

Muslims & Nation-Building Lessons of Active Citizenship & Co-Existence in South Africa: Towards a Fiqh of Citizenship

By Ambassador Ebrahim Rasool,
Former Premier of Western Cape and Founder of the World for All Foundation,
South Africa



The following article is adapted from the presentation by Ambassador Ebrahim Rasool at the ICCOS 2022. It was presented as part of the panel on entitled ‘Enhancing Social Cohesion and Active Citizenry’, with a focus on how religion, through the various religious organizations and leadership, could enhance social cohesion and active citizenry at the institutional level by working together with institutions of similar interests, such as government and international bodies. Ambassador Rasool discussed lessons of active citizenship, coexistence and nation building.

In the emerging post-Covid world, I have had the opportunity to engage various Muslim communities, some in the Muslim heartlands but mostly in the West, and here I call to mind the European Muslim Council, the Muslim Association of Canada, and just recently, the Islamic Society of North America, and can say that the challenges that Muslims have come under in various parts of the world have accentuated the vulnerable situation that Muslim communities face, not only where they are majorities, but also as minorities. Indeed, the ummah’s contemporary challenges are manifold: where we are majorities, we often face the ‘politics of order’ – strong governments and excluded societies; where we are minorities, we are challenged by Islamophobia; and everywhere amongst the ummah is a plethora of internal fault lines – from sectarianism to the exclusion of women.

It is thus an honour to join MUIS in Singapore, a significant part of the Ummah because Singaporean Muslims have historically, but especially over the last decade, striven towards the ideal of being a community of success and excellence. A conference such as this needs to learn from what has been achieved and how these achievements have been realized and what the key ingredients have been. This is crucial because the state of the Ummah cries out for examples, models, and a prototype community to manage a global distemper. Muslims in China, India, and Myanmar, where they are very sizeable minorities, have now added to the narrative that had emerged from the Western experience of Muslims. In the recent past, we have watched as Muslims in America faced Islamophobia in the form of the terrorism-profiling and travel bans, whereas in Europe Muslims have borne the brunt of Islamophobia at the hands of anti-immigrant sentiment and extreme interpretations of secularism.

With Islamophobia now, by and large, seen as a global phenomenon confronting Muslim minorities,

the condition of the global Muslim community suggests that the Ummah is under pressure as never before: Muslim minorities have to confront Islamophobia while Muslim majorities have their own challenges in terms of authoritarianism and the reality of non-inclusive governance.

The South African Muslim minority has faced challenges for over 350 years. The early Muslims were brought to South Africa as slaves and exiles from South and Southeast Asia; suffered the banning of Islam as a religion; and the discrimination against Muslims under apartheid by virtue of being both black and Muslim. It is in how the South African Muslim community both responded to the conditions of oppression, as well as how they imagined themselves as a Muslim community co-existing with a huge oppressed black majority, where important lessons could be provided to particularly the Muslim minority communities across the world.

As a South African Muslim, I would like to draw from our very challenging journey so that together we can find a formula for the global Ummah to make a critical transition from understandable victimhood to agency in pursuit of shared humanity, and thus co-existence with others, inclusive citizenship, and active nation-building in the countries we live, and the attainment of the common good for the people of the world.

The Concept of ‘Minority’

It is estimated that of 1.6 billion Muslims globally, 25% live in conditions of being in the minority. This huge percentage has now come into focus and the very idea of being called a minority is contested. I am using the idea of a minority as a numerical function and not a psychological one. It is simply that a minority of Muslims exist where they are fewer than the rest of the population and therefore have similar experiences and challenges – such as Islamophobia – and therefore, as an analytical tool that can lead to a program of action, the numerical reality of being a minority is useful. Minority is not a value judgement about whether we feel psychologically inferior, or whether we internalize weakness, or whether we perpetuate our otherness. Policy changes and political action are matters that can only be confronted from the ground of facts, including numerical precision otherwise we create a barrier to understanding the real conditions we’re in and inhibit planning our relationship with the country and society we are in.

This was a fundamental realization when in 2013, about 20 Muslim minority countries gathered in Paris under the banner: “Living Where We Don’t Make the Rules!” and thus we confronted our numerical situation as well as our common challenges. Unless we understood this reality, every subsequent generation of Muslims emerging in these minority communities would follow the same formula: deny that we are a minority, face the same challenges, make the same mistakes, and perpetuate the conditions of difficulty. We need to understand that rules will be made for us if we don’t position ourselves to be part of the rule-making process. We needed to understand that the rules that pertain to our lives as Muslims don’t always converge with the rules of the societies we are in because the Islamic rules that govern our lives as Muslims, that originate in the homelands of Islam, that pertain to worship and social conventions, were conceived, codified and practiced in conditions where Muslims were the masters of space and time, when we were the majority, when we were the Empire.

At the core of this gathering was the realization that germane to the Prophetic leadership of the Prophet (s) was always the strategic imperative, whereas today our leadership is defined by either the

instincts of demagogic anger; rules-based bureaucracy; or nostalgia based on the assumption that our best days are behind us. Strategy has thus become the missing ingredient for the contemporary ummah.

The South African Muslim Community

These are the lessons that a long-standing, diverse and much-suffering South African Muslim community whose origin was in Dutch colonialism that brought Muslims either as slaves or as political exiles because of their fight against Dutch colonialism. In the Cape, Islam was banned, and its practice outlawed for almost 2 centuries. This Islamophobia continued through Apartheid and Muslims, together with everyone who was not white, faced a variety of discriminations and oppression. While Muslims constituted less than 2% of the population, they were able to participate disproportionately in a struggle for justice. Muslim names were replete in the annals of the anti-apartheid struggle and Muslim names were prominent in the immediate post-apartheid government of Nelson Mandela. Indeed, Nelson Mandela was known for being imprisoned for 27 years, but in the cell next to him was Ahmad Kathrada; Oliver Tambo was known for his leadership of the ANC through 30 years of exile, but always with him was Yusuf Dadoo; and Steve Biko is one of the most famous activists murdered by apartheid, but equally heroic was the martyrdom of Imam Abdullah Haron. While these Muslims put down a deposit of blood, sweat, and tears for our generation, not all Muslims were heroic at critical moments. Other leaders may have let us down because they succumbed to fear, but the few inspired by the values of Islam created the conditions for valuable lessons to be learnt.

Understanding South African Muslims Through Three Metaphors

The answer to how Muslims in South Africa came to play this crucial role over 350 years may well be found through exploring three simple, yet meaningful, metaphors that describe the evolution of Muslim life in South Africa generally, and Cape Town in particular. The first is the metaphor of the accordion, a musical instrument that expands and contracts, all the while making some of the most beautiful harmonies imaginable. In contracting, Muslims were secure in their identity as Muslims and knew that it was crucial to hold on to Islam with sufficient adherence to its orthodoxy and traditions, while this confidence in their faith and identity, in turn, allowed them to expand and reach out to all who were slaves, oppressed and suffering, in a supportive embrace. The second is the metaphor of a series of forks in the road, describing how moments of choice and decision confronted every generation of Muslims over 350 years, and how wise and visionary leadership at these critical moments often overcame the fear, timidity, and doubts of the majority. The third metaphor is that of the double-edged sword, which recalls that whatever outward thrust is made there is an inward implication, so that when, for example, seeking justice, equality, and inclusion for ourselves as Muslims we must also ensure them for others as well. These metaphors hold out important lessons particularly for Muslim minorities in the West because they made the Muslim community in South Africa resilient in the face of many challenges, courageous in confronting numerous obstacles to being both Muslim and human in South Africa, victorious at the moment of freedom, and thereafter often envied by other Muslims in a global atmosphere of Islamophobia.

These metaphors are the outcome of understanding how the Prophet(s) understood the challenges of his time in constructing a community in Medina after the hijra from Mecca. Firstly, he built an inclusive society in Medina, including the People of the Book as well as even those who would have been his natural ideological adversaries, like the Polytheists. Secondly, he constructed a cohesive co-

-mmunity based on rights and obligations. Finally, what was incomplete at the time of his final sermon, he inscribed a direction founded on equality and dignity. This would become the sub-conscious lodestar of South African Muslims as they traversed from their long night of colonialism, slavery, Islamophobia, and apartheid to the dawn of freedom and liberation.

Winning Trust, Prioritising Others, Making Common Cause

The first lesson was about building trust with the oppressed black community. We realised that the Prophet (s), before he was the Messenger of God, was Al Ameen - the trustworthy - and that therefore, our first task as Muslims was to win the trust of our fellow citizens. You cannot give a message where there is a deficit of trust.

The second such decision was that we would not compete for victimhood amongst the many victims of apartheid, but that Muslims would prioritise the victimhood of others. So, while Muslims suffered enormous indignities because of Islamophobia, they also suffered racism by virtue of being black, and therefore, to prioritise the struggle against racism that was in common with the huge black majority, it was clear that a victory over racism would automatically be the foundation for a victory over Islamophobia.

The third lesson learnt was that despite the Muslim instinct for being different, a common struggle against injustice required a common cause with other victims of injustice. We, therefore, could not stand outside of the liberation movement and the interfaith movement. A significant and influential minority of Muslims therefore, integrated themselves both as individuals and as affiliated organisations to the two movements. This, in summary, was the formula for Muslim participation in a struggle for justice and stands as a recommendation to Muslim minorities to immerse themselves in the issues confronting their fellow citizens, and to be active participants in the daily struggles of the citizens for justice, thus prioritising the pain of others, and addressing our own in the process.

Acting in a Moment of Change

“ At critical moments, opportunities for change emerge in society to transform a society's conduct of its relationships, to correct an injustice, to grasp an opportunity for renewal, and to promote progress. The question is whether the Muslim community can present itself in ways that transcend the fear of terror, the strangeness of our otherness, and essentially judge us on our common humanity ”

The lesson from South Africa is that Muslims must take the initiative to define their relationships with their society. This lesson from South Africa emerges from a national moment of rupture in South Africa when apartheid became unsustainable and had to find common ground with the black majority represented by the liberation movements. Nelson Mandela was released, and I had the pleasure of meeting him when he cut through the niceties of the meeting and said to me: “Ebrahim, we will soon be free. Are the Muslims ready for freedom?” I was stunned into action by this simple question because in our euphoria at the end of apartheid and at the beginning of freedom, we were failing to think through the implications: what vision do Muslims have for themselves in a free South Africa? How would we relate in freedom to our fellow citizens? How would we coexist as people of different ethnicities, cultures, and faiths now that all of these would be equally protected and advanced in a

post-apartheid and democratic South Africa? Do we even have models of coexistence in the Islamic and Muslim legacy? And do we have conceptions of statecraft that go beyond the historical binaries Islamic or hostile - with which we view the world?

Muslims had no choice but to utilize this moment of rupture and transition to clarify firstly, our own sense of being Muslim, as a precondition for, secondly, coexisting with our fellow citizens. It was this that motivated our convening of the National Muslim Conference in South Africa in 1990 as the most representative gathering of Muslims to express our expectations of the future in South Africa and the way in which we would take our place in that South Africa. We needed to rid ourselves of historical binaries, inherited biases against the other, and our sometimes, misguided misgivings about democracy, freedom, and human rights, and grasp the opportunity to shape them to our collective will.

From Tolerance to Embrace

With this realization, the South African Muslim community understood that we needed to transcend the narrow binaries we inherited conceptually - Islamic or hostile - and would have to move beyond the inherited tolerance that often defined the Muslim relationship with the religious 'other'. The model of tolerance is certainly found in the Quran, particularly in the chapter 'The Disbelievers' - Al Kafirun – where the assertion of faith differences is concluded with the call to tolerance: “to you your religion, and to me mine.” Tolerance was the injunction in the face of severe hostility to the nascent Muslim community in Mecca.

However, in a milieu of statecraft and inclusive nation-building in Medina, the Qur'an in Surah Mumtahina declares that God does not forbid Muslims from having relationships with non-Muslims who do not fight them for their faith nor drive from their homes. In fact, the injunction proceeds to recommend relations of kindness and justice, irrespective of faith differences. This understanding opened pathways towards an embrace of the other, founded on mutual peace, security and coexistence based on shared values, and cooperation for the common good. Thus, was born the idea in South Africa of a Darus Shahadah: a place for the mutual confession, profession and practice of our respective faiths – the construction of a shared society!

Building Blocks for Shared Societies and Shared Citizenship

When thinking through the Darus Shahadah or the shared society we desired, we needed to identify the elements that would build the muscle for coexistence. This does not come easily when 1400 years have been dominated by suspicion and hostility towards Muslims, whether because of the colonial experience, Islamophobia, or the War on Terror. Muslims have not entirely been innocent in their regard for those who are different. We have often condemned those who are different, even amongst ourselves, and we are challenged to probe very deeply into the Muslim legacy and to define the needs of the moment. From the South African example, we have identified at least five matters or elements for coexistence in a shared society.

The Mode of Coexistence

We examined the three dominant modes of coexistence in the world today. Firstly, a mode of isolation is prevalent in which different communities coexist in the same space but have minimal contact or interaction with each other, often pretending that the other does not exist. Muslims too, co-

-ntribute to such isolationism by locating themselves with not just fellow Muslims, but also those who share their ethnicity, language, and cultural preferences, often not even learning the language of the nation into which they are moving. Some Muslims do not even become fully part of society, often being psychologically present in the Homeland from which they departed for a variety of reasons.

On the other extreme are those societies which demand a mode of assimilation - to become the same - as the precondition for coexistence. Such societies demand that other identities that define you should be left at the border, and you should simply adopt the identity of the dominant national culture, towards which codes of strict conformity are enforced: laïcité to remove your religious identity; uniformity of dress code; and the insistence on uni-lingualism.

The mode of co-existence we chose in South Africa is the mode of integration (which unfortunately is often used as a synonym for assimilation). At the core, however, of the word integration is the notion of integrity and we decided that if our society has respect for our integrity as Muslims, then we as a Muslim community owe respect to our society's aspiration to be united, inclusive, prosperous, and advance the integrity of the whole of our nation. Integration, therefore, is the mutual respect for our respective integrities and this should define the basis of our coexistence.

Living with Multiple Identities

If integration is indeed the preferred mode of coexistence, then embracing multiple identities would be the facilitating approach to such coexistence. In our love for Islam, Muslims often express that they would live and die by being Muslim first and last. This is not supported by the Quran which speaks about our creation as manifesting diversity, not as a source for discrimination, but as manifesting the beauty of creation. Of course, the cornerstone of a Muslim's identity is Islam, but this does not preclude a national identity, an ethnic one, a linguistic and a cultural one.

“ In South Africa we chose being Muslim as the noun in our identity and the national one as the adjective: we are South African Muslims; and in addition, we are of Malay or Indian or indigenous origin as long as these are not sources of haughtiness and add to the rich tapestry of society. Living with multiple identities is, therefore, critical to being a Muslim in a minority context. ”

Secular or Secularist?

The next conundrum we had to solve in South Africa was the nature of the relationship between the state and religion. We had inherited a state which defined itself as Christian and used religion to justify apartheid. We, therefore, cognizant of the intensely religious nature of South African society and especially the role played by religious leaders in the struggle against apartheid, immediately dismissed the two extremes in the debate: the atheistic state and the theocratic state because neither would be manageable in the South African context, the former a betrayal of progressive religion and the latter would constitute a dilemma as to whose theocracy?

That left us with two variations on the theme of the separation of religion and state: the secularist or

the secular state. We understood the secularist state to be one which is not only separate, but often hostile to religion and religious communities especially if they are minority communities, and they impinge on the expression of your religious identity. This is what we had seen in the laïcité model for example, in France. The pivotal role in the struggle against apartheid of the religious community, therefore, meant that a free South Africa would be built on a secular model in which the state would be separate and equidistant from all religions, but would be cooperative rather than hostile and facilitative rather than un-involved in the matters of concern to religious communities: planning for religious sites of ritual and worship; enabling personal and customary law; harnessing the orientation towards justice so ably displayed in the struggle; and healing a nation ravaged by three centuries of dehumanization.

Minimum Compliance or Maximum Expression?

The further challenge in a shared society is how one interprets adherence to the laws of worship and intra-Muslim relationships and observances of Muslim rituals and edicts. In Muslim-majority countries, it is taken for granted that these enjoy full facilitation by the state: work schedules are often in rhythm with prayer schedules; holidays coincide with holy days, the judiciary arbitrates personal law, and codes of dress, diet and other observances are often codified in society.

This however, would not be the case where Muslims are a minority, especially in a secular context, and so Muslims, rather than expecting accommodation of the maximum expression of their faith may have to ensure that they are able to fulfill the minimum compliance with what their faith demands: instead of Friday being a holiday, they may be excused from work for one hour for Jumuah; instead of Ramadan being an annual holiday, they may have to fast while working; and instead of any Imam being the sole arbiter in personal law, they may have to perform both a Nikah and a civil marriage, or expect that a Nikah is registered civilly and subject to the values of society. This may also mean that instead of the cultural Middle Eastern dress fulfilling the requirements of modesty, they may have to adapt the national or customary dress code to the requirements of Islamic modesty in the society they live.

Consistency- Want for Others What You Want for Yourself

The final lesson we learned in South Africa about coexistence is contained in the Prophetic tradition that one should love for others what you love for yourself. This sounds both laudable and achievable but is often harder than it sounds. If Muslims, who have experienced racism, sexism, Islamophobia or other discriminations desire equality, freedom, and human and civil rights for themselves, then would they give it to anyone else who too suffer varying levels of discrimination? Can we, for example, overcome the inherent prejudices and inequalities that some of our cultures from which we come have towards women and practice equality with women in the societies we wish to coexist in? Similarly, it may be easy to proclaim equal rights for victims of racism, xenophobia, but are we as unequivocal in proclaiming civil rights for the Jewish victims of anti-Semitism - given the injustices of Palestine - or the victims of homophobia given our ingrained prejudice in this regard? In South Africa we have learned that any demand for differential treatment of any community, no matter how odious the practices of such a community may be in our understanding of Islam, such a demand supported by us, could lead to a future power, who has ingrained prejudices against Muslims, to invoke it against us. It is better to want for others what you want for yourself and leave the rest to God.

Diverse Living – A Joy, Not A Burden!

Living as a Muslim minority may appear as a burden to Muslims who often have migrated or departed from their Muslim heartland for reasons out of their control – enslavement, as with South African or African-American Muslims; conflict and war, as with Muslims in Afghanistan or Iraq; the search for economic wellbeing, as with Muslims from Africa and the Indo-Pak region; and the quest for greater freedom, as with many Muslims from the MENA region – and their yearning to be near their mosques, to speak their language, to follow the rhythm of worship, to be near familiar people, and not to be confronted with cultural practices alien to their way of life would continue to have a powerful grip on their hearts.

“ But it is important to find purpose in being a minority in a country that is not ‘Islamic’ in the usual way. Islam has mostly entered different areas as strange and in the minority, but always acting with purpose, not of conquest, but of seeking the lost property of knowledge and to infuse values that would enhance society. ”

In Western contexts, we are reconnecting with the Islamic legacies that have fallen into disrepair and stagnation in Muslim contexts. Today Western Muslims must reconnect with the algorithms, perfected by Al Khawarizmi, picked up by the West, and used to transform technology today. It is our responsibility and already the third and fourth-generation Muslims are becoming the giants of scientific and technological advance in the world. So, it may be with the foundations of space exploration, medical advance, literature, etc. that can be traced to Muslim contribution. It may just be that instead of our historical dependency on the Muslim heartlands to be the source of knowledge and direction to the Muslim periphery, that that periphery is more enabled to drive the regeneration of Muslim thought and development as the heartlands exhibit the signs of stagnation.

But this can only be possible if we see our minority situation as a blessing and not a curse, a joy and not a burden. This is possible if we shift our attitude, as we learnt in the South African context.

Engaging the Maqasid al Shariah

A literal adherence to the fiqh of our lands of origin may make being Muslim burdensome because we will always be second-guessing whether we are proper authentic Muslims, whereas an understanding of Shariah based on its Maqasid – its intents and values – may put Islam within reach of each one of us and especially the generations to follow. Have South African Muslims simply sought to adhere to the requirements of Fiqh – jurisprudence – in the perfection of our worship, we may have, as some ulema and congregants indeed have been guilty of, confined ourselves to worship and missed the maqasid of the preservation of life, dignity, property, belief, honor and most particularly justice. These give shape to Islam and shape the way Muslims are regarded as either a force for good or irrelevance.

On the other hand, the lofty principles of the maqasid are often anchored by embracing elements of urf – custom – which are non-antagonistic to the maqasid, but resonate with the society we find ourselves in: an Islam interpreted as having a complete aversion to music will not resonate in Africa, nor will one which cloisters women, or frowns on dress codes which, while modest, are not seen as

that which the Prophet wore. The combination of relying on the maqasid as our source of direction and custom as anchoring us in society provides the kind of headroom to Muslims to integrate in society and become the recoverers of our lost property. This is the fundamental difference between whether we intend to Arabise Islam where we are or whether we respond to the invitation to indigenize ourselves and our faith.

Multi-Cultures Create, Mono-Cultures Decay!

Being in the minority has the benefit of inserting Islam and Muslims into a broader tapestry of faiths, cultures, mindsets, and experiences, and thus overcome the decay that sets in when differences are made uniform in a cultural melting pot. This is the malaise at the centre of the Muslim experience: we do not tolerate internal or intra-Muslim diversity and difference, seeing such as threats to the very foundation of Islam. But when difference and diversity are eliminated, and there is no longer a dialectic that creates new syntheses, approaches, thoughts, and mindsets, then decay and stagnation set in. Then we have the fewest published works globally, the highest illiteracy levels, and the least patents registered. We who live in minority conditions, if we choose the mode of coexistence as the integrationist one, are the best beneficiaries of the creativity of multi-cultures.

Global Perspective, Local Roots!

South African Muslims have always responded to global Muslim issues, from Palestine to the Arab-Israeli Wars to the plight of the Rohingyas, the Uyghurs, the Syrians, and to the Iranian revolution, the Arab Spring, and so forth. But a few understood that if we were responding at the expense of a South African population suffering under apartheid, poverty, homelessness, hunger, and many others, then we are merely indulging our Muslim identity and not really activating our sense of human justice. When we managed to balance the two, we gained not only credibility as true warriors for justice, but we gained our whole population to raise their voice behind the Palestinians, the Uyghurs, ... Just so, Muslims must fight the micro-battles in support of fellow Muslims, but we must simultaneously be engaged in the national battles – like Black Lives Matter – as well as the macro-battles like climate change, social justice and global inequality.

Conclusion

Hopefully, these lessons from South Africa would resonate with Muslims globally, not only those in minority contexts. These are practical lessons, but we have shown they are achievable. This moment of change has given an opportunity for the world to rethink what it means to be human. In this lies the opportunity for Muslims firstly, to re-imagine themselves in relation to others and then to re-insert themselves thoughtfully into their contexts – sometimes seamlessly, but mostly through the hard work of struggle with other victims of injustice, so that the attainment of justice is a mutual one, for society as a whole and for Muslims as an integral and integrated part of the whole. South African Muslims must proclaim these hard-won lessons to their fellow religionists as well as to governments having to manage these global phenomena. These are not simply social and political lessons, but they are lessons that constitute the foundational character of the early Muslims in Medina, the early Abbasid period in Baghdad, the conviviality of Andalusia, and through particularly, Suleiman the Magnificent, the Ottoman Empire. Muslims urgently require salvaging this character trait that often flickered and sometimes dimmed throughout our history.



About the Author

Ambassador Ebrahim Rasool is the founder of the World for All Foundation, which rethinks intellectual tools for co-operative relations between faiths, cultures and communities at a global level and establishes dignity, inclusion and equity for those marginalised and excluded and acts as a conduit for lessons from the example of Nelson Mandela to the Muslim heartlands. Ambassador Rasool was the Former Premier of the Western Cape Province. He was a Member of Parliament in South Africa's National Assembly and Special Advisor to the State President and served as South Africa's Ambassador to the United States of America (2010 to 2015). He was the recipient of various awards, among others: "Social Services Leader of the Year" from the African Investment Group (1995), "Nelson Mandela Award for Health and Human Rights" by the Kaiser Family Foundation (1998), "Visionary Leadership and Public Good" from the World Congress of Muslim Philanthropist (2008) and "Indonesian Diasporan of [FA(1)] (2012) by the President of Indonesia.

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