

"O mankind, surely we have created you from male and female, and made you tribes and families that you may know one another."  
(Quran 49:13)

# PROGRESSIVE ISLAM

*A monthly publication dedicated to the promotion of knowledge concerning  
Islam and modern thought.*

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## COLONIALISM

*This is the first of the series of articles we are printing here in connection with colonialism. For the nations of Asia and Africa, colonialism is still a live and vital issue. It is the most important event in the modern history of Asia and Africa. The changes wrought by colonialism and the problems it engenders, coupled with our reaction towards them, shall be the main topics of our discussion on colonialism in the first few issues. The apology for colonialism and its refutation shall be dealt in the later issues.*

Colonialism, as a form of relationship between one nation and another or several others, is as old as human history itself. Neither is it something which is peculiar to certain nations or conquerors only. Many civilizations known in history possessed colonies which were exploited for the benefit of their ruling groups.

The term colonialism in the sense we use it here, refers only to the subjugation of one nation by another politically and economically with self interest as its dominating motive. Apart from this, the colonialism we are dealing with here is that which took place in the 19th and 20th centuries.

It appears that colonialism, taken as whole, at present or in the past, cannot be looked upon as a normal expression of human relationship. The foundations on which it rests are themselves not really human and normal. Self-interest or situational exigencies the unrestrained expressions of which were frequently the antecedents of colonialism, are themselves signs of disturbances in the relationship between man and man. As to what are ultimately the causes of these disturbances that inflicted untold sufferings and miseries on human life, it is up to us to investigate and try to understand whenever time and circumstances permit us to do so. That our quest for the causes of evil which rages in man shall take us farther away into the remote past and deep into the nature of man is something which we can be certain about. With this in mind,

let us for the time being, put the quest for ultimate causes aside and, at leisure, try to learn certain things connected with colonialism. We shall bring to light some factors connected with the traits and motives of colonialism, their rationalization, their refutation, the changes wrought by colonialism in the subjugated areas, the resistance against it, the role of religion and tradition against colonialism, the possible solu-

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tions towards the problems engendered by colonialism, and our attitude towards the former colonial powers: in other words, how our reaction is towards the impact of Western civilization on our respective societies. Finally we shall endeavour to move further on in our inquiry regarding the origin of modern colonialism.

### *Traits of modern colonialism*

Amongst the general traits of modern colonialism found everywhere in the colonized area, Raymond Kennedy enumerated five of them.<sup>1</sup> One is the existence of the color line. The ruling power, in this case the Europeans, feel themselves, somehow or rather, superior culturally or racially towards the natives of the subjugated areas. At times this had extended to all orientals. The British are believed to be the most notorious in this matter.

The second trait is the fact that the possessing power exercises a political control on the subjugated country. The third is the economic dependence of the colonized country on that of the colonizing power. The fourth is the appallingly low standard of social service, especially education. The fifth is the lack of social contact between the natives and the ruling power.

To these may be added some other traits which resulted from the changes wrought by colonialism. But this we shall bring to light later.

### *Rationalization of the traits*

As to the color line, the idea of the superiority of the white race is put forward for its justification. The white race is superior because it created a civilization believed to be the best and the most developed.

The political control by the colonial power is justified on the ground that the natives are incapable of self-rule. Later this rationalization is

modified by the idea of tutelage for self-government of the natives by the colonial power.

The economic dependence of the colony on the subjugating country is explained by the fact that the natives are incapable of exploiting the land. Therefore it must be left to the colonizing power to do so. The wealth of the country, in the earth, on the land, and in the sea, must be exploited and converted into ingredients of prosperity. Therefore whoever is capable has the right to do it, and this naturally includes the right of organizing its transformation into various commodities and their distribution. Thus if the natives are dependent on the colonizing nation for their economic welfare, it is only natural, for the incapables must always be dependent on the capables.

The low social service in the colonies is attributed to the financial insufficiency of the colonial government. Not that it is something to be approved of, but it cannot be helped. The government itself, in order to keep going, has several difficulties to cope with.

The lack of social contact between the natives and the ruling power is also regarded as something which is logically the outcome of certain unfortunate circumstances. The natives are ignorant, unclean, and somewhat uninteresting. What then could be the basis of social contact between the two groups? The ruling class, that is the Europeans, are educated, hygienic, and not stupid but interesting. Thus, again, as is the case with the other traits we mentioned, the lack of contact between the natives and the ruling class belongs to the normal order of things.

*(Continued in next issue.)*

<sup>1</sup> Raymond Kennedy, *Colonial crisis and the future, in The science of man and world crisis*, ed. by Ralph Linton, Columbia University Press 1941.

## KEN'AN RIFAI

*The greatest Islamic mystic of our Time*

by

PROF. DR. SOFI HURI

*This article is originally a speech held by Prof. Huri at the conference of 'Het Oude Loo' on the 20th of May 1955. Prof. Huri, a scholar in theology and mysticism, is one of four prominent women authors of Turkey who wrote the book 'Ken'an Rifai and Islam in the light of the 20th century', published in Istanbul.*

I am going to deal here with Ken'an Rifai, the greatest Islamic mystic of our time. I have

not chosen my subject by chance. As the conflicting currents of the present-day world flow

back and forth striving to find a solution to our material and spiritual problems, man, in his desperate search for harmony and reconciliation finds himself weary, helpless and discouraged in this going to and fro between opposite poles.

Ken'an Rifai was a man who was endowed with the capacity of understanding human nature, so that he knew how to deal with individuals and social groups as a harmonious whole and could regulate human relations on an entirely new plan. We are all aware of the fact that the need for spiritual things, for religion, and spiritual living has perhaps never been more keenly felt than in our own day. People are starting to realize that if peace is to be attained, men and women must look for, and find out, not the things that separate human beings, but the things that bring them close to one another and unite them. If humanity wishes to be lifted up, to find its balance and its salvation, it must have a universal religion of love, pureness and sincerity, and be void of all feelings of fanaticism. It cannot be denied that human beings are more apt to love each other when they have things in common, and when they love the same symbols. In social groups where common symbols are not to be found, instability followed by crisis and social collapse is bound sooner or later to take place.

These symbols of which Ken'an Rifai is a good representative serving the purpose of the development and continuity of human societies as they do, fulfil an important function. The groups following these symbols, follow their own law of life and its continuity and development. While the symbols, as the personified truth, represent the multitude, their method is not simply to live an ordinary life, but one that people may take as the perfect example of how an individual life should be lead. The Saint called Ken'an Rifai has been such a powerful and light-radiating symbol whose purpose is to unite the people of our time in a circle of disinterested love. The brief biography which I am about to give you is not the picture of a life in the ordinary sense, but one that should serve as an example for those concerned with the future of man. To know and respect such a man, would surely help one to understand the whole social body which he represents.

Who was Ken'an Rifai? What was his purpose and Mission? What were his accomplishments? I shall try to deal with these three questions in this discourse.

In order to answer the first question, we must mention three basic characteristics of his personality. He was, in the first place, a great mystic,

then a excellent sage, and finally a learned spiritual teacher and guide.

What makes Ken'an Rifai outstanding is to find these three qualities united in one man. For through the fact of his being a man who unites his view of the mystical world with his wisdom, and his wisdom with his teaching, he is spared from being classified solely as a religious teacher, and appears before us a man of action and a champion of humanity.

Merely to give you an outline of the chronological events of his life would not be an efficient way of dealing with this great man's biography. In order to present a true picture of his history, personality and the purpose of his life, it is necessary to have an understanding of the inner factors and drives behind these chronological events. It is by his inner life, that we can truly evaluate this great person, and will provide some enlightenment out of his deeds, behaviours and accomplishments. Therefore, we shall try to describe the life of Ken'an Rifai as a whole with special care not to lose the thread of the fundamental principles in the details.

We can view the life of this remarkable innovator in its two aspects: the inner and the exterior. The exterior life: He was a man who in nowise represented the type of person admired and liked in our day; he was not one of those personalities who have passed into history and well-known old family of good social standing. We see him in 1885 as a graduate of the Galata Saray Sultanisi, the most advanced and modern educational institution of his time, with a knowledge of the more important Eastern and Western languages. Discarding those opportunities which would have given him a brilliant future with material advantages, he chose a teacher's profession as his life-work — and which he pursued until the last years of his life. Years later we see him again at the legal retirement age refusing to give up this career that was in his view so sacred. Not only was he a poet, a musician and a wonderful singer, but he was a writer too, seven of his eleven works were published. He wrote a great number of essays and articles dealing with his profession. He did not, however, pursue fame or a great reputation, but on the contrary, avoided being in high positions either in his educational career or in the field of thought and art.

This was due to his inherent quality of being to keep secret to the eyes of those around him his admirable and remarkable personality, which was a special characteristic of Ken'an Rifai. When we consider the social conditions in which he lived, we can easily discover the reason for his choice in this matter. Conditions made it neces-

sary for him to regulate as we might say, the dispensing of the doses of his world view, his wisdom and philosophy, and his personality to fit the different levels of understanding, and to present it accordingly in suitable metaphorical form. For this lax age in which we live, inefficient and incompetent methods are tolerated on all things and are permitted to meddle in all things, so that one cannot be surprised to find men of creative thought being anxious regarding possible interpretations and consequences of their views.

This concealment of his true self from the exterior eye, however, was not to hinder Ken'an Rifai in his spiritual growth, nor was it to hinder him from performing the task he had taken.

We see his spiritual life moulded by the influence of two strong personalities: his mother and his spiritual teacher.

The first manifestation which gave the life of Ken'an Rifai its colour, was his deep, significant and mysterious love for his mother Hatije Jenan, who herself was a center of love. Hatije Jenan's life principle, briefly, was to direct the human soul toward the beautiful, the true and the good. The life principle with which sought to imbue the soul of her son from the very day he began to comprehend human speech was this:

"You shall love human beings; your heart is full of the inexhaustible treasures of forgiveness, compassion and tolerance, therefore you shall not love only human beings with the same indefatigable unending love, but all creatures as well. You must spend generously of these treasures which are to be found within yourself. You shall love humans, sympathizing with them as a fellow man, and identifying yourself with them in their failures and merits. You will identify yourself with them to such an extent you will gain by their birth, and suffer loss by their death. As a man, your mission is to direct man's face to a common, real goal. This can be done in many ways. But the shortest, the greatest and the most beautiful one of all is the way of love. It is through an unlimited love for humanity that peace can be acquired for the same humans. It is the only way by which man can attain perfection, and be transformed from the human to the divine sphere, and by which he ultimately finds God."

The importance of his mother's instruction which was to prove not to be of merely theoretical value, but to have played a considerable role in shaping the whole of Ken'an Rifai's life, is quite obvious. We can see that his mother was one of the saints of whom the world is in so great need.

After his mother, Ken'an Rifai's spiritual education was undertaken by his teacher and guide

Edhem Efendi of Philippopolis. So this young disciple, Ken'an Rifai, born into spiritual world early in life, had, in the course of his physical existence to move from one town to another performing his earthly task of a school master or educational administrator. In the meantime, there ranged in his own heart the terrific battles that consequently won him the "Greater Battle" (this expression, in the mystical sense, means the struggle in one's own heart to bring it into submission to the divine ordinances), until one day the youthful disciple attained his purpose which was to find peace and harmony within himself, with every one and everything; a peace and harmony which nothing or nobody could disturb, and emerged as the pure fire of love itself, a model of courtesy and good breeding, a guide to the path of perfection. In brief, an educator and a teacher who had developed into a spiritual hero. The probability was that perhaps the knowledge regarding the true identity of Edhem Efendi, namely that he was a special messenger of the invisible world and had been entrusted with a great mission, was disclosed to nobody else apart from Ken'an Rifai and his mother.

Here I must stop to explain in a few words what I mean when I use the terms "murshid" and "murid" whose functions have influenced the Eastern life and mind since the early ages, and how the relations between the two are regulated. By Murshid I mean a spiritual teacher and by Murid, I mean a disciple. The surrender of a disciple to a spiritual teacher means that the novice delivers himself into the hands of his teacher, leaving behind all his past life and all belief and ideas that this life contained; that he gives up all previous ways and standards of life, all cherished feelings and loves, and submits his very being to the will of a principle superior to his own being. This idea is rather difficult to conceive in our individualistic age, for every one wishes to be an independent world in himself. In the East, a Murshid is one whose personality is the center focussing a value equal to the value that the human society as a whole holds; the Murid following his example in relation to actions and reactions, the relations of man with himself, with his fellow men and with God are influenced by the Murshid. The Murshid does not use external compulsion, his voice is not heard on the outside, he speaks to one through the inner world of the soul. The realization of one's life depends on how sensitive the spiritual ear of the Murid is to the voice of his master, the Murshid. For the Murshid is not an individual, but a personified symbol of the virtues and qualities by which the human society lives. To injure him is to ruin oneself, to disobey him is to destroy one's own good. In fine, the Murshid is the personified principle

constantly guarding the inner shrine of one's heart and soul.

The relation between Ken'an Rifai and his Murshid, therefore, was based on such an understanding; an understanding which was to reoccur in later years and in the more or less same framework between himself and his own disciples. As a matter of fact there was nothing new about this relationship in the East. The East remembers very well many instances such as in the case of a great mystic poet Mevlâna Jelaeddini Rumi and his Murshid Shamsi Tebrizi ;and also of Fatih Sultan Mehmed (the Conqueror) and his spiritual teacher Sheikh Akshemseddin.

Having given this brief explanation of the Murshid and Murid relationships, let us return to our own subject: Who was Ken'an Rifai and what was his purpose and mission? At the beginning of our discourse, we mentioned the three main characteristics of his personality namely, that he was a great mystic, a sage and spiritual teacher.

The remarkable characteristic in Ken'an Rifai's mystical understanding is that he was not confined to a certain and limited metaphysical system. He did not view mysticism as Algazali did merely as a moral principle (of a religious sect), neither like Muhiddini Arabi who confined himself only to the limits of pantheism; nor did he, like Mevlana, live a life of ecstasy and trance. And how could he? For he was a man of the twentieth century, and had to behave in accordance with the age in which he lived. His understanding of mysticism was a composite production embracing the moralists, the pantheists and the ecstasies.

This is how Ken'an Rifai himself explains his own thought to his pupils today: "I have three spectacles. One I use to see the objects that are near. The other, is to see things that are far off. And the third I use to see the near and the far. That is, the third pair of spectacles, has glasses that are good for both distances. Should I use my short distance spectacles for far distance, it makes me feel dizzy. And when I use my far distance glasses, the objects look blurred. Whereas the third pair of spectacles is different! Therefore, I have come to this conclusion: For those who wish to see only this world, the form and the matter of existing things, cannot see the next world, the spirit and the spiritual. For those who wish to see only the next world and the spiritual, it is not possible to see this world. Whereas, one's spiritual eyes should have spectacles made in such a way that his view of the external world should not prevent his vision of the spiritual, while his vision of the spiritual should not blur the sight of the external! Ken'an Rifai's idea of mysticism is, that it is a process that man's spirit is refined

to great depths, that determines his position in the universe and his relation with other beings, and ensures his contacts with truth ;it is a chain of thought that begins with man and comes to perfection with man, and is a life of experience. The reason why mysticism is always seen side by side with religion, is that religion need its help, its explanation and interpretation. While the mystic is one who lives according to the requirements of this balancing element that brings harmony into life, and one who thinks of love as the most essential reality of the universe.

Ken'an Rifai has avoided giving any definition of mysticism, but he himself lived the ideal life of a true mystic.

In his opinion, man provides meaning to the universe. And as Mevlana says: "Since the house of God became the house of God, God has not been dwelling in it, while in the house of my heart nothing dwells but God." So mysticism is not only knowing this truth with the mind but realizing it by actual living and experiencing that state.

Ken'an Rifai was one who regarded mankind, things and all creation as being both in the realm of the infinite law of individualism, or plurality, and as one single body in unity; so that they were closely united. He thought of all things, including his own being ,as an instrument and metaphor of the law of Truth and unity. Truth has given to every single atom a different form, a different way and a different direction; and every being is able to take up its position only by performing its own special function among the innumerable instruments forming the universal symphony. As a matter of fact ,the function of every existing thing is, in effect, the promotor, the essence, in a word, the whole of this symphony. Ken'an Rifai has kept in step with this law of unity ,has applied the reality of this law into his conscious living, and living it, has been an active power serving the promotion of this truth.

Now let us hear him speak: One day, one of his pupils asked: "What is mysticism?" The answer he gave was: "It is not to offend any one and not to be offended by any one". This brief reply, at first, did not satisfy his pupil. The teacher insisted on this definition: "Think well. A whole philosophy pertaining to the relation between the Creator and the creature is contained in this sentence." Then he added: "Know that God by his deeds, his words, his essence and attributes, with all his external and inner works has been manifested in man. So that God's compassion, goodness, magnanimity, wrath and punishment come to man through man. So in all your dea-

lings, you are dealing with God. When you know this whom can you offend and by whom can you be offended? Our own being is an instrument for the word, deed, and external and inner dealings of God. Many a time man attributes these dealings of God to himself, whereas these dealings are lent and entrusted to us. This is what the Prophet Muhammed meant when he said: "He who knoweth himself knoweth his God." And therefore he taught it as a principle".

Ken'an Rifai considered all dealings in this world as dealings with God. He revered and loved everything as a manifestation of God. It was his belief that the main subject to dwell upon, is Love. For it is in this manner that he has transferred the love of God from the abstract into the concrete, by applying it to the world and to that which is created; in other words, he in fact realized the unity of love. For him, the Creator and the created are like an indivisible solution. Let us hear him again speak: "We must know that the basis of life is faith, the essence of faith is deed. The perfection of faith is the love of God, the perfection of deed is the love of the created one. That is, basically one should know that what is created is not separate from the Creator. Some consider the created as an external phenomenon, and the Creator an internal one, while others hold exactly an opposite view. A third class of people — and these are the fortunate ones — know that when they talk to God they talk to man, and when they talk to man they are communicating with God. In brief, those people who are free from sorrow and fear are those who love God, and, therefore, treat man with kindness, compassion, forgiveness, patience and meekness."

It is because of this way of thinking that he has adopted the conception of love as the chief principle of his mystical philosophy, wisdom and education system.

Having thus dwelt very briefly on the general lines with his mystical personality, let us now pass to consideration of Ken'an Rifai as a sage. The true reality must commence with a realization that in order to attain the necessary conditions for the perpetuity of man as man, one must recognize the fact that the part or the individual could not have any claim or question separate from the whole, and a belief in the eternity of life. Like all the ancient great sages of the East Ken'an Rifai stood for this idea throughout his life: Unity and eternity! One of the characteristics of the East is not to value mere theories. The East desires that every principle that is taught should be reflected in real life, and that he who upholds a certain principle, should carry it on his actual life and thereby

leave no doubt on the minds of people as to this adherence to it. To one who says: "Believe in the principle of unity and eternity, the East will usually say: "Very well, show us in actual life how it is done!"

Is it because of this remarkable reality that Ken'an Rifai's life has been actually lived in perfect harmony with the two principles he believed in. In this manner he introduced a certain new ethical element into the way of thinking of the community in which he lived, such as persevering vigilance, a constant sense of responsibility, a balanced sense of right and dynamic living. Having thoroughly assimilated these elements into his personality, we see him following a harmonious life with a concentrated spirit, and leading a healthy existence.

His wisdom revolves invariably around the pivot of knowledge and deed. Knowledge here, is the foundation from which arises all other knowledge, that is, the knowledge of God. As we stated above, this is based on the idea of "eternity". Whereas the deed, is the action done, in consultation with the innermost soul, in the assurance that it fits in with the main principles of life, that it is beneficial for the social body as well as the doer; this is based on the idea of "unity".

As he considers the innumerable crises and troubles of contemporary times, Ken'an Rifai asks himself: "What is the matter with this world"? Men are destroying the cultured and flourishing cities they have spent so much effort and time in building. Thousands of homes are being ruined in an instant; the strong are oppressing the weak!

To my mind, the reason for all this is because we are looking for that kind of pleasure which seeks to provide happiness, for a happiness which is bereft of knowledge, and for a knowledge which contains no wisdom! Consequently, we cannot have peace of mind or attain real happiness. There can be no knowledge without wisdom, for the aim of all knowledge is to know God, and the aim of deeds is good morals".

In speaking of morals and deeds, we turn to Ken'an Rifai's third basic characteristic, which is the quality of a spiritual teacher and guide. As a spiritual teacher and guide Ken'an Rifai, wished to organize, man's relation to himself, with his fellowmen, and with God on the basis of wisdom as we tried to show above.

In his actual teaching of this, he has applied the elements of religion and faith. For in his opinion, a man of true faith is the most dependable element in social life and its soundest safety valve. Since universal humanity has no boundaries, and it cannot be bound by one religious creed, or

nationality, the only one on whom one can really rely is the true and sincere man of faith. For this reason, Ken'an Rifai has always regarded religion as an authority for the establishment and development of the spiritual life and the character formation of man. He has found many a man steeped in the depths of despair, or many an unfortunate soul bewildered in the valleys of doubt and suspicion which has resulted in the lessening of an atmosphere of faith.

As an instructor Ken'an Rifai demanded of his pupil the following: „Thou shalt first of all become a friend to thyself! A man who is at peace with himself, is at peace with the world; this is true freedom!” This must be achieved when man conceives of himself not as an independent being, but as a part of the whole. In this case, one would be willing to accept events as occurring not as the result of one's own choice but as there were bound to happen; that is, he would, for the good of the whole, let his own ego withdraw to the background. This ego that should be subject always to the control of the values recognized by the standards of common conscience, must resign itself to self-sacrifice, renunciation, hardship and privation for the sake of the whole. He says: „The true liberty is to be emancipated from self. No one can be free just by saying I am free. While man remains a slave of self, he is not free. For instance, the man who cannot even assert his authority over his desire of smoking, and who wishing to give up the habit cannot get himself free from its bondage, cannot pretend to be free. The true free man is not one who is slave to his appetites, instincts and desires, but one who is master of them.”

We come now to the idea „perservering vigilance”, which we mentioned above as the chief ethical element or principle, Ken'an Rifai brought into the life of his followers. This vigilance must govern every life, old or young in all their actions. Ken'an Rifai never missed an opportunity in the way of warning those around him to be watchful. Here is a small example. One day as he sat with his disciples, he pointed to an old silver vase that stood on the table, and asked: „Is that vase made of silver?” The owner answered in the affirmative. „If you polished this vase with chalk, it would shine!” said he. The owner answered apologetically that the vase was for everyday use and was hard to keep shiny. The teacher came to the point: „The hearts of those who are defeated by self and desire are fundamentally bright jewels, but neglect causes their hearts to become black like this vase. Therefore, man being the owner of the spirit which is the place where God is manifested and

the mind, which is the substitute of the prophet; if his heart is rusted and turbid, he is in war with his own spirit and mind, and moreover, with God and the Prophet. You may imagine what the condition of such a person in war would be! It is possible to clean this silver vase with a bit of chemical, just as it is possible to clean one's body with water. But the cleaning of heart and spirit is only possible by being cleansed from all evil thought and deed, and knowing and seeing no other being but God Himself.”

On another occasion the following conversation took place between teacher and disciple. The disciple said: „The world is very bad, sir!” to which the Teacher replied: „Be good, yourself!” „What is the use of my being good in the midst of all this wickedness?” said the disciple to which Ken'an Rifai made the reply: „It is none of your business to think of the sins of others. See that you are good yourself! Did evil hold on your borders, or not? Were you infected by it or not? If evil did not touch or soil you, then it was defeated. One must try not to forget or neglect his principles. Even if one should forget, however, one is apt to remember and refresh them some day through suffering and pain. Your principles are the essence and leavening of your life and eternity. Hold fast to them.”

This is the meaning of one's being a friend to oneself! So that when you cause a person to be reconciled to himself, you have won him both for his own sake and for the sake of humanity. In the matter of man's relation with his fellow-men Ken'an Rifai considers loyalty, sincerity, good-will and disinterestedness as essential qualities. These qualities were so fundamental to his own character that by merely looking at him one could perceive the essence of loyalty, sincerity and disinterestedness as a personified truth. He says that „Every human being, is a loyal friend in whom God is manifested and who stretches forth his hand to uphold us.” Therefore, to show loyalty, love and sincerity to creatures is to show them to God. During an argument one of his pupils said: „What if everybody held me responsible for this?” Ken'an Rifai replied: „For us there is no „everybody”, we do what we do for God. Should you ask your heart and get the decree that you are not responsible, be not afraid of others! See that your conscience does not reproach you.”

Throughout his life Ken'an Rifai was deeply troubled by the fact that man was always at war with man. One evening during the second world war, having heard the news on the various radio stations, he remarked: „The Kor'an tells people to love mankind and to treat them with good-

ness, compassion and justice; the prophets also declare that all humankind is one great family and that those who deal with them kindly and beneficently are acceptable to God. But unfortunately, now as I tune in on my radio to any station, I hear people telling of their assaults on enemy countries and of the great damage and destruction they have done. They also boast of the fact that no harm came to themselves and that they had no casualties. What a sad occurrence this is for humanity in the twentieth century; I thought to myself. In very old times, Diogenes went about in daylight holding a lantern in his hand, when asked, why he went around thus, he answered that he was looking for an honest man. Also Socrates addressing the crowd assembled before him believing themselves to be of sound judgment said: „Since you claim to be of sound judgment, why is there such contention among you?” Ages have elapsed since that time. Had those great men come into the world in this age of progress and evolution, I wonder what they would have to say and whether they would seek to escape? Looking at present conditions one might be apt to ask: „Is there such a thing as a friend?” Who is a friend then? Ken'an Rifai meets this question with this infallible answer: „God is the friend, and he who knows Him is His friend”.

Man's relation to God, therefore, is based on this essential truth. Ken'an Rifai says: „The height of all wisdom is the love of God. And the love of God is possible by loving the creatures in this world in each of whom God is manifested.” Thus, this great man takes the love of God out of the abstract, converts it into the personal as he says: „Every human individual is of one kind with us and is our brother in human form.”

Acting on this principle, he converts the idea of fear into the idea of love and faith, and the idea of religion into that of tolerance and forgiveness.

This is a point to be studied in all religions. For, to the modern man whose horizon of thought is widened, we cannot impose any form of thought by force or any kind of threat, neither can we cause him to accept any dogmas dressed up in fanatical or fantastic forms. It is only a perfect and sincere moral of love that can unite people in the idea of the universal being and give them peace. Ken'an Rifai has used every means utilizing the most suitable time to achieve the realization of this great cause. He never was driven by a narrow dogmatic faith so as to deride any knowledge of science, neither did he ever belittle any philosophy. At the same time, as he strove to correct and cure the weaknesses and defects of human beings by love and faith

radiating from his eyes, his heart, his tongue and his hands, he has never used any of the material pertaining to a destructive harsh, intolerant and aggressive fanaticism. When we consider the time and country in which he lived, this fanaticism gains a special importance. It was a time when Islam was used as a political instrument with which to hinder many attempts for progressive reforms — a most critical and confused time when the Ottoman Empire was in the process of collapsing. In this very difficult time Ken'an Rifai alone stood in defense of his principles against all these bodies who were blindly fanatical, to the point of declaring that Islamic principles could never clash with any ideas of progress, or any movement for the development of civilization; that every movement serving man's welfare was in accord with Islamic principles. He used to tell his pupils of a certain fanatical preacher who one day said from the pulpit in his mosque, casting fear over the hearts of the people as he shouted his threats of hell, saying: „God will ask you many questions when you are dead! He will ask you how you used your knowledge, your money; did you pray and worship properly, did you fast, etc.? And if you cannot answer these questions, you will be tormented and tortured.” A dervish who was listening to the preacher spoke up and said: „Hodja, Hodja (teacher, teacher), God does not ask man as many questions as all that. He asks only one, and that is this: „I was with you: with whom were *you*?”

For Ken'an Rifai, the whole question was for one to live with God with every breath! Although he had much respect for those who spent all their lives in worship; he would say: „It is a very good thing to be always at worship, but this too is a worship related to the body. The real worship is that of the heart, which means to have the heart always open to God.” On another occasion he said: „To reflect upon your non-existence, for an instance, is greater than praying with your existence for a whole year.” In effect, Ken'an Rifai, as well as the disciples he has instructed, remained faithful to all rules and requirements of the Islamic law, and has faithfully and reverently performed such as the „namaz”, which is an act of religious requirements performed five times a day, and fasting during the month of Ramazan. Only, this formal aspect of Islam has been not a goal but a means for maintaining a spirit of discipline and an orderly life. For when worship is performed only in this spirit, it is only then that it can bring a valuable contribution into the life of the individual and the many. A man who was tied to the letter of religious law and had no sense of its spiritual value, once, asked Ken'an Rifai how



he should hold his rosary, and whether the rumour was true that if one had the arm straight, that would make it easier for one to cross the narrow bridge on the way to heaven. Ken'an Rifai replied in some amazement: „What relation is there between the ritual movement of the arm during prayer and one's bridge into heaven? Hold your arm upwards or downwards, that does not make any difference. What you should watch is your own heart! It is sufficient for you to hold your heart straight! The bridge to heaven is related to the spiritual meaning of the Rosary, not the external. The Rosary means to praise God, to know only that there is only one God and no other. Can you do that?"

Another time, a new convert to Islam asked, if he should change his usual attire to fit his new position. The answer was: „What difference does attire make" You may wear turban upon turban if you like; God does not regard your external appearance, he looks at your heart!" We see that Ken'an Rifai did not regard man's relation to God on the basis of form but on the spiritual basis, which he has greatly emphasized. The most important thing, therefore, is that the current between man and God should never be interrupted, and their relation should not stop even for a single breath. Therefore, he considered it his chief duty to endeavour to hold those around him in a state of constant vigilance. For instance, at one of their meetings, one of those present switched on the electricity and the room was flooded with light. Ken'an Rifai interrupted his discourse for a minute to remark that „when you switch on the light of your hearts, how fortunate you are if you can see God's light filling them. But when you wish to switch on the light and find that there is no current, you are in a sad state."

Another time again, when he was talking with his pupils, the telephone rang, but somehow the person answering was not quick enough to answer it, and it rang off. Ken'an Rifai then said: „Even in such a simple matter one must not be neglectful. When even the telephone does not tolerate neglect, how much more it is with the telephone of the heart? One should be alert and ready to answer the call that comes from the central. Otherwise God's grace and benevolence will find you in sleep and you will miss the occasion of receiving His gifts."

One can tell of hundreds of singular examples out of his daily life. But I hope that my brief discourse has given you an idea of the methods and wisdom this spiritual leader used in regulating his relation with himself, with his fellowmen and with God. That man should not regard himself independent, but a small part of the infinite order of the universe and should comprehend

his own responsibilities accordingly; men should regard other people as God's manifestation and have a deep, tolerant and forgiving love for them, and that he should be constantly vigilant over his relations to God — these are the fundamental bases of his moral and religious belief.

Of course his true greatness lies in the fact that he was not content to produce theoretical ideas but acted on them faithfully, throughout his life. I would like particularly to dwell upon this point. But before I go on, I feel that I should try to tell you something of my-self and my own personal experience.

The fact that I was born into an Arabic Christian family as the daughter of a sage, an excellent and deeply religious priest, perhaps forms a foundation to the love of the mystical and spiritual that seems to make the essence of the stuff of my being which was kneaded with the mystical spirit of the East and the culture of the West. Later as a woman of career, for at least one quarter of a century, my time was spent in studying and translating mystical and philosophical works, thus entering to the extent of my capacity, into the lives of the mystics, and this of course, served to deepen my passionate love of the mystical. By a providential decree, God has honoured me by causing me to have my spiritual education in the hands of good souls, of those rare and excellent men of God who have ever trodden this earth. After my own father, the man who moulded my spiritual life was one who with his exceptionally noble and godly life, with his knowledge and God-illuminated personality, with his profound faith, humility and kindness, directed my spiritual life, I have great pleasure in paying tribute to this excellent guardian, father and friend who was the Rev. Dr. Fredric MacCallum.

Later when I was studying theology and philosophy in Woodbrooke College in England, I had the privilege of being instructed by remarkable personalities, but to sit at the feet of the Rev. Dr. Randel Harris was an unforgettable experience.

My association with Eastern mystics and eminent men of Islam begins after this time. My connection with Mevlâne, Yunus Emre, Molla Cami, Niyazi Misri served to open before my heart's eye a wide spiritual horizon. It has also widened the sphere of my own thought and outlook. My heart was filled with their melodies of divine love. Finally, one day the opportunity came by which I was to be ushered into the presence of Turkey's most eminent mystic. When I, as a Christian, stepped into his presence, I felt as though I had encountered one of the ancient Old Testament prophets. Such was the grandeur of his personality that I was like one awe-struck,

and overwhelmed by that sense of reverence that I was unable to speak. Yes, I was completely tongue-tied.

In later times when I had the privilege of being admitted frequently into his circle, this sense of awe and reverence never left me. Before long, however, I did sense an abundance of toleration and understanding befitting a real saint and a sage.

I said above that Ken'an Rifai was one who actually lived his cause, breath by breath, and that this was the secret of his greatness. Truly, despite his worldly and spiritual privileges, I have met no one in my life who was more humble and selfless than this sage. Perhaps this was why he was so completely at peace with himself. For instance, he has never been heard throughout his life to complain either of himself or of others. It is a real fact that he had a super-human patience regarding life and hence he transformed his own life into the realm of the spiritual. The last two years of his life were spent in intolerable physical suffering. When his doctors asked him what he complained of, he would say: „Complain? Thank God, I have no complaint whatsoever.” The best doctors of the country would leave his presence with these words: „We come in the hope of curing him, but in real fact he is the one who is healing our souls.” After one of his terrible fits of coughing, his wife remarked one time: „Oh, I am so fed up with this cough!” Ken'an Rifai looked troubled and answered: „Please don't say that again. This is a guest sent by God into my body. I would wish to be pleased with it as I would be with any guest coming into my house. It would not be proper for us to complain. When it wishes to leave us, let it leave us willingly. We would not except God to let us have only what we consider pleasant! When he grants something pleasing, we gladly receive it; then should we complain when something troublesome comes?” In those days of physical suffering, his doctors suggested that no visitors should be admitted, and if they must come, they should not stay long. This was his reply: „Please do not separate me from these people. They do not cause me weariness, just the contrary, I am nourished by them. They bring me healing. If you separate me from my friends, why should exist any longer? I could not go on living”.

He loved men as a whole, not discriminating between good and bad, the handsome and the ugly. He had compassion for the oppressed, but he pitied the oppressor also. He knew that the right of the oppressed was both his own sword and shield, and therefore did not make an out-cast of the criminal, but tried to win him and

save him or at least render him harmless to society.

Ken'an Rifai has personified and applied to his own life the principles he taught for men's relation with one another. He wanted people to be loyal to one another. He himself knew how to be loyal not only to people, and animals but also to the very objects he used in daily life. For instance, on a hot day, one of his pupils took his coat off and threw it to one side negligently saying: „Oh, how hot it is!” Ken'an Rifai at once gave him a warning reply. „Is it nice to treat an object so unkindly, especially since you are going to need it again a little later?” Again one time he pointed at a man who had just thrown the stump of the cigarette he had just finished smoking and was crushing it with his foot, and said to his pupils: „This man was enjoying that cigarette as he smoked it. Isn't it sad that he should forget the pleasure so soon and crush that same object so disgustedly as soon as he had enough of it? It would have been better to put it aside more gently and appreciatively. If one is not careful of his behaviour in small things, this would spoil his behaviour in great things also.”

Were we to get at the deeper meaning of these anecdotes which seem to have an educational and disciplinary purpose, this is what we would find: „Be mindful! With every word, thought and deed your own destiny is being built. And not only yours, but that of the entire humanity. You are the power of doing good, you are the power of doing evil. You are not restricted with the external, the external is bound to you. That is, nature becomes nature by looking at you. For you are not the product of nature, but nature is your reflection. If you desire the good, you must first create the good in yourself; reflect your light about you. But if you open the springs of evil, then your own jug will be filled with evil. Everything in creation comes out of you and goes back into you. Are you happy? It has been your doing. Are you unhappy? Do not look around for the cause, it is in vain. For again it is your own doing.

Another essential point he taught was, good opinion in human relationship. To explain we need an example: One day as he looked through his window, he saw two lads quarrelling in the garden. They were helpers in the kitchen. He saw, with the rest of the company, one of the lads lifting his hand to strike the other. One of those present exclaimed in dismay: „Oh, oh, he is going to hit his companion!” Ken'an Rifai smiled pleasantly as he said: „Oh, no, he just lifted his arm, may be he is going to take hold of the tree-branch; or he may be fixing his hat,

or possibly he wanted to point at an object at the distance." The suggestion was to teach the company not to think of the evil, and try to see things in the light of the good. The basis of this, of course, is a very important principle: Man bears the responsibility for all creation, therefore, his vision has a creative capacity. Since even each single atom is full of infinite possibilities, man's directing his vision hither or thither means the awakening into action of some possibility. Therefore, the soul should be directed with all its might to the elements of good. To think of the good, to do good, to interpret the good. To keep at the trail of the good till one's last breath! This is the duty and mission of the creative man.

It is because he succeeded in carrying on this duty till the very end that Ken'an Rifai was able to live at peace with himself and with all people. He has never been seen to be angry with or to be offended by any one, including those who actually did him harm. Further, he succeeded in loving and being kind to those who actually injured him; hastenend to their help when they were in any kind of need, and befriended them with no reproach of reference to their harmful behaviour.

„God's dearest creature is the one who forgives, and forgives all the time, „says Ken'an Rifai. In the uttermost sense of tolerance he remarks: „I like to seem deceived to the eyes of those who wish to deceive me. Why deprive them of something that pleases them." More remarkable still was the fact that he considered himself as having a share in the fault of another, and shared in the shame of the guilty. And of course one never heard him mention any material or spiritual help or service he had rendered. He always told us never to expect anything in return for service. For doing good was our most natural function. Once one of his company said: „Today I heard a beggar who was singing. I sent him some money, but he sang so beautifully that I delayed the gift in order to enjoy his singing for a little longer." The spiritual teacher answered quickly and gravely: „I would not do that, for two reasons: the first is that by so thinking I would be paying for his singing, not doing an act of charity. Secondly, that poor man is using his breath to sing and get a living. Why then should I allow him to waste his breath for my pleasure? Let him use his capacity to stir mercy in other people's hearts."

Ken'an Rifai's relation with God as a man of religion also is very remarkable. On an occasion a disciple said to him in a gush of emotion: „Oh, may God be pleased with and reward you." (which is an expression of blessing greatly used in the East). He answered: „First, I should be

pleased with God! Yes, let me first show my pleasure in God. That is, let me be able to praise my Lord for every blessing he bestows on me. Let me accept willingly and gladly every single gift whether it seems good or bad to our human eyes, and show Him the reverence that is His due. Putting aside all kinds of complaints let me be first pleased with and grateful to God, so that He too may be pleased with me!" So that we see again how everything is based on the principles of Love, thankfulness and gratitude, and submission. This in brief, is the true Derwish principle. Now we come to the point where we shall study how Ken'an Rifai's view formed itself around the pattern of mysticism, and therefore his capacity as a spiritual teacher, and how he transferred the principles governing his relation with God to other human beings.

Ken'an Rifai started his "Dergah" in 1908. (The nearest explanation of Dergah perhaps would be a Darwish Convent). For according to the conditions of the time, the only field in which he could teach his world-view in its general lines was a Dergah. Were the conditions of those days favourable for opening an academy to teach his principle, he would have preferred an academy. But circumstances were such that, although he had not inherited a sheikh's headgear and a ship-skin rug from his ancestors, and although the factors that would make him the sheikh of a Dargah did not exist either in his family or environment or conditions of this time, it was necessary for him to constitute a spiritual and religious identity which would go side by side with his civilian life. For it was evident that the world had become a kind of clown that was to be slapped for fun in the midst of materialistic and spiritualistic philosophy. Ken'an Rifai dwelt with great care upon the perilous traces of this struggle which was dragging humanity into a crisis of values. The human society in which he lived was drying up day by day losing its faith, and in its decline in spiritual value was losing its suppleness. Especially philosophy in its argument as to whether belief in the divine power was good for mankind or not was urging into the world of thought new possibilities and hypothesis. While science very far from embracing the truths remaining beyond the scope of the five senses, was dashing hither and thither, unable to build, all alone, the stronghold that was to save humanity from a moral breakdown. Whereas there was one truth above and beyond the five senses. It was the task of faith to uplift society and bring about a moral revival, — the faith that would bring man face to face with this truth. To bring prosperity to man merely by way of technology, and leave him alone in the moral world with a dry, unfruitful

# IQBAL'S LEGAL PHILOSOPHY AND THE RECONSTRUCTION OF ISLAMIC LAW

by

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(With kind acknowledgement to Iqbal Academy)

As one goes through Iqbal's letters addressed to his friends, one cannot help being impressed by his grave concern over the question of the reconstruction of Islamic law. It appears that he had a definite plan to write on the subject which however, could not materialise because of his protracted illness before his death. Piecing together his stray observations scattered in his various writings and judging their direction against the back-ground of his philosophy, it seems possible to catch a glimpse of his juristic views. It would be quite profitable for us to get to know them even in the barest outline. May be, they prove useful in research on Islamic Law undertaken with a view to solving the practical problems with which the Muslims are confronted at present. The point at issue is whether Islamic law holds out any prospects of its creative adaptation to their needs in the fast changing world. On its successful solution depends their future.

In one of his letters, Iqbal has indicated the method of approach which should be followed in assessing the juristic quality of Islamic law. He suggests a critical study of its basic ideas in the light of the standards furnished by modern jurisprudence. It will be agreed that in estimating its worth the only course open to scholars who may engage in the task is to get at the roots of its native elements. Whatever accretions may be found to have gathered around its structure should be eliminated if they are alien to its spirit or are the product of thought, strictly conditioned by the circumstances peculiar to a certain age. Such elements as have become irrelevant to the conditions of modern life will be discarded. The next step will be to weld the foundational conceptions into an organic unity, guarding ourselves, however, against the lure of building it into a closed system by exclusive logical refinement of its categories. The verdict of history is that the finished or the logically completed intellectual disciplines never hold for long and invariably disintegrate in the end. The unity achieved must be organic so that the essential function of law as an instrument for ordering human relations may have vitality enough to

assimilate any environment. In this way alone can it be the living law for Muslims.

Law feeds on social realities within the framework of an attitude determined by man's reflection on his position in the universe, on the one hand, and his ideas of social justice on the other. Legal theory which finds its place somewhere between philosophy and political ideology is, therefore concerned with every department of knowledge. The outlook of law is provided by philosophy and the resultant legal idealism seeks expression in the actualities of life. Law will be found at a deeper level to be based upon certain assumptions which are drawn from non-legal sources.

Iqbal did not work out any systematic legal philosophy. Whatever we know of his views on the subject is diffused in his poems, his disjointed remarks interspersed in some of his letters and finally in his Lecture on "The Principle of Movement in the Structure of Islam". The difficulties which meet a student who aims at extracting elements of juristic importance from this material can rather be imagined than described. They are aggravated considerably by the theological terminology which embodies his legal ideas.

My purpose in this essay is very modest, namely, to make an attempt to deduce juristically important elements from his thought and to see what light they throw on the traditional law of Islam.

According to Iqbal the ultimate ground of life is a rationally directed will which can be conceived as an Ego. It is pure duration in which thought, purpose and life so interpenetrate as to give it an organic unity. Its infinity consists in the limitless possibilities of creative activity. How it proceeds to creation is impossible to tell but judging from the fact that creative activity is essentially discontinuous, it may be said that it will create only ego-unities. What we call "Nature" does not confront it as its veritable "Other" and is only a fleeting moment in its life.

Accordingly, the universe can only be populated with individuals possessing various degrees of reality the extent of which is determined by

their capacity to affirm themselves as individuals. Man alone of this creation is capable of self-affirmation to the highest degree. Although he has a beginning in time, he is perhaps meant to be a permanent element in the constitution of the world. His uniqueness as an individual makes him bear nobody else's burden than his own.

This entitles him only to what he earns by his personal efforts. His quintessence consists in his directive power. For he proceeds from the directive energy of the Ultimate Self. He is distinct from and yet completely dependent both for his emergence and life on the ultimate Ego. Nature which is a system of interrelated events is continuously developing in time. It is organic to the Creator in much the same way as man is. The conflict of life starts when Nature confronts man as something other than and separate from him. Such antinomies as belief and action, thought and will, subject and object, space and time, change and permanence etc. impress his mind, which seeks to reduce these oppositions to a unity.

Reality, therefore, is an organic whole and as the notion implies, every element in it contributes to the being of everything else in this whole. Individuality is not merely a principle of unity and identity within the individual involving no communication with the outside world. On the contrary, individuals lend to the reality of one another.

The world, therefore, is not a disjointed plurality of self-contained units but a system in which the members are perpetually interacting. Man can, therefore, develop his uniqueness and mould his career by establishing connections with the reality that confront him. It is possible only by exploring the chances of contact with it through knowledge. Observation of nature and adjustment of its forces to his own ideals is one way of establishing intimacy in the interests of his own progress, material as well as spiritual. Self-affirmation is rendered possible by a constant revision of relations with nature in the light of knowledge gained from the world within. His ideal is to acquire self-possession, uniqueness and capacity for intense action as an ego. The discipline of the individual gains in efficiency in the measure in which his integration is achieved by deeds in conformity with the law of his essential nature. The ultimate self is the repository of all values and an individual is to fashion his own destiny by a progressive participation in the divine life. This is achieved in two ways, firstly by a ceaseless pursuit of scientific knowledge with a view to pressing it into the service of his ideals which it is his duty to perpetually

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create and secondly by regulating his inner and outer life by one and the same law.

Society is but an association of individuals. The unity that is man must constantly refer to social reality for his own development and amplification. An individual's progress has no meaning apart from this social reference because he is what he is by virtue largely of what his environment has made him into. This sounds like a truism which even the meanest intellect would claim to know. Its significance will, however, be thrown into greater relief in contrast with certain notions that have gained currency in history.

The monads of Leibnitz are self-sufficient and as between themselves have no means of communication much less any basis for co-operation. They are so to speak, windowless, not opening to one another, although curiously enough, they open to the chief Monad. Each monad is active only in its own self-development. They are supposed to be in some sort of indirect relation in consequence of a pre-established harmony. On this view society can be conceived only as atomistic. That is why the explanation, devised for the emergence of society could be no better than the myth of social contract. This view left the individual free to pursue his economic interests under the security offered by the principle of *Laissez-Faire*.

The various Declarations of Human Rights made from time to time proved empty slogans. They have rightly been termed as "negative". It is now generally agreed that apart from recasting the relationship of individual and society on a better footing, it is not possible to remove disequilibrium in social life.

There have been two alternatives. One of them has been worked out and has failed with untold misery for the whole of mankind; I mean the National Socialism of Germany and Fascism of Italy which for purposes of present treatment I take as one. The philosophy of Hegel was made to yield life to these collectivist creeds. His epistemology combined with his political aspi-

rations disguised in his philosophy as determinations of universal reason was so developed by his successors and perverted by ambitious persons as to justify omnipotence of the national State which came to be regarded as a corporate legal person. The individual existed for the good of the State as conceived and enunciated by inspired dictations. It is said that this possibility arose as a result of conceiving society as an organic whole.

The use of the word "organic" in relation to Iqbal's philosophy does not mean, in the first instance, negation of the reality of the individual unlike what it meant in the final development of the Hegelian philosophy. Secondly, the reality to which both individual and nature are organic is the will of the Ultimate Mind. This will is the ground of their being and their continuance. Speaking in the language of law, the *Grundnorm* considered from the finite point of view lies outside of the individual as well as the society.

An important juristic implication arising from the nature of relation that individual and society bear to the creative activity of the ultimate ego is, firstly that the positive law has its ultimate sanction in the objectively real *Grundnorm* and secondly that the society as an organised political entity is no more than a legal order to be maintained only so long as it fulfils its obligations imposed by the *Grundnorm*. The revolutionary aspects of this juristic principles are quite clear.

Now to the other alternative, namely the Dialectic Materialism. We all know by now how completely this synthesis has inverted the scale of values. The individual's position in the context of material conditions is the sole determinant of the creation and destruction of his rights and duties. The idea of universal democracy which it dangles before the world is constituted primarily by economic opportunity as its point of departure. In this system, too, the individual loses his bearings and is no more than a cog in the machinism of the social Collective. Similar was his fate in the Hegelian Cosmos we have already seen. The reason why man came to be regarded so in both systems of thought is obvious.

Dialectic Materialism is founded on the primacy of matter while Hegel denies reality to time. The latter was obvious to the central fact that life is individualistic in character and that history means collective movement of individuals in real time. With him, however, time is but a logical construction. It is, therefore, apparent why man who can progress by conquest of time alone should have been deprived of his dignity and condemned to serfdom in the collectivist conceptions of society.

Iqbal has no patience with national sovereign

states either. They came into existence as the result of emancipation of Europe from the Papal domination. Doubtless, man's mind was set free but see at what a cost! The universal ethic of Christianity was replaced by national ethic. So they became a source of great danger not only to themselves but also to the world at large. The last two world wars are amongst so many of the bitter fruits of the tree of national sovereignty. At any rate, this concept has outlived its utility, if at all it had any.

The events during the last fifteen years point to one lesson for man and that is that an International Community with sufficient power to maintain peace and order in the world is a permanent necessity. The other problem which modern jurisprudence has to solve is how to reconcile sovereignty of nation states with paramountcy of such International Organisation? So far jurists have not been able to put forward a satisfactory solution. The difficulty arises chiefly from the dualism of the modern positive law which has a tendency to apply the term "law" to characterise the individual's relations to the state on the one hand, to the relation of the nation state to the international community on the other, in totally different senses.

In one case law is defined as a rule of action backed by the physical force of the state and in the other, as a rule of action based upon Natural Law. It has been suggested that the contradiction may be removed by regarding a member state's obedience to the World Body as a case of self-limitation of its sovereignty in-as-much-as a course of action suggested by the World Body will become law only after a state has voluntarily accepted it. This contention is not sound for the simple reason that in case of a conflict between the two what choice will be made is a foregone conclusion.

If I am right in interpreting the trend of Iqbal's thought, I venture to say that this conflict between state sovereignty and the hegemony of international organisation can be removed by treating both of these entities as Legal Orders which, considered as moral instruments, are subject alike to the rule of the *Grundnorm*. On this view the idea of state coercion as a necessary element in the definition of law shall have to be replaced by an extra-territorial recognition by courts of its enforceability on the basis of some sort of federalism. The International Body along with member states will, therefore, be an hierarchic structure. The idea of sovereignty of nation states prevents effective collaboration not only between states inter se but also presents a hurdle in the evolution of a world order.

The conception of treating them all, the world

organisation as well as the member states as so many legal orders more in the nature of legal trusts than as juristic persons will pave the way for the emergence of an effective world order. This, in my opinion, will be Iqbal's most important contribution to jurisprudence. Undoubtedly this would have been his position. The principle, outlined in the following passage, although directly in reference to Muslim polity, would equally apply to international political organisation without any theoretical difficulty:

"It seems to me that God is slowly bringing home to us the truth that Islam is neither Nationalism nor Imperialism but a League of Nations which recognizes artificial boundaries and racial distinctions for facility of reference only, and not for restricting the social horizon of its members".

Another unsolved problem of law is: How far is it permissible, nay, obligatory, on an individual or group of individuals to revolt against the state? This right is being slowly recognised although when it may be exercised it is not clear. K. C. Wheare says, "There are circumstances in which it is morally right to rebel to, refuse to obey the constitution, to upset it. A constitution may be the foundation of law and order in a community, but mere law and order is not enough. It must be good law and good order". (*Modern Constitutions* page 93). In the Nuremberg trial the same question arose in a different form but was left undecided. In my view, with the recognition of political organisation of society as a legal order the right to revolt would accrue when such a legal order in flagrant disregard of the higher law persists in a certain defined course of action. Difference of opinion on the mere question of method will, however, be no ground for the exercise of this right.

Iqbal has emphasised three things: Spiritual interpretation of the universe, spiritual emancipation of the individual and the basic principles of universal import directing the evolution of human society on spiritual basis. According to him, therefore law is essentially concerned with the discovery of a system of truths which would provide both the basis of positive law and its ideals. Here we are reminded of the various theories of Natural Law propounded from time to time since the dawn of critical thought.

The Greeks gave us the elements of legal idealism based upon the conception of the universal law applicable equally to all men irrespective of their differences as to race, colour, language etc. It was argued that as man is part of an objective rational order, he must guide his actions by the

law of Reason. The Stoics elaborated this conception and the Romans, later on, made a constructive use of it when they on the basis of reasonableness of usages of non-Roman subjects, amplified the structure of *Jus Gentium*, finally to be absorbed into their own law. In this way they were able to broaden the base of the old civil law and turn it into a cosmopolitan system.

The history of legal thought, however, reveals that natural law has been used at times as a cloak for political aspirations of people against tyranny and at times to further vested interest in clear breach of the requirements of general social well-being. For instance, the German Emperors sought emancipation from the Papal authority in the name of natural law. Later on, they sought to use it also to perpetuate their hegemony and power on their subjects. It is an irony of fate that natural law has often been used to support contradictory claims. That is why it has been dubbed as a useless idea.

The judgment of history is said to have gone against Natural Law. It is pointed out for example, that whatever rights were secured to the individual in various Declarations of Human Rights turned out to be mere moon-shine because conditions for their realisation in practice were not ensured.

The truth of the matter is that no system can work without higher law for any length of time, for there can be one and only one alternative to its abandonments, namely, absolute relativism. The reason why natural law failed was that it was conceived as completely transcendent to human life. It gave us theory but no practical guidance in the matter of regulating human relations.

It was easy, therefore, to use it in the service of any creed by giving it a twist in such a manner as to befit it to its needs. Mere general statements of ideals, therefore, proved to be of no consequence. The higher law must be palpably felt in its dispensation in the socio-political structure of society. In other words, within the ideal frame-work, social realities have got to be adjusted. Iqbal is very explicit on this point. He says:

"With Islam, the ideal and the real are not two opposing forces which cannot be reconciled. The life of the ideal consists, not in a total breach with the real which would tend to shatter the organic wholeness of life into painful oppositions, but in the perpetual endeavour of the ideal to appropriate the real with a view eventually to absorb it, to convert it into itself and to illuminate its whole being."

"Islam, recognising the contact of the ideal with the real, says, 'yes' to the world of matter and points the way to master it with a view to discover a basis for a realistic regulation of life."

In opposition to natural law ideology, sociological conception of law has made its appearance on the scene. It contents that values arise in the context of social phenomena and a society is in constant flux, values are variable and are, accordingly, the function of social process. Immanence replaces transcendence. This approach to law ushers in an era of complete relativism. If the law as transcendent originates in immobility, then the law as immanent rests upon change. The former seeks to glorify the "idea" whereas the latter deifies the concrete fact. The truth lies half-way. The eternalisation of the concrete would denude life of its ideals and deprive it of spiritual direction by laying bare its roots to the ruthlessness of evil forces. Abandonment of higher purposes means abandonment of search after a foothold for law in the fluency of the contingent. This attitude presents an alternative too dreadful to contemplate, namely a crude relativism with no solid foundation for thought, life and value. It sows the seeds of anarchy through and through.

In Iqbal's view, worshipping of ideals without at the same time seeing how they should relate to the concreteness of life would impede man's material and spiritual progress. Since, they have a formalism and rigidity to which actualities more often than not refuse to submit. The norm should be so flexible as to leave room for experimentation. It should be elastic enough to provide scope for its absorption within the limitations of the spatio-temporal order. On the other hand, if values were conceived as relative to material conditions, man would lose his personality and society its character by being lost in the endless possibilities of changing behaviour. It is obvious, therefore, that the situation can be saved only if the higher law was at once the ground and a regulative principle of positive law. Within its ideal scaffolding the norm should leave ample margin of freedom for the creative contributions of legal idealism.

Iqbal has a clear idea as to the nature of law when he thus comments on the controversy on the question of Qias between the Hanafi School of law on the one hand and the Shafi and Maliki schools on the other:

"This was really a controversy between the advocates of deductive and inductive methods in legal research. The legists of Iraq originally emphasised the

eternal aspect of the 'notion', while those of Hedjaz laid stress on its temporal aspect".

and further:

"Their criticism of Abu Hanifa and his school, however, emancipated the concrete, at it were, and brought out the necessity of observing the actual movement and variety of life in the interpretation of juristic principles".

An organic view of reality like that of Iqbal is based on the recognition of both the relata and their relations as real. Reality, therefore, is both immanent and transcendent and so should be the law.

He says:

"The ultimate spiritual basis of all life, as conceived by Islam is eternal and reveals itself in variety and change. A society based on such a conception of Reality must reconcile, in its life, the categories of permanence and change. It must possess eternal principles to regulate its collective life, for the eternal gives us a foothold in the world of perpetual change. But eternal principles when they are understood to exclude all possibilities of change which, according to the Quran, is one of the greatest 'signs' of God, tend to immobilise what is essentially mobile in its nature".

An important element in Iqbal's notion of law appears to be the necessity of perpetually creating legal ideals with an eye on how they function in society. When the material goods are limited and the number of claimants many, a sound legal theory must provide on plain of its own disintegration for validity of concept of limitations to the operation of law. The search for an absolute standard of justice is necessarily circumscribed by social facts. That is how sociological approach to the law serves as a supplement to the idealist theory.

Apart from its social reference the law would always remain theoretical. It may, therefore, be said that rights as well as duties of individuals are neither created nor destroyed by positive law. They are only recognised, suspended, limited or amplified as the case may be. On Iqbal's view, it would be possible, therefore, to hold that what we call the fundamental rights of man are the creatures of the higher law and the positive law



simply declares them. It is said for instance, there was a time when the right of property was recognised as a necessity of social justice.

It then meant only a right to possess tools or means of production. The functional method, against the back-ground of modern conditions would be to form a newer conception of the right of property in view of its having been used to the disadvantage of society as a whole. With the change in the real function of property now used as a means for furtherance of vested interests and for the exploitation of the masses, there must be a corresponding change in its notion. In short, the development of law should take place through a perpetual modification of its ideal by a fresh conception of the limitations of its application in society.

A legal system necessarily formulates its own technique. This depends upon evolving notions under strict discipline of legal logic. We have for instance, notions of property, lease mortgage, negligence, compensation, damages etc. in legal vocabulary. When they are excessively worked out in the administration of law or in speculative jurisprudence, they tend to lose touch with reality. The explanation is to be found in the increasing degree of abstraction from the particulars of actual existence.

An unrestrained logical refinement would render any law rigid and formal. When this stage is reached, law becomes an instrument of oppression. Justice then becomes a technical affair, often very unmindful of the actual requirements of individual cases. This truth has been exemplified over and over again in human history. The first known instance is the Jewish law at the time of the advent of Christianity. Strict conformity to the letter of Jewish law with its own logic, came to be regarded as a condition precedent to the dispensation of justice, ignoring equities altogether in the interests of its technical perfection. It had become very harsh in its application and austere in its attitude.

Christianity, it is said, was a historic protest, in one of its aspects, against the static and reactionary character of Jewish law. It provided relief to the prevailing conception of justice by its revolutionary idea of universal love. Another instance is provided by the stationary condition of Islamic law. So many causes responsible for its decay have been listed and one of them is the neat chiselling of its instrumental notions which in the end tore it off from the throb of human life.

Allama Khudri of Egypt tells us that in the later stages of its decadence, Muslim law became a plaything in the hands of sharpwitted polemically-disposed legists. They imagined fantastic cases with a view to displaying their legal lore in

a hair-splitting manner. They virtually degraded it to the level of casuistry. He observes that in one book alone he came across quite a couple of thousand of such imaginary cases which are never likely to occur in society.

The third instance is furnished by the state of our own law in force here and now. The entire constitutional law has broken down before our own eyes. As to that portion of positive law which is reflected in litigation before courts, we shall do well to remember an address given some time ago by ex-Chief Justice Sir Abdur Rashid at Lahore in which His Lordship pointedly referred to the ever-widening gulf between the substantive and procedural law. If one looks deep into the matter, one would realise that the present condition of our law has been brought about by a steady process of analytical mood into which legal functionaries imperceptibly drift for the sake of logical consistency and culture of legal idiom.

When such a stage arrives in the history of a legal system, it is surely symptomatic of a deep malaise which has already consumed its pulp. One of the visible effects of this decay is that the roles of man and law are reversed. Law becomes the master and man its slave.

It may, however, be admitted in fairness to legal logic that law must offer certainty and uniformity. In other words, it should be predictable, for one of the main functions of law is to impart a sense of security to legal relations. It is, therefore, quite entitled to fashion its categories in the light of logical criteria so as to encompass the routine aspects of these relations which are legion. But there is another side to the picture and that is that in exceptional cases, because of their qualitative importance it may be positively unjust to treat them on a par with routine cases. May be, the ends of justice would be met in such cases only when non-legal factors are also given due consideration.

Iqbal was alive to this truth who, while assessing a tendency among the early doctors of Islam to interpret law on the basis of Aristotelian logic remarked:

"The intricate behaviour of life cannot be subjected to hard and fast rules, logically deducible from certain general notions."

"Yet looked through the spectacles of Aristotle's logic it appears to be a mechanism pure and simple with no internal principle of movement".

This acute observation of Iqbal is true of any legal system at any time. His view is amply borne out by eminent modern judges and jurists.

The following are some of the extracts on this issue. As per Lord MacMillan in 1947 A. C. Issue 175:

"Arguments based on legal consistency are apt to mislead, for the common law is a practical code adapted to deal with the manifold diversities of human life and, as a great American judge has reminded us, "the life of the law has not been logic, it has been experience"."

As per Holmes J in "Johns V. United States" (163 F 30)

"Of course it is true that the words used, even in their literal sense, are the primary, and ordinarily the most reliable source of interpreting the meaning of any writing; be it a statute, a contract or anything else. But it is one of the surest indexes of a mature and developed jurisprudence not to make a fortress out of the dictionary; but to remember that statutes always have some purpose or object to accomplish, whose sympathetic and imaginative discovery is the surest guide to their meaning".

Another important notion which Iqbal would like to work in his legal system is that of the hierarchy of legal values. This follows straight from his philosophical view that there are degrees of reality. The gradation of legal values is particularly very important in the law relating to crimes and damages. For example, threat to life would be taken more seriously than, say, threat of injury to property.

To summarise, Iqbal's legal theory provides the conception of a higher law as the most fundamental element in its structure. It is eternal but not rigid. It is capable of being experimented upon in the light of social reality whose integration into the ideal structure is permitted very largely subject to one limitation, namely, that it will not stifle basic values. The admission of facts drawn from total experience would be balanced as against fundamental human insight with a view to keeping law immune from fossilisation. Its technique and logic must never be allowed to go astray from social reality; otherwise there is a great danger of its becoming inhuman and cruel.

The validity of positive law is judged with reference to its conformity to the higher norm so that if it conflicts with the latter, it shall become invalid and unenforceable. A sound legal system must prepare lists of rights and corres-

ponding duties which should continuously be checked and rechecked in the light of advancing knowledge and experience so as to revise their respective values in the hierarchical structure. This is possible only when one formulates every now and again the conception of limitation to their operation against the social background. In interpreting law, particularly in the case of statutes, the needs of legal logic should be fulfilled to ensure uniformity and certainty in legal relations. The formal side of law should be asserted but in cases of special qualitative importance when regard to logical consistency of technique would either plainly defeat broad purposes or involve itself into contradiction with the established principles specific to another aspect of the legal organism, logic should be sacrificed to save the plain reality.

Iqbal who had before him the tragic vicissitudes through which the conception of Natural Law had passed could not incline himself to accept it in its abstract form. The reason is that Natural Law ideologies which have appeared during the last 2,500 years as off-shoots of European idealism share in common the dualism of European philosophy. European thought, which in the words of Prof. Whitehead has only been a foot-note to Plato's philosophy could not recognise the reality of time. The concrete fact acquired value, no doubt, as a factor in scientific conception of physical reality but it was relatively unimportant in the realm of valuations.

Christianity made a great contribution by discovering "an independent content for spiritual life which according to the insight of its founder" says Iqbal, "could be elevated not by the force of a world external to the soul of man but by the revelation of a new world within his soul. Islam fully agrees with this insight and supplements it by the further insight that the illumination of the new world thus revealed is not something foreign to the world of matter but permeates it through and through".

The conception of natural law as evolved within the tradition of European thought was highly abstract and that is why it fell a prey time and again in the course of history to demonic forces whose purposes it gladly served. The finitude of human reason is truly reflected in the conception of Natural Law ideologies.

In the following words Iqbal explains why he could not feel attracted to the West's legal philosophy, incidentally also giving the reason for his acceptance of Islam's legal idealism:

"Modern Europe has, no doubt, built idealistic systems on these lines, but experience shows that truth revealed through pure reason is incapable of

bringing that fire of living conviction which personal revelation alone can bring. This is the reason why pure thought has so little influenced men, while religion has always elevated individuals, and transformed whole societies. The idealism of Europe never became a living factor in her life, and the result is a perverted ego seeking itself through mutually intolerant democracies whose sole function is to exploit the poor in the interest of the rich. Believe me, Europe today is the greatest hindrance in the way of man's ethical advancement. The Muslim, on the other hand, is in possession of these ultimate ideas on the basis of a revelation, which speaking from the inmost depths of life, internalises its own apparent externality".

On comparing Iqbal's legal ideas with the leading concepts of Muslim jurisprudence, we discover between them a remarkable affinity. The ideal element is constituted by the absolute injunctions of the Quran and those in the established Sunna. The Consensus which is the third source of Muslim law is designed to serve the purpose of extraction of new legal values as well as for their conservation. When qualified jurists agree on a certain point of law, it is considered to be as deserving of absolute obedience as those derived from the primary sources, namely, the Quran and the Sunna. Iqbal clears away the misunderstanding which prevails in certain quarters that Ijma (Consensus) can repeal even the absolute injunctions of the Quran. This misconception has arisen as a result of an uncorroborated observation made by Aghnides in his book called "Muhammadan Theories of Finance".

Ijma is a democratic principle which, according to Iqbal provides the basis for participation in the affairs of state by Muslims in general. Abdul Rahim also shares this view. In some quarters the impression is that as the qualifications prescribed for a Mujtahid who can participate in Ijma decisions cannot be fulfilled by every man, the institution of Ijma cannot serve as a basis for democratic Government in an Islamic polity.

This view appears to be unsound. The reason is that an opinion of a jurist does not become law unless other jurists also agree in either of these two ways — either when all agree upon it or when the majority admits it and gives a ruling accordingly. In the past these unanimous and democratic decisions have been of two kinds each — firstly those which have always been unanimously accepted by the Muslim community or

have had the approval of the majority of Muslims — secondly those on which Muslims of a particular country recorded their total agreement or when they were accepted by a majority. Ijma decisions are not revisable but democratic decisions which will be accepted when the majority of Muslims in a particular country at a certain age will show readiness to accept them. As to future Ijma decisions, there is no limitation whatsoever.

In arriving at a democratic or Ijma decision the representatives of a Muslim community cannot remain unaffected by contemporary social realities. In fact, the institution of Ijma is the focal point at which the ideal comes into living relationship with the actual.

The fourth source is Analogy which covers partly the domain of legal precedent and partly that of undetermined possibilities. Through this instrument, it becomes possible by processes of logical deduction to determine new legal values, of course, with a greater emphasis on conservatism. In my opinion, analogical reason, on Iqbal's view of logic, can be recast in a new way with far greater usefulness. Our traditional conception of Qias has been rigidly determined by Aristotle's view of logical proposition which treated knowledge as a sort of external relation between subject and object. For in the subject-object form of proposition the two terms, namely — the subject and object, are presumed to be exclusive of each other.

According to Iqbal's theory, elements of reality contribute to the being of one another and therefore, it cannot be said that subject and object in a logical proposition are self-sufficient and independent. A fresh conception of Analogy both in respect of its structure and function in accordance with Iqbal's view would reveal in law certain creative possibilities hitherto unsuspected.

I need not say more than make a reference in passing to Ijtihad which is the fifth source of law. Iqbal calls it "the principle of movement in the structure of Islam". Its sweep is unlimited. It operates on data derived from multifarious sources, as for instance, juristic equity, public good, usages and customs when they do not conflict with the fundamentals of Islamic law. With such a vast range for operation at its disposal, Ijtihad truly constitutes the dynamics of Muslim law.

The concept of Legal Order which emerges from the background of Iqbal's thought, in my opinion, throws into bold relief Islam's polity, the ruler is to enforce law in society according to Islam's notions of good and bad. The moment he ceases to do so, it becomes the individual responsibility of a Muslim to break the legal order.

Looking back at the whole discourse, it should be obvious that Iqbal's legal theory is but a modern version of Islam's law. Now when the existing legal structure in Pakistan lies in ruins, the only way, in my view, to save us from further and more critical times is to make use of the Islamic conception of law to guarantee the safety of our future. It is very risky to be a prophet but I cannot refrain from observing that whatever little of law remains cannot last us for more than a decade or two. It would be a great folly to found our new legal system under the inspiration of European philosophy. I have already shown its one-sidedness. Europe itself seems to be oscillating between extremes with the lurking fear of some unknown danger. A modern European jurist says:

"It is easy to deride natural law as it is to deride the futility of mankind's social and political life in general, in its unceasing but hitherto vain search for a way out of the injustice and imperfection, for which so far Western Civilization at any rate had found no

other solution but to move between one extreme and another".

(Fieldmann)

In contrast to any legal discipline both in the past and present, Islam's law presents a structure of incomparable beauty and grandeur. It is a vast mine of powerful juristic principles and abounds in rare distinctions. Its catholicity and dynamism are of unequalled range. An astute lawyer like Edmund Burke while delivering his famous impeachment speech, cried out:

"We have referred you to the Muhammadan law, which is binding on all from the Crowned head to the meanest subject; a law, interwoven with a system of the wisest, the most learned and most enlightened jurisprudence that perhaps ever existed in the world."

"He takes advantage of a defect in the technical language of our law which, I am sorry to say, is not in many parts as correct in its distinctions and as wise in its provisions as the Muhammadan Law."

# THE EXILE OF ARABI PASHA IN CEYLON

by

SENATOR A. M. A. AZEEZ

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It was ordained that the National Hero of Egypt, Ahmad 'Arabi, should spend the best part of his life, a period of nearly nineteen years, from January 11, 1883 to September 18, 1901, in Ceylon — the land of his exile. In his time he attempted, though unsuccessfully, to purify the civil and military administration of his country and do away with the domination of the foreigners and wrest Egypt for the Egyptians. And when he, his attempts having failed, left the shores of Egypt with his faith unshaken though brokenhearted, he thus uttered his parting word to Egypt:

"My land, beloved of Allah, Show patience in Your troubles and Allah will surely help".

Ahmad 'Arabi reached Ceylon in 1883 to

serve a life term of banishment having been found guilty of treason and rebellion as a subject of the Khedive and guilty of mutiny as an officer of the army and having been painted by the foreign press as "a heavy fellah" and "the mere mouthpiece of a turbulent soldiery". The high officials of Ceylon and the society to which they belonged could not in such circumstances have anticipated the verdict of history that "Ahmad Arabi was the leader of a genuine national movement which represented the enlightened and liberal elements in Egypt. It was a struggle for freedom from foreign exploitation and an attempt to extract a Constitution guaranteeing the people's rights and safeguarding their interests from a ruler who had become the helpless instrument for foreign and native reactionary intrigue".

But to the Muslims of Ceylon he was Arabi

Pasha of Tel-el-Kebir, the leader and uncrowned sovereign of the People of Egypt who matched his strength against a Mighty Empire for the sake of his own, his native land. It was better that he dared and failed than that he did not dare at all. They thus recognized in him a fellow Muslim, full of fire of the faith in him, partaking of some of the characteristics of the Heroes of Islam in its heyday of Glory. So they gave him a royal welcome on his arrival at the Colombo jetty. A contemporary report tells us that "the Mohamedans of Colombo contrary to general expectation, did not make any demonstration... and conducted themselves in an eminently orderly peaceable manner.... and then came Arabi himself, with Toulba and Abdelal Sahmy. The excitement now reached its highest pitch.... and it was with difficulty that the crowd was kept from rushing on to the jetty in their eagerness to obtain a glimpse of Arabi.... while being conducted to their carriages Arabi and his companions were profoundly saluted by the crowd, and very courteously and repeatedly bowed their acknowledgements."

Thereafter till his departure in 1901 Arabi Pasha was an adopted and highly esteemed member of Muslim society in Colombo and later in Kandy. His company was eagerly sought after by the elite of the Community who befriended him and feted him to an extent unknown before and after. They even copied his dress. The red fez or tarboosh and the European trousers became very popular among them. And to him the land of temporary exile became the land of eternal charm. By his advice and admonitions, he began to exert such an influence on the life of the Community that in the correspondence column of the local "Examiner" it was feelingly alleged that a rebel was being accorded the treatment befitting loyalty and a weak Government was silently tolerating with loss of dignity this manifestation of disloyalty on the part of an important section of Ceylon's subjects.

Of these Muslims one who most lovingly desired the friendship of Arabi Pasha was M. C. Siddi Lebbe a proctor by profession and a social worker by inclination who was gifted with an intellect which grows larger in proportion to the years and who was nearly of the same age as Arabi Pasha. Siddi Lebbe had followed with understanding and insight the history of Egypt, the history of other Countries of other Communities in Ceylon and had with a farsightedness not given to his contemporaries concluded that the survival of the local Muslim Community largely depended on its successful pursuit of modern education while not permitting any of its pernicious

aspects to undermine the faith that had successfully survived the days of Portuguese proselytism and Dutch persecution. Siddi Lebbe had for several years previously canvassed the opinion of his co-religionists for a new educational approach and had even dissipated his own wealth for the cause that was near and dear to his heart earning in the process the silly contempt of the worldly — wise of his generation. He had not been heeded; instead he had been reviled as one attempting to take the Muslims of his day away from the Straight Path. Yet he was undaunted and persisted in his efforts believing firmly that reason would prevail in the end and that his Community would soon see the error of its attitude and actions. So he approached Arabi Pasha to use his prestige and position in the cause of modern education among his co-religionists. Arabi Pasha found in Siddi Lebbe a kindred soul whose ideal of life was "though treated cruelly by his brethren to live for their good, though pierced by the arrow, to remain fond of the arrow, to live anxious to serve his Community, and to die with that anxiety in his heart." Arabi Pasha had known the effects of the educational reforms that were undertaken in Egypt during the early years of the nineteenth century and had later felt the exhortations of Jamaludin Afghani who during his comparatively short stay in Egypt between the years 1871 and 1879 "preached freedom not only from foreign rule, but also and even more from the obstructive force of rigid and wornout beliefs and practices." To Siddi Lebbe's appeal Arabi Pasha's response was quick and favourable indeed. He exhorted Siddi Lebbe to carry on his good work unmindful of the venom of the malignant tongues of his enemies and equally unmindful of the sluggishness of the slow moving minds of his friends. Arabi Pasha devoted the rest of his days in Ceylon even after the death on February 5, 1898 of his dear friend in whose company he much delighted, to the cause of English education and reforms in religious practices. His private discourses always centred round these themes and in whatever function he was persuaded to participate he always drew the attention of the Muslims present to the urgent necessity for effective steps being taken to promote the cause of modern education. For the same cause he himself strove hard and brought about unity among the three parties that were previously warring against each other dominated by petty jealousies and given in to factious recriminations. To his appeals backed by the prestige of his personality the Community responded more favourably and the dream of Siddi Lebbe became a reality when Al-Madrasatul Zahira

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was founded in 1892 with the active patronage of Arabi Pasha and the assiduous efforts of Wapche Marikar its first Manager and supported by other prominent Muslims of Colombo. The name of Al-Madrasatuz Zahira with its beautiful and significant connotations was specially chosen by Arabi Pasha himself. It is this Al-Madrasatuz Zahira that has since blossomed into the present Zahira College.

On Monday August 22, 1892 Arabi Pasha presided over the inauguration function and gave his prayers and blessings for the future of this institution.

Between 1892 and 1901 Arabi Pasha paid frequent visits to his beloved Al-Madrasatuz Zahira and conversed with the Staff and Students in his quiet and inimitable manner, and throughout encouraged its Manager Wapche Marikar in his indefatigable endeavours to improve the institution. Arabi Pasha paid his last visit to this Institution on or about the 12th of September, 1901 six days before his departure to Egypt. On that day he presided over a Prize Distribution and listened to some of the students feelingly reciting a farewell address composed in Arabic verse which you will hear repeated immediately after I conclude this speech. Reference was then made to the sacrifices he made and the services he rendered for Egypt, to the fame he brought to this Island of ours, to the lustre he shed on the local Muslim Community and its faith and to the encouragement he gave to long needed reforms in its midst. And it was stated that Arabi Pasha had become their loving father and they his dutiful sons. The address ended invoking the blessings of Almighty Allah on him.

The building in which this fond farewell took place stands to this day within the College premises and is still used — at present as a science lecture room — It is our fervent hope and earnest prayer that some day in the near future on

the ground which this building occupies will be erected, an imposing structure with striking saracennic features aptly named after Arabi Pasha.

Arabi Pasha came to Ceylon as a forlorn refugee branded as a 'heavy fellah' and a disloyal rebel. History has since pronounced its verdict and Egypt will for ever hail him her Hero, who farsightedly foresaw the power for evil wielded against Egypt by the combination of the feudal and foreign elements in the Country. His name will be remembered with reverence by Muslims in all countries. And Zahira will for ever remain an imperishable monument to the immense influence for good which he exerted on the local Muslim Community which forms an integral part of the Ceylonese Nation.

\*This restriction was imposed upon the Jews out of respect for justice and good faith towards the Christians from whom the country had been conquered and who did not like their Jewish enemies to live with them.

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