماعية واعية وفي مرات عديدة كان ينتقدها متأسفا على ما يجري في مجتمعه وكأنه مصلح أو ناقد إجتماعي، ولكن جاء تأثره بشكل أكبر بالنحلة الكلامية ـوإن كان تفسيره قد اشتهر باللون الفقهيـ أو بالمدرسة الأشعرية حيث رأينا أن القرطبي كان دائما ما يقوم بتأويل آيات الصفات وذلك باعتماده على معان الصفات في كلام العرب وكيفية استخدامها عنهم، ثم محاولة ترجيحها واختيار المعنى المناسب منها لسياق الآية الموافق للقواعد الأساسية للمذهب الكلامي الأشعري أو مايراه العقل سليما.

المصادر

ابن تيمية، *التنقيح والتحرير على مقدمة في أصول التفسير*، تحقيق وتعليق: أبو أويس الكردي، المنصورة: دار التأصيل للنشر والتوزيع، ٢٠٠٨.

أبو زيد، نصر حامد، *فلسفة التأويل: دراسة في تأويل القرآن عند محي الدين بن عربي*، بيروت: دار التنوير للطباعة والنشر، ١٩٨٣.

-----، *إشكاليات القراءة وآليات التأويل*، ط.٣، الدار البيضاء: المركز الثقافي العربي، ١٩٩٤.

-----، *الخطاب والتأويل*، الدار البيضاء: المركز الثقافي العربي، ٢٠٠٠.

-----، *مفهوم النص: دراسة في علوم القرآن*، ط.٥، الدار البيضاء: المركز الثقافي العربي، ٢٠٠٠.

-----، *هكذا تكلم ابن عربي*، ط.٢، الدار البيضاء: المركز الثقافي العربي، ٢٠٠٤.

الألوسي، أبو الفضل شهاب الدين السيد محمود، *روح المعاني في تفسير القران العظيم والسبع المثاني*، بيروت: دار إحياء التراث العربي، د.ت.

جوتشلك، لويس، *كيف نفهم التاريخ: مدخل إلى تطبيق المنهج التاريخي* »Understanding History«، ترجمة: عائدة سليمان عارف و أحمد مصطفى أبو حاكمة، بيروت: دار الكاتب العربي- مؤسسة فرنكلين للطباعة والنشر، ١٩٦٦.

حسن سلمان، مشهور و جمال عبداللطيف الدسوقي، *كشاف وتحليلي للمسائل الفقهية في تفسير القرطبي*، الطائف: مكتبة الصديق، ١٩٨٨.

الخولي، أمين، *مناهج التجديد: في النحو والبلاغة والتفسير والأدب*، القاهرة: الهيئة المصرية العامة للكتاب، ١٩٩٥.

الذهبي، محمد حسين، *التفسير والمفسرون*، ط.٧، القاهرة: مكتبة وهبة، ٢٠٠٠.

-----، *بحوث في علوم التفسير والفقه والدعوة*، القاهرة: دار الحديث، ٢٠٠٥.

الرحمن، فضل، *الإسلام وضرورة التحديث* »Islam and Modernity«، ترجمة: إبراهيم العريس، بيروت: دار الساقي، ١٩٩٣.

رضا، محمد رشيد، *تفسير المنار*، ط.٢، القاهرة: دار المنار، ١٩٤٧.

الرومي، فهد بن عبد الرحمن، *بحوث في أصول التفسير ومناهجه*، ط. ٤، مكتبة التوبة، ١٤١٩.

ريكور، بول، *صراع التأويلات: دراسات هرمنيوطيقية* »*Le Conflit des interpretations*«، ترجمة: منذر عياشي، بيروت: دار الكتاب الجديد المتحدة، ٢٠٠٥.

-----، *من النص إلى الفعل: أبحاث التأويل* »*Du texte a laction: Essais d'hermeneutique*«،

ترجمة: محمد برادة و حسان بورقية، الهرم: عين للدراسات الإنسانية والإجتماعية، ٢٠٠١.

السيوطي، جلال الدين، *الإتقان في علوم القرآن*، ط.٢، بيروت: دار الكتب العلمية، ٢٠٠٧.

شحرور، محمد، *الكتاب والقران: قراءة معاصرة*، دمشق: الأهالي للطباعة والنشر والتوزيع، د.ت.

-----، *تجفيف منابع الإرهاب*، دمشق: الأهالي للطباعة والنشر والتوزيع، ٢٠٠٨.

عبد الرحمن العك، خالد، *أصول التفسير وقواعده*، ط. ٥، بيروت: دار النفائس للطباعة والنشر، ٢٠٠٧.

غادامير، هانز-جيورج، *تجلي الجميل ومقالات أخرى »The Relevance of the Beautiful and Other Essays«*، ترجمة: سعيد توفيق، المجلس الأعلى للثقافة: المشروع القومي للترجمة، ١٩٩٧.

القرطبي، أبو عبدالله محمد بن أحمد، *الجامع لأحكام القرآن والمبين لما تضمنته من السنة وآي الفرقان*، تحقيق: عبدالله عبدالمحسن التركي، بيروت: مؤسسة الرسالة، ٢٠٠٦.

الكريم، خليل عبد، *النص المؤسس ومجتمعه*، القاهرة: دار مصر المحروسة، ٢٠٠٢.

المحلي، جلال الدين محمد أحمد و جلال الدين عبد الرحمن السيوطي، *تفسير الجلالين*، بيروت: دار الكتب العلمية، ٢٠٠٣.

معرفة، محمد هادي، *التأويل في مختلف المذاهب والآراء*، طهران: المجمع العالمي للتقريب بين المذاهب و الآراء، ٢٠٠٦.

المغراوي، محمد عبد الرحمن، *المفسرون بين التأويل والإثبات في آيات الصفات*، بيروت: مؤسسة الرسالة، ٢٠٠٠.

نووي الجاوي، محمد عمر، *مراح لبيد لكشف معنى القرآن المجيد*، ط٣، بيروت: دار الكتب العلمية، ٢٠٠٦.

هلال، جودة ومحمد محمود صبح، *قرطبة في التاريخ الإسلامي*، القاهرة: الهيئة المصرية العامة للكتاب، ١٩٨٦.

Gadamer, Hans-Georg, *Truth and Method*, 2nd revised ed., translation revised by Joel Weinsheimer and Donald G. Marshall, London: Continuum Publishing Group, 2006.

INDEX OF SUBJECT

INDEX OF AUTHORS

ACKNOWLEDGEMENT

NOTE FOR CONTRIBUTORS

Papers submitted for publication must conform to the following guidelines:
* Papers must concern with Islamic studies
* Papers must be typed in one-half spaced on A4-paper size
* Papers' length is about 15 to 30 pages
* All submission must include a 150-word abstract
* Full name(s) of the author(s) must be stated, along with his/her/their institution and complete address
* Bibliographical reference must be noted in footnote and bibliography according to Al-Jami'ah style. When a source is cited for the first time, full information is provided: full name(s) of author(s), title of the source in italic, place of publication, publishing company, date of publication, and the precise page that is cited. For the following citations of the same source, list the author's last name, two or three words of the title, and the specific page number(s). The word *ibid.* may be used, but *op.cit.*, and *loc.cit.* are not in use.
  Example:
  In footnotes:
  > [1]Mircea Eliade (ed.), *The Encyclopedia of Religion*, vol. 8 (New York: Simon and Schuster, 1995), p. 18.
  > [2]Norman Daniel, *Islam and the West* (Oxford: One World Publications, l99l), p. 190.
  > [3]Eliade (ed.), *The Encyclopedia*, pp. 19-30.

  In bibliography:
  > Mircea Eliade (ed.), *The Encyclopedia of Religion*, vol. 8, New York: Simon and Schuster, 1995.
  > Norman Daniel, *Islam and the West*, Oxford: One World Publications, l99l.

* Arabic words should be transliterated according to the style of *Al- Jāmi'ah*.
* All submission should be in MS-Word file format
* All submission should include both hard and soft copy.
* Papers could also be sent via e-mail to aljamiah_iain@yahoo.com, aljamiah.uinyogya@gmail.com or be sent through regular mail.

ARABIC TRANSLITERATION GUIDELINE

A. Transliteration of Alphabetic Character

b = ب	dh = ذ	ṭ = ط	l = ل
t = ت	r = ر	ẓ = ظ	m = م
th = ث	z = ز	ʿ = ع	n = ن
j = ج	s = س	gh = غ	w = و
ḥ = ح	sh = ش	f = ف	h = هـ
kh = خ	ṣ = ص	q = ق	ʾ = ئ
d = د	ḍ = ض	k = ك	y = ي

arabic short vowel   : a = ◌َ   i = ◌ِ   u = ◌ُ

arabic long vowel   : ā = ـَا   ī = ـِى   ū = ـُو

arabic double vouwel : ay = ـَى   aw = ـَو

B. Note

1) A word that ends with a *tāʾ marbūṭah* (ــة) is transliterated with or with out "h"; if the word is the first part of a construct phrase, the *tāʾ marbūṭah* is transliterated as "t".

2) An article *alif-lām* (ال) is transliterated as *al-* ; if it takes place after a preposition, the article *alif-lām* is trasliterated as *ʾl-* .

3) A Qurʾanic verse is transliterated according to its pronunciation. Example:

Arabic word in general:

أهلية	= *ahliyyah* or *ahliyya*
سورة البقرة	= *sūrat al-Baqarah*, not *sūrah al-Baqarah*
اهل السنة والجماعة	= *ahl al-sunnah waʾl-jamāʿah*

Quranic verses:

يأيها الناس	= *yā ayyuhaʾn-nās*, instead of *yā ayyuhā al-nās*
ذالك الكتاب لا ريب فيه	= *dhālikaʾl-kitābu lā rayba fih*, instead of *dhālik al-kitāb lā rayb fih*.