

Maulana Ahmad Sadeq Desai and His Majlis: An Ultra-Conservative Voice in the Eastern Cape Wilderness

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Introduction

Over the past few years South African Islam has exploded into a variety of identities that reflect similarities, and demonstrate distinct differences. Scholars, researchers, and journalists have generally referred to either Western Cape Islam or Kwa-Zulu Natal Islam as representations of Islam in South Africa, overlooking the fact that Islam is expressed somewhat differently by other Muslim communities such as the Eastern Cape. Not much has been written about the Muslims residing in this part of the country except for the contributions of Rochlin 1956, Anon 1979, Abrahams 1988, and Davids 1997. Some of these texts offer a background sketch of early Eastern Cape Muslim history whilst Abraham's compilation of snapshots and a sprinkling of notes gives one a glimpse into aspects of Muslim social life.

The intention of this short article is to give particular attention to Maulana Ahmad Sadeq Desai and his monthly paper, *The Majlis: Voice of Islam*. Maulana Desai was and remains one of the prominent players within Port Elizabeth's Muslim community for more than three decades. He commented and responded to a variety of issues over many years, and it will be impossible to present all of these in this article. Attention will therefore be given to two issues only. The first covers his ideas regarding politics with particular reference to recent developments, while the second deals with his responses to the introduction and implementation of Muslim Personal Law.

Desai's Training & Works

Ahmed Sadeq Desai was born in Port Elizabeth on the 25th of December 1939. Having grown up in the Desai family who originally hail from India, he was encouraged by his elders to pursue theological education in India. At an early age, he set off to Jalalabad where he enrolled at the well-known *Miftah ul-Ulum* theological institution. He studied Hanafite jurisprudence and successfully completed the popular *Alim Fadil* course. During his studies he was particularly influenced by the conservative theological orientation of the institution, which left an indelible impression upon the young Desai's mind.

With the credentials from Jalalabad, Maulana Desai saw himself to be amongst the few 'inheritors of the prophets.' And as far as he and many other individuals who pursued similar paths are concerned, he considered it a great honour to belong to such a distinguished group and to be amongst those were granted the task of protecting Islam from any unwarranted elements and interpretations. He viewed it his duty to mediate the variety of theological traditions in Islam since he possessed the authority and power over religious symbols (cf. Moosa 1989: 73).

Back in Port Elizabeth, he established the Jami'at ul-Ulama of Port Elizabeth (hereafter JUPE), which subsequently became better known as the Mujlisul Ulama of South Africa (hereafter MUSA). He later also formed the Mujlisul Ulama Zakat Organization of South Africa. MUSA acted as a representative theological body, and attended to Muslim affairs such as marriage, divorce, and inheritance. MUSA in general and Maulana Desai in particular were and continue to be influenced by the

ideas of both Maulana Ashraf Ali Thanwi and Hadrat Mufti Kifayatullah, proponents of traditional Islam in India. As a strict, conservative theologian, Maulana Desai firmly adhered to the understanding and interpretation of Islam, and managed these organizations in a similar fashion. He also articulated an ultra-conservative discourse via the monthly newspaper, *The Majlis*. The discourse preserved traditional structures of authority and morality, and acted as a watchdog against any form of reformation or change. Maulana Desai and members of MUSA who perceived themselves to be the gatekeepers of Islam and the representatives of a ‘pure, roohani Islam’ challenged the opinions of those such as the Salafis.

Over the three decades, Maulana Desai wrote profusely and produced more than 60 publications. His publications dealt with a variety of themes and issues. Amongst his works are *Mashaaikh-e-Chist*, *Islam and Peace for all*, *The Pious Wife*, *Musical Instruments*, and *Islam and Television*. All of these were and are still available through a publications bureau, called As-Saadiq Publishers, and listed on the <http://jihaad.faithweb.com/> website. In addition to being a prolific writer, Desai also got involved with various relief organizations, some of which he founded for Muslim refugees in different parts of the world. One of the organizations that regularly featured in his newspaper is the ‘Servants of Suffering Humanity International’ (est. December 1997 with register no. 1223). This relief organization extended its assistance to the drought-stricken Somalians, flood-victims of Bangladesh, and the refugees from Afghanistan, Bosnia, Burma, and Iraq. A project that he initiated via the latter relief organization was ‘The Maktab Project’ that he continuously wrote about in his newspaper. He formed the project whilst he was doing relief work in Bangladesh. The main purpose of this project was to create educational structures in

various parts of Bangladesh so that young boys and men, targeted by Christian missionaries, may be educated. The project was also responsible for (a) relief aid, (b) monetary aid to the destitute, (c) installation of tube-wells and sanitation, (d) distribution of sacrificial meat and food, and (e) other socio-economic projects.

In 1999, he was apprehended in Bangladesh and accused of preparing a blue print to kill intellectuals, and for abetting, arming and supporting 'terrorist' activities. During his detention after the 25th January 1999, his advocate fought his case and he was eventually released after he denounced any connections with Harakatul Zihad, Al-Islami Bangladeshi, Pakistan's Al-Markaz ul-Islam and a host of other groups (Cf. court hearings online: <http://jihaad.faithweb.com/>). Upon his release he returned to South Africa where he continues to express his conservative views.

Desai's Newspaper & Ideas

Maulana Desai launched his newspaper, namely *The Majlis*, in the 1970s (the exact year is not given) and it appeared on a more or less monthly basis. The main idea for doing this was to repel the emerging 'modern' voices such as the Muslim Youth Movement of South Africa (hereafter MYM, est. 1970) in the surrounding areas and elsewhere in the country, and as an alternate interpretation on Islam and Muslim affairs to the Durban-based *Al-Qalam* (MYM's mouthpiece) and Cape Town-based *Muslim News* (later *Muslim Views*). The paper cannot be strictly defined as a newspaper in the conventional sense of the term because it had no hard news nor did it portray itself as such. It was purely a 'religious' paper, administered and edited by a Muslim that targeted Muslim readership.

Notions of Politics

Maulana Desai and MUSA were active during apartheid times, and they formed part of the Muslim community that was an integral part of oppressed society. The oppressed communities were not only segregated by the abhorrent apartheid laws but also experienced socio-economic and political hardships. The communities were suppressed and many young Muslims sought opportunities via the existing organizations to show their rejection of apartheid. Maulana Desai was amongst the lone conservative voices that expressed the notion that Muslims who indulged in contemporary politics became tainted with 'kuffaar politics' (cf. Desai 1994) and strongly advised that individuals should abstain from it.

Maulana Desai particularly attacked individuals such as Maulana Farid Esack who openly advocated that Muslims should participate in civil society to ultimately establish a democratic society. In the series of more than seven articles he dealt with the issue in detail. He started out by stating in the first part (*The Majlis* 8[7]: 1) that the prevalence of injustice and oppression does not justify Muslim participation in *kuffaar* politics. Any type of involvement was the result of misguidance and deception. Islam does not permit the adoption of *kuffar* systems of politics, and that Muslims should not operate under the wing and direction of communists, atheists and *kuffaar* in general. He then continued in the second part (8[8]: 1) by criticising Esack for castigating those belonging to the political right. In his assessment, those on the left were in the same boat and are all part of the *kuffaar* political system. As far as Maulana Desai was concerned, Esack's writings in support of the liberation movements were tantamount to abetting *kufir* activities. Maulana Desai relentlessly pursued his attack on Esack till he was fully satisfied that he had settled the matter.

The only conclusions that one could reach regarding the Maulana's stance was that he either stood aloof from everyone else, or was untouched by the apartheid system, or that he was unable to see what was taking place in his midst. Maulana Desai based himself squarely upon his narrow understanding of the primary sources, and ventured to support the status quo.

The 1990s ushered in rapid changes in South Africa. Nelson Mandela was set freed in February 1990, the liberation movements were unbanned and many exiles returned home including Chris Hani and Oliver Tambo. When the latter died of natural causes and the former was assassinated, Muslims flocked to the funerals to pay homage. These events gave Maulana Desai added fuel to drive home his perception of *kuffaar* politics and society (*The Majlis* 10[10]: 1). He tackled the Imams and Shaykhs who attended the respective funerals for violating a Quranic prohibition. In this regard, he quoted chapter Tauba verses 84 and 113 respectively to justify his interpretation. He concluded that their mere participation and their recitation of verses from the Quran place them in the category of those who had entered *kufr*. In fact, he regarded them as *fussaq* (transgressors). Furthermore, he elaborates on the concept of multiple kufr and set out the implications of all of these, including the annulment of a person's marriage and the inadmissibility of leading the faithful in prayers. He also went on to state that the person is basically a *murtad* (apostate) and would have to publicly retract his activities and behaviour. His lengthy, vicious commentary definitely sets him apart from all the other *ulama* in his city and elsewhere in the country.

Maulana Desai spelt out in his article that 'The Shariah is the only Solution' (*The Majlis* 11[2]: 1). He pointed out that Muslims groped in the dark when they rushed to

embrace some political party prior to the 1994 democratic elections. He stated that the Muslims were under the impression that one of these parties "... will be their saviour in the so-called new South Africa." This statement illustrated that he totally disapproved of anyone joining a political party even if they were 'Islamic' as was the case with the Islamic Party and Africa Muslim Party. He rejected them in a similar vein as he did the others. In his view, they were no different from the *kuffaar* parties. In the article he categorically remarked, that "the *kuffaar* can never be the friends of Muslims." Other reasons that he forwarded for advising individuals not to participate in *kuffaar* politics were that there was free-mixing of the sexes, kafirs and fasiqs were praised, and that mosques were misappropriated for political activities (*The Majlis* 11[3]: 1). Towards the end of this article, he made an interesting statement: "if there is a real need to vote for a non-Muslim party in the interest of safeguarding our community, religion et cetera then such voting can become permissible without the need to become a participant in *kufir* politics." The guarded response of Maulana Desai clearly demonstrated that he found himself in a very awkward situation and thus had to think carefully of real political issues. It is indeed strange that he had so much to say whilst at the same time making full use of the privileges and facilities in the new democratic South Africa, which he sarcastically referred to as 'the so called new South Africa.' He was also bailed out with the assistance of the country's Department of Foreign Affairs in 1999, the very *kuffaar* he rejected out of hand.

And in a later issue (11[8]: 7) a similar question was posed: "Are Muslims living in a non-Muslim country under Islamic obligation to obey all the laws of the land even if such laws conflict with the Shariah?" He forthrightly answered that it is not permissible, but wisely added that "if one is compelled under the coercive oppression

of the government to obey, then at least detest the act in the heart.” And he further mentioned “if a non-Muslim government makes a law, which is transgressed by a Muslim, there is no punishment and not accountability for it in the Aakhira.”

Maulana Desai attempted to demonstrate that he adopted a consistent and open policy during the apartheid era as well as during the democratic phase. He maintained firmly that the relations between Muslims and non-Muslims in the political arena, and, by implication, in the social sphere should not be intimate at all. Its ironic to note that MUSA and MUZO have accounts at Standard Bank and Nedbank respectively, banks that are under the control and management of non-Muslims.

Muslim Personal Law

Muslims have celebrated the birth of a new, democratic South Africa in 1994 and have also reaped the benefits of and made substantial contributions to the new society. One particular benefit has been the demand for Muslim Personal Law (hereafter MPL) to help regulate the lives of the growing Muslim community. The democratic government has been very responsive to the concerns and the needs of its minority religious communities. It showed its preparedness to consider the introduction of MPL.

Maulana Desai and MUSA were critical of MPL for trying to reform the Shariah. On the one hand, they argued that the scope of the MPL was narrow, focussing only on marriage, divorce and inheritance, and, on the other, they questioned the individuals serving on the first MPL Board (*The Majlis* 11[7]: 1). They were aware that members of other ulama bodies were also represented on this board but were more concerned

with those who were not ulama. Their view was that these non-ulama members were not on the board in the interest of Shariah and the community at large. He characterized them as “a group of modernists, who poses a grave danger to Islam and the Muslim community of South Africa.” This group was accused of having “no affinity with the Sunnah” and were also swamped by modernistic patterns of behaviour and *kufir* thought: “matters of Shariah can be decided on only by the ulama, (and) not by modernists elements who seek to introduce their ideas of dhalaal [falsehood] and liberation under Islamic guise.” And the damning part was made when they emphasised that “Organizations which adopt the un-Islamic way of putting females at the helm of affairs can never be successful” (*The Majlis* 11[11]: 7). This remark of theirs is not out of tune with the general tenor of their argument since they generally had no high opinion of women participation in any activity. They rejected the equality of sexes (11[10]: 9) because women were by nature short-sighted and lacked wisdom, attributing their view to a statement to the Prophet (s) who apparently stated that women are ‘.... Naaqisaatul-aql’ [limited in intelligence] (11[11]: 7). And in support of their notion they cited an article out from *The Arab News* (17th February 1995), which reported that a USA scientific experiment proved that women use their brains differently from men.

In another issue (11[8]), Maulana Desai elaborated upon ‘The future of the so called MPL’ by emphasising that Shariah cannot be reformed, and that any such attempt is “an unambiguous call of *kufir*.” And he went on to say that whosoever desires a reformed law “his *imaan* has departed” and that the person is devoid of ‘deeni altruism.’ As far as his standpoint is concerned, this is a *kafir* process that was initiated by the modernists who proposed, amongst others, that women be given the

right to contract their marriages, and that women (i.e. ex-wives) be granted maintenance beyond the Shariah stipulated period. He concluded if the first proposal should take place then the union will be an adulterous one, and that the second violates the Shariah. It was therefore not surprising to read in yet another article that clearly defined their position as follows: ‘MPL is not the answer’ (*The Majlis* 15[3]: 6 & 8).

Concluding Remarks

The ideas captured in *The Majlis* concretely demonstrated the discourse adopted by the conservative camp. Although the ideas of Maulana Desai can be ignored and shunned, one cannot overlook the fact that quiet a few have been influenced by his orientation and the manner in which he argued his points. However, Maulana Desai and his supporters will continue to challenge those from the progressive and modernist camps, and the challenge will have to be tackled head on whether in the Eastern Cape or in any other part of the country. The Eastern Cape Muslims, like all other religious communities around the country, were and remain a heterogeneous one. The community will always have many representatives following different and divergent strands of thinking. One will always come across those that are conservatives such as Maulana Desai and MUSA, and those who are pro-reformation like Shaykh Jardien and the Eastern Cape Islamic Congress.

This brief article demonstrated that the ultra-conservative voice existed and continues to reside alongside many other voices. It created for itself special space within the Eastern Cape, and considered itself as the rightful interpreter. Some individuals and communities accepted its conservative voice as the best guide in the contemporary

circumstances. MUSA also realised that the best way to extend its influence was via the paper to different segments of the society. This effort was, to a certain degree, successful. Even though many modernists and reformists rejected its ideas, its influence in certain sectors cannot be wished away. The tension between the conservatives and the reformists/modernists in that part of South Africa will continue into the distant future.

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