

Power Protocols: The 'Ulamā's Role in South African Politics

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This presentation appraises the political role of South African religious leaders (or 'ulamā') in their negotiations with the state from the advent of Islam 350 years ago up to the present time. What distinguishes this effort from that of its predecessors is its diachronic approach covering this period in addition to its strong focus on the political landscape of the country.

In the introduction I firstly provide a definition of 'ulamā' and related terms in the South African context before analyzing Michel Foucault's general view of power relations and Max Weber's reflections upon its application to religious authorities.

I then proffer a panoramic view of different Muslim communities in this country and foreground negotiations between religious scholars from these communities and the state on various issues stretching from colonial times through to the post-1994 democratic dispensation.

This fascinating study reveals that the role of the 'ulamā' in political life has ranged between quietism and activism.

However, public portrayal of pacifism on the part of some 'ulamā' has betrayed devious collaboration with the state at crucial times. This feature is particularly evident among those leaders that belong to the middle and affluent sectors of society. Remarkably, we still encounter religious

leaders that vehemently spurn involvement in politics.

On the other hand, activists have constituted the fringe in their ranks.

Up to the end of apartheid, the majority group among the 'ulamā' have either ignored or denounced the role of activists. But in the new political era this majority has skillfully appropriated memories of political stalwarts among them in order to bolster the 'ulamā's image during their negotiations with the democratic state. They have thus reinvented themselves and their political role.

In other words, their political role has been highly variegated for which some observers have accused them of outright hypocrisy.

(a) Designations for some religious functionaries

The word '*ulamā'* (sing. *ālim*) in South African Muslim discourse has some peculiar nuances that need to be explained at the outset. To do this, we first explore its widely accepted religious definition in global Muslim society before contrasting it to its sometimes more restricted usage among South African Muslims.

Cyril Glasse defines this term as follows:

"Those who are recognized as scholars or authorities of the religious sciences, the Imāms of important mosques. Judges, teachers in the religious faculties of universities and, in general, the body of learned persons competent to decide upon religious matters".¹

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(1) Cyril Glasse, *The New Encyclopedia of Islam* (4th edition), New York & Toronto: Rowman & Littlefield Publishers, 2011, p. 540. However, this term does not have a consensual meaning. A quick glance at Abū Ḥāmid Al-Ghazālī's scathing criticism about how its earlier usage to denote a person well-grounded in knowledge about Allah, His Signs and operations in creation has been replaced by its technical description of a religious scholar specialising in religious disputations who remains ignorant about Qur'ānic exegesis, sciences of Prophetic narration and jurisprudence proves my point. In that section he also quotes several scholars to assert that a person's knowledge can only be determined by its practical effect upon him or her (See *Iḥyā' Ulūm Al-Dīn*, vol. 1, Cairo: Ḍā'irah al-Bābī, 1957, pp. 33, 58-82). The compiler of *Mujam al-Maṭnī al-Jāmi'* defines an *ālim* epistemologically as a person endowed with both *ilm* and *ma'rifaḥ*. While the former denotes a knowledge of states, conditions or qualities pertaining to a thing as well as collectively in relation to other things the latter denotes thorough knowled-

While this broad designation applies to South Africa, *ūlamā'* are considered to be those who have graduated from institutions of higher learning either locally or in North Africa, the Middle East and South Asia.² Among scholars of the Indian diaspora, the view still endures that authentic *ūlamā'* are those who have completed the *Ālimiyyah* syllabus that is prescribed at major South Asian seminaries.³

Their primary function is to guide Muslims in all their religious needs. They often, although not always, lead daily prayers (*ṣalāh*) and deliver the Friday sermons (*khutbah*). Many of them are teachers at religious schools (*madrāsah*), conduct marriage ceremonies and supervise the shrouding and burial of the dead.⁴

A term with similar purport is *shaiikh* (pl. *shuyūkh*) which is a title of one who has authority, whether spiritual or political, and in particular of a savant or a learned, or otherwise venerable person.⁵

In South Africa, this title serves two functions: it is used for functionaries who have studied at institutions outside the Indian subcontinent; or it is an epithet for the head of a mystical order.

The equivalent term for graduates of institutions in South Asia and their affiliated establishments locally is *maulānā* which is an honorific title for learned men of religion.⁶ For people belonging to the South Asian diaspora, *shaiikh* is confined to describing a spiritual master which in Arabic can also be designated by *murshid* (spiritual guide).⁷

Finally, *imām* refers to a leader of prayer on the basis of knowledge of the *Qur'ān* and is an honorific title.⁸ The term usually embraces all categories of religious teachers.⁹

In the Cape provinces, where most Muslims with South-East Asian lineage reside, it was used in the nineteenth century to

describe a category of religious functionaries that was central to the production of a creole Islam; which was an admixture of earlier South and South-East Asian culture and practices developed in the Cape. An *imām* exercised his power in public rituals performed in mosques and in his immediate constituency.¹⁰ He was not an alumnus of any seminary prior to 1945 when the theological body called the *Muslim Judicial Council* (hereafter referred to as MJC) came into existence; as Jeppie implies. This body, as the author states, distinguished between formally trained clerics (termed *shuyūkh*) and lesser academically trained providers of religious guidance to the

ge of the thing itself (Refer to *Muḥam al-Ma'ānī al-Jāmi'*, Beirut: Dār Al-Nashr, 11 August 2012. Accessed at http://www.almaany.com/home.php?language=arabic&word=%D9%85%D9%88%D9%84%D9%89&category%5B%5D=%D8%A7%D9%84%D9%83%D9%84&cat_group=1&lang_name=%D8%B9%D8%B1%D8%A8%D9%8A&type_word=0&dspl=0 on 17 July 2014).

I will be transcribing Arabic terms and names according to the Library of Congress style unless they have acquired alternative popular spellings in English writings.

(2) The South Asian institutions may be affiliates of either Indian folk Islam as promoted by the *Manzar-e-Islam* in Bareilly or of Indian puritanical Islam as promoted by the *Darul Uloom* in Deoband. Despite theological differences between them, they both follow the *Hanafi* School of law. The curriculum was originally crafted by the Abbāsīd ruler, Niẓām Al-Mulk Tūsī in 1065 and adapted by Niẓām Al-Dīn Shāhī, a contemporary of Shāh Walī Allāh of Delhi (d. 1762). Its components are: scriptural studies with translation and commentary; Arabic etymology, syntax and literature; Islamic jurisprudence; Greek philosophy and logic; scholasticism; mathematics; Persian language; and handwriting. These contents have been modified to suit the needs of evolving societies over time. (See Abū Zāhid Al-Rāshīdī, *Dīnī Madāris kā Niṣāb-o-Niẓām Naqd-o-Nazar ke Āīne mein*, Gujranwala: Sharīah Academy, 2007, p. 24; and Yunoos Osman, *Life and Works of Allāmah Shāh Kashmīrī*, nmusba.wordpress.com, 2001, p. 18. Accessed at http://researchspace.ukzn.ac.za/xmlui/bitstream/handle/10413/6348/Osman_Yunoos_2001.pdf?sequence=1 on 26 August 2014).

(3) See *Sunni Forum* website at <http://www.sunniforum.com/forum/showthread.php?46833-Definition-of-Alim> (Accessed on 25 July 2014).

(4) J. A. Naudé, "The Ulama in South Africa with particular reference to the Transvaal Ulama", in *Journal for Islamic Studies*, no. 2, 1982, p. 29.

(5) Cyril Glasse, *op. cit.*, p. 487. See also *Muḥam al-Ma'ānī al-Jāmi'*, *op. cit.* It defines a *shaiikh* as a person endowed with prestige in knowledge, virtue or leadership and an erudite individual in the sciences of the exoteric *Sbarīah* and the esoteric *Tarīqah*.

(6) John L. Esposito (editor), *The Oxford Dictionary of Islam*, Oxford: Oxford University Press, 2004, p. 197. In this context, the word means "master". (See Muḥammad bin Muḥammad bin 'Abd Al-Razzāq Al-Ḥusainī Al-Murtadā Al-Zabīdī, *Tāj Al-Arīs min Jawābir Al-Qāmūs*, vol. 1, entry 8656. (Accessed at <http://islamport.com/w/faq/Web/1159/8654.htm> on 25 July 2014). *Maulawī* (pronounced "Maulwi"), usually a general title for religious figures, is also used.

(7) Cyril Glasse, *op. cit.*, p. 488.

(8) *Ibid.*, pp. 241-242.

(9) <http://answering-islam.org/Books/Hughes/a.htm>, p. 14. (Accessed on 25 July 2014).

(10) Shamīl Jeppie, "Leadership and Loyalties: The Imams of Nineteenth Century Colonial Cape Town, South Africa", in *Journal of Religion in Africa*, vol. 26, number 2, May 1996, pp. 139, 157-158.

community (termed *a'immaḥ*, or more popularly, *imāms*).

Despite this difference, both *'ulamā'* and *imams* belong to the category of religious functionaries and are acknowledged to be so by the Muslim community.

Significantly, these hierarchical differences will be shown to have an impact on the kind of power relations that these functionaries have enjoyed with the state. Since power relations are of primary concern for our assessment, we now focus on their importance in social scientific thinking.

(b) Power

Chronologically, it is befitting to review the thoughts of the German sociologist, philosopher and political economist, Max Weber (1864-1920) first.

340 The essence of his writings on religion can be found in its relation to social change or the lack thereof.¹¹

He says that very early during the development of society, families and clans need to have their own gods (via the spirits of their deceased ancestors) as permanent focal points while they cope with the challenges of life. The domestic cult of ancestors runs parallel to a patriarchal structure which promotes authority. In this way, religion becomes important for legitimising authority.¹²

Gradually, priests (or religious leaders) become leaders in religious matters by propagating systematised religious ordinances which is "assisted by a rationalized system of regulated subordination of subjects to their overlords".¹³ Their invincible power is such that they are "able to deflect the blame for failure away from themselves and on to their gods".¹⁴ It becomes pervasive in various sectors of society¹⁵ which enables them to resist internal challenges and external threats.

Coupled with notions of their power are understandings of their authority which Weber describes as:

"the ability to have one's rules and rulings followed, or obeyed, without recourse to coercive power... In the present context, however, authority and power are not always easy to distinguish. Religious authority can assume a number of forms and functions: the ability (chance, power or right) to define correct belief and practice, or orthodoxy and orthopraxy, respectively; to shape and influence the view and conduct of others accordingly; to identify, marginalize, punish or exclude deviance, heresy and apostasy and their agents and advocates. (In Islam – Y D) it further involves the ability ... to compose and define the canon of 'authoritative' texts and the legitimate methods of interpretation ... For Weber, authority is intimately linked to the notion of legitimacy. By the same token, it is tied to the concept of trust. Religious authority can be ascribed to individuals, groups of people, or institutions. While it rests on certain qualities and/or qualifications, inherited or acquired, it is the willingness of others to credit any given person, group or institution with religious authority that ultimately renders it effective. Like any kind of authority, religious authority does not denote a fixed attribute, but is premised on recognition and acquiescence".¹⁶

The challenge posed by theodicy in present times is answered by religious authorities and their followers by resorting to mysticism which "intends a state of possession, not action, and the individual is not a tool, but a vessel of the divine".¹⁷ Such a person attains spiritual enlightenment which strengthens links with divinity but he or she becomes estranged from the hurly-burly of mundane activity. On the other hand, asceti-

(11) Anon., *The Social Teaching of Max Weber*, 2004, p. 2, at http://www.myriobiblos.gr/texts/english/stoligas_weber.pdf (Accessed 31 July 2014).

(12) Max Weber, *Economy and Society*, volumes 1-2, Berkeley: University of California Press, 1978, p. 413.

(13) *Ibid.*, p. 417.

(14) *Ibid.*, p. 427.

(15) *Ibid.*, pp. 229-231.

(16) G. Krämer and S. Schmidtke, "Religious Authority and Religious Authorities in Muslim Societies: A Critical Overview", in *Religious Authorities in Muslim Societies* (edited by Krämer and S. Schmidtke), Leiden: Brill, 2006, pp. 1-2.

(17) H.H. Gerth and C. Wright Mills (editors), *From Max Weber: Essays in Sociology*, New York: Oxford University Press, 1946, p. 325.

cism can be either “the active asceticism that is a God-willed action of the devout who are God’s tools”¹⁸ or a “formal withdrawal from the world”, which Weber labeled “world-rejecting asceticism”.¹⁹

Mystical religion mainly perpetuates the prevailing status quo. Religious movements may evolve around particular exemplary individuals, but these persons either support the system or advocate withdrawal from it. This appears to be the general norm with few exceptions to it.²⁰

In terms of rejecting the world, ascetic religion shares some common traits with mystical religion. Such “other-worldly asceticism” often leads to monasticism that seldom affects the social sphere to any great degree. But it is the “inner-worldly asceticism”, which proposes that salvation is tied to improvements to the social system that can be a catalyst for change.²¹

These categorisations have created great obfuscation for scholars of religion. The distinction between other-worldly asceticism and mysticism remains vague; leading to varying interpretations.²² Relevant to our analysis are the categories of mysticism and inner-worldly asceticism prevalent among the *ulamā*’ (and the general power they wield).

We now present the opinions of Michel Foucault (1920-1984), the French philosopher, psychologist and historian.

The vantage point for observing testimony of power is the relations between the individual and society through its institutions in particular. Institutions exert their power and influence on groups and individuals alike. In exchange, the latter assert their own identity and resistance to the effects of power.²³

“Power relations permeate all structures of society, to which human beings respond as active agents and not simply as objects of

power. It is cardinal a strategy rather than a possession: “Power must be analyzed as something which circulates, or as something which only functions in the form of a chain ... Power is employed and exercised through a netlike organization ... Individuals are the vehicles of power, not its points of application”.²⁴

In Foucault’s thinking, there appears to be a balance between power inhering within institutions themselves as well as the role of humans in accomplishing some objective. With regard to the former category, he declares that modern disciplines, with their capacity to order and control, are disposed to depersonalizing power. But people do exercise power over others; either as actions upon them or as reactions to them. Ultimately, actions can be violent or submissive, warlike or juridical.²⁵ Mark Kelly explains that Foucault’s view of power involves the following features in his *Surveiller et punir: Naissance de la prison*:

“1. The impersonality, or subjectlessness, of power, meaning that it is not guided by the will of individual subjects; 2. The relationality

(18) *Ibid.*, p. 325.

(19) Max Weber, *Economy and Society*, op. cit., p. 542.

(20) *Ibid.*, p. 551.

(21) *Ibid.*, p. 551.

(22) For instance, compare the views of Paul Trafford in “Weber’s Sociology of Religion: Asceticism and Mysticism” at <http://paultrafford.blogspot.com/2008/09/webers-sociology-of-religion-asceticism.html> with those of Paweł Pzaleski in “Ideal Types in Max Weber’s Sociology of Religion” at <http://pzaleski.republika.pl/2010%20ideal%20types%20in%20max%20weber%20socio%20of%20religion.pdf> or those of Christopher Adair-Toteff in his article “Max Weber’s notion of asceticism” in *Journal of Classical Sociology*, vol. 10, May 2010, pp. 109-122 at <http://0-jcs.sagepub.com.oasis.unisa.ac.za/content/10/2/109.full.pdf+html> (All accessed on 1 August 2014). In his close readings of Weber’s works, the latter proposes that the defining characteristic of a mystic is passivity while the trait of an ascetic is activity to realise God’s will on earth. The world rejecting ascetic rejects inclination to irrational asceticism and contemplation and devotes time to his family and vocation (pp. 110-112).

(23) S. Balan, *M. Foucault’s View on Power Relations*, n.d., p. 1, at https://www.google.co.za/search?newwindow=1&site=&source=hp&q=m.+foucault%27s+view+on+power+relations&coq=m+foucalu&gs_l=hp.1.4.0i1314j0i13i30i6.6790.10274.0.21106.9.9.0.0.0.0.712.1299.2-2j6-1.3.0....1c.1.49.hp..6.3.1299.gRDTj1sA6mM (Accessed 31 July 2014).

(24) M. Foucault, *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*, London: Harvester Press, 1980, p. 98.

(25) D. Felluga, “Modules on Foucault: On Power”, in *Introductory Guide to Critical Theory*, 31 January 2011, p. 1, <http://www.cla.purdue.edu/english/theory/newhistoricism/modules/foucault-power.html> (Accessed 30 July 2014).

of power, meaning that power is always a case of power relations between people, as opposed to a quantum possessed by people; 3. The decentredness of power, meaning that it is not concentrated on a single individual or class; 4. The multidirectionality of power, meaning that it does not flow from the more to the less powerful, but rather 'comes from below', even if it is nevertheless 'nonegalitarian'; 5. The strategic nature of power, meaning that it has a dynamic of its own, is intentional".²⁶

But in his *Histoire de la sexualité* he expounds that power is coextensive with resistance,²⁷ it can be productive, and it is ubiquitous; meaning that it can occur in any type of relation between the members of society.²⁸ Power thus produces reality and domains of truth.²⁹

All institutions use discipline of various types to first externally regulate individuals' perception of reality. Two ways in which this enforcement is achieved, that are pertinent to our discussion, are through spatial segregation and through organising graded levels of education for the laity.³⁰ Finally, discipline regulates people's conduct internally to the extent that they become principles of their own subjection.³¹

Bălan explains this condition as follows:

"Thus a new form of power is being born: instead of the power being enforced directly upon the body of the victim by the owner of authority, now the individual himself plays both roles, and the oppressor may well be absent, because the prisoner has internalized so well the imposed behavioural code, that he behaves as if the oppressor were always present".³²

Precisely like all institutions, the state is far from permanent and solid: it is fragile and has great potential for change. Its omnipotent status is illusory.³³

The significance of Foucault's interpretation of power for South African *ulamā'* lies in the manner in which they negotiated their current position (thereby stressing

its relational nature) as well as uses of and responses to their power in political life. The last point emphasises the multidirectionality of power in this context which has opened up terrains of opposition to their domains of truth. This problem will be expanded upon later in our review of the contributions of activist *ulamā'*.

Concurrently, while Foucault regards power to be impersonal and decentred, Weber believes that it is located among religious leaders who have accrued tremendous quantities of it. On this statement I concur with Weber because this is the line of reasoning I intend developing in this article for South African Muslim *ulamā'*. As a group, they have dexterously designed their pathway to accumulating power; even though it is ephemeral: it has not been assigned to them by Divine decree; therefore, it may be contested.

We now focus on the advent of Islam and consolidation of the status of the *ulamā'* in greater detail.

The precise date for the advent of Islam in this country remains enigmatic. According to Moosa, recent studies indicate that its arrival from the north may have occurred as early as the fifteenth or sixteenth century³⁴ by which time Muslim Arab traders had reached Mozambique. For Mumisa, there exists proof that the Xhosas of the Cape in particular had contacts with Arabs long before the arrival of the Malays mentioned in the next few paragraphs.³⁵ Nevertheless, the early

(26) Mark G. E. Kelly, *The Political Philosophy of Michel Foucault*, London: Routledge, 2009, pp. 37-38.

(27) M. Foucault, *Power/Knowledge* (edited by Colin Gordon), Brighton: Harvester, 1980, p. 142.

(28) *Ibid.*, p. 142.

(29) M. Foucault, *Discipline and Punish: The Birth of the Prison*, London: Allen Lane, 1977, p. 194.

(30) *Ibid.*, p. 167.

(31) *Ibid.*, pp. 202-203.

(32) Bălan, "M. Foucault's View on Power Relations". *op. cit.*, p. 5.

(33) M. Foucault, *Power/Knowledge*, *op. cit.*, pp. 107-133.

(34) E. Moosa, "Islam in South Africa". In *Living Faiths in South Africa* (ed. J W De Gruchy and M Prozesky), New York: St. Martin's Press, 1995, 128-154.

(35) M. Mumisa, "Islam and Proselytism in South Africa and Malawi". In *Journal of Muslim Minority Affairs* 22:2, 2002, 279-296. "Malay", despite its inaccuracy in this context, has been used to designate this community for the purpose of convenience as "Cape

contact between Islam and southern African tribes did not make any significant impact on the latter.³⁶

Dangor records that the first Muslim to arrive at the Cape with Jan van Riebeeck in 1652 was Ahmad of Batavia.³⁷ However, the *Wikipedia* credits Shaikh Abd al-Rahim Matebe Shah, who arrived from Sumatra in 1668, for this feat. He was exiled to Cape Town by the Dutch East India Company following his resistance to the Dutch occupation of the East Indies. He used his exile to consolidate the teaching of Islam among slaves in the territory, many of whom came from Muslim backgrounds in Malaysia and Bengal.³⁸

According to Davids, 50% of the slaves were from India, 30% from Africa and Madagascar, 15% from Indonesia and the remainder hailed from countries like present-day Sri Lanka and Japan and regions like Southeast Asia.³⁹ There were also servants, refugees, non-political prisoners, voluntary migrants and political exiles.⁴⁰ To the latter category belonged religious figures mentioned below:

Shaikh Yūsuf (who arrived in 1694 among the first cohesive Muslim community comprising twelve *imāms* in the group), Rajah of Tambora (who arrived in 1697 and recorded the first *Qur'ān* from memory while in prison), Tuan Saīd (who arrived in 1744 and, upon his release, became a policeman and used his status to enter locked and guarded slave quarters for preaching Islam) and Imām 'Abd Allāh ibn Qāḍī 'Abd Al-Salām (who arrived in 1780 and was known as Tuan Guru).

He could be regarded as the second spiritual father of Islam at the Cape after Shaikh Yūsuf. After his release, one of his first tasks was establishing a religious community. For that aim, he petitioned for the first mosque site during those days when Islam was still subjugated by the Dutch authorities;⁴¹ upon failure, he led public congrega-

tional prayers in defiance of the law. Such a structure was meant to serve a dual function of acting as a place of worship and a spiritual retreat while it also provided space for social and political mobilisation. In 1793, he established the first Muslim school at Dorp Street in Bo-Kaap which became the first mosque (*Masjid al-Awwal*) to be used for congregational prayers at the beginning of the nineteenth century.⁴² The land had previously belonged to a freed woman slave, Saartjie van de Kaap.⁴³

A noteworthy point at this juncture is the difference between the treatment meted out to Shaikh Yūsuf and Tuan Guru: the former, as a political prisoner with royal links, was given certain privileges that most other inmates were denied. He was incarcerated in Faure, a locality outside Cape Town. Some unconfirmed reports state that he could have clandestinely provided religious instruction to the slaves in Cape Town in defiance of his restrictions. Tuan Guru, however, did not have such ties to merit special treatment; consequently, he was imprisoned at Robben Island for thirteen years.

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Muslim" also becomes problematic when referring to members of this community who have settled beyond that province. For a fuller account of the dispute regarding its usage, refer to G. Vahed and S. Jeppie. "Multiple communities: Muslims in post-apartheid South Africa", In *State of the Nation: 2004-2005*, 2005, pp. 254-255 at www.hsrepress.ac.za (Accessed on 16 June 2007).

(36) M. Haron. *Islamic Culture among the Nguni (Xhosa & Zulu) People*. www.uga.edu/islam/islam_nguni.html (Accessed on 16 June 2007).

(37) S.E. Dangor. *Shaykh Yusuf of Makasar*. Durban: Iqra Publishers, 1994, p. 3.

(38) *Wikipedia*. *Islam in South Africa*. en.wikipedia.org/wiki/Islam_in_South_Africa, pp. 1-2. (Accessed on 16 June 2007).

(39) A. Davids. *The Mosques of the Bo-Kaap*. Cape Town: The South African Institute for Arabic and Islamic Research, 1980, p. 32.

(40) E. C. Mandivenga. "The Cape Muslims and the Indian Muslims of South Africa: A Comparative Analysis", In *Journal of Muslim Minority Affairs* vol. 20, no. 2, 2000, p. 347.

(41) While this remained the normative legal position, there is information to suggest that Islam was not banned outright. Authorities turned a blind eye to people belonging to faiths other than Dutch Reformed Christianity and who worshipped privately. It has been well documented that slaves met at the homes of freed persons to pray without state surveillance. Shaikh Yūsuf's farm was well-known for this purpose. See Shouket Allie, "A Legal and Historical Excursus of Muslim Personal Law in the Cape" in *Muslim Family Law in Sub-Saharan Africa* (ed. by E. Moosa, S. Jeppie and Richard Roberts), Amsterdam: Amsterdam University Press, 2010, pp. 65-66.

(42) *Ibid.*, 38-43.

(43) Z. Cajee. "Islamic History and Civilisation in South Africa: The Impact of Colonialism, Apartheid & Democracy (1652-2004)", p. 10, at www.awqafsa.org.za (Accessed on 16 June 2007); Moosa. "Islam in South Africa", *op. cit.*, pp. 130-134.

Moosa comments that Tuan Guru's strategies for dealing with officialdom varied, depending on the context and the colonial power with whom he dealt. Against his Dutch captors, his opposition was unwavering. With the British, he appeared more pragmatic by counselling obedience for which he prophesied deliverance.⁴⁴

Islam was a popular religion among the slaves: its tradition of teaching enabled literate slaves to gain better positions in their masters' households. At the same time, it taught its followers to treat their slaves respectfully.⁴⁵ Yet this banned religion had to be preached secretly and practiced privately⁴⁶ until 1804, when religious freedom was proclaimed.⁴⁷

But another problem lurked large: the heavy setback suffered by the Dutch in the East Indies in about 1700 seriously undermined effective contact between the local Malays and their counterparts in the larger Indonesian Archipelago, causing the gradual disappearance of teachers of Islamic traditions from their midst. The situation assumed critical proportions by 1850 when the tide began turning. Having lost intellectual and religious contact with the East Indies, new generations of Muslims formed contacts with the heartland of Islam, namely Makkah. This move was enhanced by the opening of the Suez Canal. By the 1870s community members studied Arabic and Islamic Studies there and returned to the Cape, invigorated.⁴⁸

For details about the role of religious leaders in general during that period, illuminating work has been done by Shamil Jeppie to which I pay attention now.

They led strenuous lives during which they catered for the day-to-day needs of their localities and displayed full empathy for the normal hopes and fears of their followers. Eventually this situation paved the way for them to gain power in society.⁴⁹

Curiously, the *imāms* of nineteenth century Cape Town did not establish any formal *ūlamā'* bodies; yet they were founders of mosques and religious schools for Muslim children and acted as the undisputed spokesmen for the faithful. Many of them were of slave origin and a few in turn became slave owners themselves. They were largely south and south-east Asian in origin, and there is little evidence of any indigenous Khoisan among them. None of them possessed advanced Islamic learning from the great centres of Islamic education such as those in Makkah, Madinah, Cairo or Tunis, for example. "Instead, rudimentary Islamic theology and jurisprudence were locally learned and transferred inter-generationally, and shared casually among Imams"⁵⁰. This feature would separate them from the formally trained *ūlamā'* (or *shuyūkh*) of the MJC by the middle of the twentieth century.

He adds: "They were part of a 'respectable class' of Muslims - independent, very often propertied and self-improving and on the whole accommodating to local imperial state power".⁵¹

Turning to their political role, he maintains:

*"They were in a complex relationship with the colonial state throughout the century after Britain reoccupied the Cape in 1806. The Imams had a firm, but transparently ironic, confidence in the British as worldly protector of the community of believers. Yet they expressed innumerable, seemingly minor, gestures of dissent and assertions of independence against the state".*⁵²

We now cast our spotlight on another group of Muslims who arrived in South Afri-

(44) *Ibid.*, p. 134.

(45) Wikipedia. *Islam in South Africa*, *op. cit.*, p. 10.

(46) Y. Da Costa and A. Davids. *Pages from Cape Muslim History*. Pietermaritzburg: Shuter & Shooter, 1994, pp. 20-21.

(47) A. Davids, *The Mosques of the Bo-Kaap*, *op. cit.*, p. 35.

(48) Mandivenga. "The Cape Muslims and the Indian Muslims of South Africa", *op. cit.*, pp. 347-348.

(49) Jeppie, *op. cit.*, p. 139.

(50) *Ibid.*, p. 141.

(51) *Ibid.*, p. 157.

(52) *Ibid.*, p. 141.

ca during the nineteenth century; namely the Indians.

They landed on the east coast of Natal from South India in 1860 as indentured labourers to work on the sugar plantations. Among this group was probably the legendary Badsha Peer from Madras who taught the essentials of Islam to the labourers.⁵³ The Indians, most of whom were Hindus, were imported since they provided the cheapest and most reliable labour at a time when the provincial economy relied heavily on the sugar industry with its intensive use of human labour. Efforts to compel local Africans to satisfy this need failed because of the poor working conditions and low wages offered by the White farmers. The latter, assisted by the government, imported Indian labourers to solve the problem.⁵⁴ When the contracts of these indentured labourers expired after three to four years, they became free residents of the territory.

Beginning in 1869, a second wave of Indians entered South Africa as passenger migrants who were either merchants or their employees. They mainly came from Gujarat, Maharashtra or Uttar Pradesh and settled in different parts of Natal, Transvaal and the Cape. Islam flourished among this group most; thus they formed the core of the nascent Muslim community.⁵⁵

One of the conditions upon which these traders arrived in Port Natal was that there would be no state interference in their religion. This explains the swift growth of mosques and religious schools (called *madrasas*) wherever they settled.⁵⁶ Special mention has to be made of Goolam Mohammad Soofie, commonly known as Soofie Saheb, who arrived from Ratnagiri in 1895. According to oral tradition, he established the shrine of Badsha Peer in central Durban as well as a mosque, orphanage and spiritual retreat (*khanqah*) at Riverside. Over the next fifteen years he replicated such structures elsewhe-

re in Natal, Cape Town and Lesotho. These formed the core venues for establishing a distinct, popular Islamic identity within the disparate working-class Muslim population which promoted practices like visitation of saints' tombs and faith in their intercessory roles, and celebration of the birthdays of the Prophet and other saints.⁵⁷

The discovery of gold in large deposits on the Witwatersrand (in the old Transvaal province, presently named Gauteng) in 1886 was a turning point in South African history. Far more than the discovery of diamonds in the Northern Cape seventeen years earlier,⁵⁸ this changed South Africa from an agricultural society to become the largest gold-producer in the world.

Gold changed the face of that entire province. It became the richest gold mining area in the world. As news of the gold find spread throughout South Africa and the rest of the world, people made their way to the Transvaal.⁵⁹

These discoveries incentivised some Indian Muslim traders to seek prosperity in the country's hinterland. After settling there, they organised themselves into mosque committees, and built mosques and scho-

(53) Z. Cajee, "Islamic History and Civilisation in South Africa", *op. cit.*, p. 8.

(54) N. Bhebe, "The British, Boers & Africans in South Africa, 1850-1880", In *Africa in the nineteenth century until the 1880s* (ed. J. F. Ade Ajayi), UNESCO: University of California Press & Heinemann, 1989, pp. 154-155. See also P. Harries, "Plantations, Passes and Proletarians: Labour & the Colonial State in Nineteenth Century Natal". In *Journal of Southern African Studies*, vol. 13, no. 3, 1987, pp. 372-399.

(55) *Ibid.*, 349.

(56) Z. Cajee, "Islamic History and Civilisation in South Africa", *op. cit.*, p. 7. A *madrasah* (or religious school) in the South African Muslim context refers to a school imparting elementary teaching of subjects like Qur'anic recitation and teachings, Islamic law, and Prophetic guidance. Rituals like ablution before prayer (*wudu'*), daily prayers, bathing (*ghusl*), fasting and guidelines for family and social life are also covered.

(57) G. Vahed, "Contesting 'Orthodoxy': The Tablighi-Sunni Conflict among South African Muslims in the 1970s and 1980s". In *Journal of Muslim Minority Affairs*, vol. 23, no. 2, 2003, p. 314.

(58) Anon., n.d. "First recorded discovery of diamonds in the colonial period of South Africa", In *South African History Online*, at <http://www.sahistory.org.za/dated-event/first-recorded-discovery-diamonds-colonial-period-south-africa> (Accessed 4 August 2014).

(59) Anon., n.d. "The glitter of gold", In *South African History Online*, *Ibid.*, at <http://www.sahistory.org.za/archive/glitter-gold> (Accessed 4 August 2014).

ols that provided basic Islamic education.⁶⁰ Whenever they confronted legal and political obstacles⁶¹ those traders “relied on their intimate knowledge of the law,⁶² on government officials, and sometimes on sheer dissimulation to establish and build mosques. The political conditions of British colonialism and then apartheid demanded the greatest attention and determined the nature and power of mosque officials”⁶³

On the other hand, the task of leading prayers and imparting rudimentary knowledge about the Islamic faith and its practices was mostly entrusted to religious functionaries who were especially brought from India. Such individuals were heavily dependent on their immediate religious communities, which were mostly led by influential traders, for their livelihood. In all regions where Muslims of Indian origin resided, religious leaders only accepted their subservient status when it concerned relations with the state. But inside the mosques, they staked their claims to power and authority on the basis of their superior knowledge of Islam.⁶⁴

Where affluent merchants doubled as religious leaders a new terrain opened up: the narrative surrounding the establishment of the *Waterval Islamic Institute* is a case in point. Situated at Halfway House between Johannesburg and Pretoria, this establishment was opened in July 1940 by Haji Moosa Ismail Mia and Maulānā Mohamed Mia as a religious trust (*waqf*) for the purpose of imparting knowledge, as well as printing and distributing Islamic literature worldwide. It also provided free boarding and lodging to students and staff.⁶⁵

It is built on part of a 3000-hectare farm which was bought in 1934 by Moosa Ismail Mia after employing the legal subterfuge of establishing a company in India since the country's laws prevented him from owning property in his personal capacity.⁶⁶

During that year, Maulānā Ebrahim Sanjalvi revived the *Jamiatul Ulama Trans-*

(60) Examples of such mosques were: (a) *Juma Masjid*, Kerk Street, Johannesburg, which was a simple marquee in 1870. It was bricked in 1888; (b) Aboobakr Amod (Jhavery) purchased land for the *Juma Masjid* in Grey Street, Durban, in 1881 while the *West Street Masjid* was built in 1920 (See, *South African History Online*, *Ibid.*, <http://www.sahistory.org.za/archive/1804-1899> (Accessed on 31 May 2014).

(61) There was an array of legislation prohibiting Indians from acquiring land in different provinces (also called colonies then) as well as in South Africa as a whole after its union was declared in 1910. For this purpose, the Transvaal enacted Law 3 of 1885, Act 25 of 1891, the Transvaal Corporations Ordinance No. 58, and The Vrededorp Stands Ordinance Act 27 of 1907. The Statute Law of the province of the Orange Free State of 1891 prohibited Indians, Arabs, Malays and Muslim subjects of the Turkish Empire from business or farming. Discriminatory legislation against this group in Natal was reflected in the Durban Land Alienation Ordinance no. 14 of 1922, the Durban Land Alienation ordinance of 1924 and The Asiatic in the Northern Districts Act of 1927, The Asiatic Trading and Occupation of Land Act (which became known as the Pegging Act) applied to both Transvaal and Natal from May 1943. Finally, the Group Areas Act (No. 41 of 1950) and its numerous amendments divided the South African population into racial groups for the purpose of segregating them into distinct residential areas. See *South African History Online*, *Ibid.*, www.sahistory.org.za/politics-and-society/anti-indian-legislation-1800s-1959 (Accessed 31 May 2014).

(62) A definitive case is known as “Dadoo vs. Krugersdorp Municipal Council” (in 1920) whose details are as follows: According to Law 3 of 1885 quoted above Indians were barred from owning property; so Mahomed Dadoo registered a company called Dadoo Ltd to circumvent this problem. He, together with another Indian, held all its shares and conducted business on a property whose transfer the said company had taken. The Krugersdorp Municipal Council applied to the Transvaal Provincial Division for an order nullifying the transfer as being in contravention of the aforementioned law. On appeal the court held:

“... A registered company is a legal persona distinct from the members who compose it ... This conception of the existence of a company as a separate entity distinct from its shareholders is ... a matter of substance; property vested in the company is not, and cannot be, regarded as vested in all or any of its members” (*Dadoo vs Krugersdorp Municipal Council* at 550-1, as quoted by G. Visser (General Editor), et. al. *Gibson: South African Mercantile and Company Law*, 8th edition, 2005, pp. 260-261).

This landmark ruling was to have a profound influence on the acquisition of property for the *Waterval Islamic Institute* by the affluent Mia family about fourteen years later.

(63) A. Tayob, *Islam in South Africa, Mosques: Imams and Sermons*, Florida: University Press, 1999, pp. 74-75.

(64) *Ibid.*, pp. 75-76. The situation of religious leaders in Transvaal to which Tayob avers – which has presently been carved up into Gauteng, Mpumalanga, Northwest and Limpopo provinces – was replicated in Natal (presently called KwaZulu-Natal).

(65) Anon., “Waterval Islamic Institute”, *Muslim Directory*, n.d., at http://www.muslim.co.za/education/colleges_universities/waterval_islamic_institute (Accessed on 5 August 2014).

(66) Anon., *Atterbury/Waterfall*, n.d., at http://www.atterbury.co.za/Cms_Data/Contents/AtterburyDB/Folders/news-items/--contents/XX727Z482EVLPAUL/WaterfallCityPressRelease-Sept2008.pdf (Accessed on 5 August 2014). Information about establishing this company in India upon the advice of Mahomed Dadoo was given by an attorney, Essop Wadee, during a lecture on Dr Yusuf Dadoo, the political activist, in Johannesburg at the *Rashid Nosarka Forum* on 14 April 2014.

“Family feud about R15bn development” Anna Cox explains that in order to bypass the Group Areas Act restricting ownership of land by Indians, Moosa Ismail Mia and his four sons issued 50,000 bearer shares which could be owned by a member of any race. In reaction, the government appointed what was known as the Indian Penetration Commission, whose brief I will outline shortly, which found that it could not be conclusively said that it was Indian-owned land. It was therefore not expropriated. See Anna Cox, “Family feud about R15bn development”, *IOL News*, 4 July 2006, at www.iol.co.za/news/south-africa/family-feud-about-r15bn-development-1.284135 (Accessed on

vaal (JUT) with the support of the Mia family, pledging to give religious guidance to the Muslims.⁶⁷ In this way, in Krämer and Schmidtke's terms, religious professionals or semi-professionals⁶⁸ (defined as *'ulamā'*) began exerting their authority to interpret foundational texts on the basis of their knowledge alongside reproducing authoritative texts for broad distribution. For achieving these objectives, invoking traditional authorities for their *Weltanschauung* and *Lebensführung* was extremely important to them.

The *'ulamā'* of Natal established the *Jamiatul Ulama Natal* (JUN) in 1955 for the same purpose.⁶⁹

Finally, the umbrella body called *United Ulama Council of South Africa* (UUCSA) was established in 1994 to unify, coordinate and represent the Muslims of South Africa on a national and international level, especially in matters concerning dealings with the South African government. It claims to represent the major clerical bodies of South Africa. Its founder members were the *Muslim Judicial Council* (MJC, established in 1945), *Jamiatul Ulama South Africa* (JUSA, formerly *Transvaal*, established in 1923), *Jamiatul Ulama KZN* (JUKZN, formerly *Natal*, established in 1955), *Sunni Ulama Council* (SUC, established in 1992), and *Sunni Jamiatul Ulama*⁷⁰ (SJU, established in 1978). These were later joined by the *Eastern Cape Islamic Congress* (ECIC, established in 1996) and the *Council of Ulama Eastern Cape* (CUEC, established in 1999).

However, this coordinating body excludes the following *'ulamā'* groups: *Jamiatul Ulama Gauteng* (JUG, established in 2006), *Majlisush Shura Al-Islami* (MSI, established in 1968) and *Majlisul Ulama of South Africa* (MUSA, established in the mid-seventies).⁷¹ The latter body is important for our political review that will be offered shortly.

A cursory survey of influential *'ulamā'* over the last fifty years suggests that they hail

from middle and higher economic strata of society. The question is: What has lured them to this field? Two reasons that I have encountered are the eminent social status of *'ulamā'* and their reported mediatory capacities on the Day of Judgement.⁷² In this way, their prestige in both the current world and the netherworld is attested.

As a group, their power has manifestly increased over the Muslim community at large. This is well-defined at three levels; na-

1 January 2015). The Indian Penetration Commission was established in 1940 to investigate and report on the extent of Indian residential and trading penetration of predominantly White areas in the Transvaal and Natal. See www.sahistory.org.za/topic/indian-south-africans-timeline-1940-1949 (Accessed on 1 January 2015).

(67) Tayob, *Islam in South Africa*, *op. cit.*, p. 70. This body was first established in 1923 and has changed its name to "Jamiatul Ulama South Africa" after the new political dispensation took effect in 1994. See <http://www.jmtsa.co.za/about-us/history/> (Accessed 5 August 2014). Its first president was Maulānā Mohamed Mia with Ebrahim Sanjalvi as its main expounder of Islamic law (or *mufti*). Membership of the body is open to all Muslims who can render useful services to its committees and projects but its executive comprises *'ulamā'* only. See J. A. Naudé, "The Ulama in South Africa with particular reference to the Transvaal Ulama", in *Journal for Islamic Studies*, no. 2, 1982, pp. 27, 30.

(68) Krämer and Schmidtke, "Religious Authority and Religious Authorities in Muslim Societies", *op. cit.*, p. 5.

(69) See *Jamiatul Ulama KwaZulu-Natal* at <http://jamiat.org.za/> (Accessed 5 August 2014). Its original name was "Jamiatul Ulama Natal" which changed in line with the new political order.

(70) *Sunni* in this context is to be understood as a follower of popular religion as outlined by the Bareilly seminary in India. It is not a marker of distinction with a *Shi'ah*.

(71) Anon., "Muslim Organisations in South Africa – Theological Boards", in *Muslim Directory*, at www.muslim.co.za/organisation/theological (Accessed on 9 August 2014). This body, centred in Port Elizabeth, is constituted for alumni of the religious seminary in Jalalabad, northern India; irrespective of their place of domicile. Its main activity under the leadership of Maulānā Ahmad Sadiq Desai is the publication of their newspaper, *The Majlis* (Naudé, *op. cit.*, p. 25). Recently they have established a seminary in De Deur, outside Vereeniging, in the Gauteng province. They are regarded as ultra-conservative by many Muslims.

(72) They cite several *Qur'ānic* verses and *Hadīth* reports in support of their claims. Among the former is the verse: "Only the *'ulamā'* among Allah's servants (truly) fear Him" (35:28). See also 3:18, 13:19, 16:43, 39:9 and 58:11). They quote *Hadīth* reports such as: "To the person that He wishes to endow with good Allah grants an understanding of religion" (Al-Bukhārī, *Al-Jāmi' Al-Sahīh*, Book of Knowledge, Section 13, in Ṣāliḥ Āl Al-Shaikh, *Mausūat Al-Ḥadīth Al-Sharīf*, Riyadh: Dār Al-Salām, 2000, p. 8) and "Any person who treads a path in pursuit of knowledge, Allah travels with that person along one of the paths of paradise. The angels spread their wings signifying approval for the knowledge seeker. All creatures in the heavens and the earth seek forgiveness for an *'ālim*; including the fishes in the belly of the oceans. The superiority of the *'ālim* over the ordinary worshipper is akin to the superiority of the full moon over the stars. The *'ulamā'* are the heirs of prophets. And prophets do not bequeath wealth. So anyone that has grasped that legacy has indeed grasped a lot. For anyone who treads the path of knowledge Allah facilitates a path to paradise" (Abū Dāwūd, *Sunan*, Book of Knowledge, Section One on the virtue of seeking knowledge, in *Ibid.*, p. 1493); "On the Day of Judgement three categories of people will intercede for others: prophets, then *'ulamā'*, and then martyrs" (Al-Suyūṭī, *Al-Jāmi' Al-Sahīh*, Beirut: Dār Al-Fikr, vol. 1, p. 435; and Al-Muttaqī Al-Ḥindī, *Kanz Al-Ummāl*, Beirut: Mu'assasat Al-Risālah, vol. 10, p. 151).

mely, their increasing involvement in multi-media platforms; their pronounced influence on Islamic education through implementation of their syllabi at *madrasas* under their supervision in addition to their management roles at Muslim private schools; and their establishment of bodies to regulate the consumption of permissible (*halāl*) foodstuffs and to structure Islamic finance.⁷³

They have further consolidated their position with their constituencies and the state on issues relating to the recognition of Muslim Personal Law.

We are now able to assess their political contributions more solidly.

Up to 1982, we have it on record that JUT officially adopted a low political profile. In discussions with J. A. Naudé, a leading cleric and principal of the Waterval Islamic Institute, Maulānā Ibrahim Mīa, declared that they represented the Muslims in all spheres, which included negotiations with government but without undue publicity.⁷⁴

This must not insinuate that all *ulamā'* rebuffed politics up to that stage. I will present an account in rough chronological sequence of the involvement of some religious figures to validate my line of reasoning.

Maulānā Ismail Saloojee (1907-1983) studied Islamic theology in India.⁷⁵ He drew inspiration from Pakistani socialist poets Faiz Ahmad Faiz and Shadaar Jafri. Soon after his return from India he became a dominant figure in the Transvaal Indian Congress (TIC) which, together with its provincial counterpart, the Natal Indian Congress (NIC) became closely aligned to the African National Congress (ANC) spearheaded by Nelson Mandela. He actively involved himself in the 1946 Passive Resistance Campaign against the discriminatory Asiatic Land Tenure Act and the Indian Representation Bill, commonly known as the Ghetto Act and organised the first batch of resisters in Transvaal. He later

participated in the Defiance Campaign of 1952 alongside Nelson Mandela and Walter Sisulu. He was a delegate to the landmark Congress of the People held in 1955 that was convened to adopt the ANC's Freedom Charter. In 1961 he was imprisoned under the harsh security laws of this country. In 1964, the TIC suffered severe repression and he was banned from political activity for ten years. Before his death, he waged boycott campaigns against the state sponsored South African Indian Congress (SAIC) and agents of apartheid.⁷⁶

The efforts of Maulānā Ismail Cachalia (1908-2003) could be principally regarded as a contextualisation of Qur'anic political maxims for seeking liberation for disenfranchised South Africans; regardless of race, gender or religious affiliation. He pursued theological studies at the seminary of Deo-

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(73) G. Vahed and S. Jeppie, "Multiple Communities: Muslims in Post-Apartheid South Africa", in *State of the Nation: 2004-2005*, pp. 258, 261, at www.hspress.ac.za (Accessed on 9 August 2014). The details these authors provide are slightly outdated. Recently, the decision of some clerics from JUSA to keenly appear on television has been met with severe reprimand from their counterparts in the MUSA. Their use of social media networks has also intensified.

(74) Naudé, "The Ulama", *op. cit.*, p. 38. An example of quiet negotiations by JUT with the state related to the need for the latter to acknowledge the sanctity of mosque properties during representations to the Group Areas Development Board in 1959 (See E. Mahida, *History of Muslims in South Africa: A Chronology*, Durban: Arabic Study Circle, 1993, p. 58). Yet another related to the recognition of Muslim Personal Law (MPL) during the apartheid era when the South African Law Commission (SALC) circulated a questionnaire to several Muslim organizations and individuals, inviting comment on certain matters affecting this topic at the end of 1987. A political trigger for MPL then was the advent of the internationally discredited tricameral parliament in 1984, which gave parliamentary representation to coloureds and Indians, with several Muslim participants. Politicians at the time hoped to gain credibility with the Muslim community by highlighting MPL as an electoral issue (See E. Moosa, "Muslim Family Law in South Africa: Paradoxes and Ironies", in *Muslim Family Law in Sub-Saharan Africa* (edited by Shamil Jeppie, et. al.), Amsterdam: Amsterdam University Press, 2010, p. 332.

Regarding sanctity of mosque properties, religious leaders cum political activists like Haron (whose contributions will be delineated later) publicly advocated opposition to the apartheid government's Group Areas policy. Turning to MPL, which is currently termed the Muslim Marriages Bill (MMB), it has been a carrot that has been dangled before the Muslim public by both the apartheid and democratic governments to secure electoral votes: the former government did so subtly while the present government does so unequivocally. This problem has not been resolved up to now after we have experienced twenty years of democratic rule.

(75) Unfortunately, I have been unable to procure details of his studies or his alma mater.

(76) See "Tireless Fighter for Peace, Freedom and Democracy" at www.historicalpapers.wits.ac.za/inventories/inv_pdf/AK2117/AK2117-J2-22-W61-003-jpeg.pdf (Accessed on 25 August 2014).

band from 1925 to 1931 and earned the title of Maulānā.⁷⁷

His primary contribution to the freedom struggle lay in his bid to unite all the country's oppressed people. This either assumed the form of legal work to expose the absurdity of some of South Africa's laws (like the Group Areas Act) or field work among both Africans and people of Indian descent to enlighten them about their common goals. He realised the problem racially discriminatory legislation posed for the unity of the Muslim *ummah* when he calculated that it would hinder tangible interconnectedness among them.

Together with a few others, Cachalia established the Nationalist Group of the Transvaal Indian Congress. In 1946, when General Smuts rebuffed the South African Indian delegation, a passive resistance campaign was launched and he was elected a member of the newly established Passive Resistance Council. In the nationwide Defiance Campaign of 1952, called in protest against South Africa's discriminatory laws, he was a senior advisor to Nelson Mandela. He was arrested and sentenced to 18 months imprisonment under the Suppression of Communism Act and thereafter banned from holding official positions and participating in the Transvaal Indian Congress.

Cachalia represented the ANC and the South African Indian Congress at the first conference of twenty-seven free non-aligned Afro-Asian countries in 1955 at Bandung, Indonesia. En route, he, together with Moses Kotane of the ANC, met President Gamal Abdul Nasser in Cairo who was very sympathetic and encouraging. They also met freedom fighters from Tunisia, Algeria and Morocco in that conference; notably Amir Abdul Karim of West Morocco. This was the first opportunity for a South African Muslim to have his voice heard on a forum for world political leaders. The leaders of India,

Egypt and Indonesia (*viz.* Nehru, Nasser and Sukarno respectively), appeared keenly interested in resolving the plight of subjugated South Africans.

After the Sharpeville Massacre in 1960, a State of Emergency was declared and Cachalia was arrested. By that time he supported the replacement of passive resistance based on the Gandhian notion of *satyagraha* by military confrontation; believing that they were different forms of *jibād*. He left South Africa for Botswana in 1964, where he was given political asylum. He left his host country for India in 1967, where he served as Deputy Representative of the Asian Mission of the ANC in New Delhi up to 1972. He then retired to his ancestral village in India and returned to South Africa prior to the democratic elections in 1994.

Curiously, both these religious figures from middleclass families belonged to the JUT even though the rank and file of that body comprised apolitical individuals. Saloojee inspired activism among a number of his family members and close friends; culminating in their commitment to the ideals of the Call of Islam which was formed in 1984. As a highly circumspect person, Cachalia refused to consummately criticise his religious colleagues for their apathy. Instead, in his interview with me, he mentioned the names of Maulānās Ismail Italwi, Ismail Kachwi, Abdul Salam Lachpori, Mukhtar Ahmad Meruti and Muhammad Bismillah among activists during the early phase of his life. The

(77) His concern for social justice was inspired by his parents' experiences as well as those of some Deobandi icons like Qasim Nanotwi and Mahmudul Hasan who even co-operated with non-Muslims to achieve this objective. Another primary source of inspiration for him was the thoughts of Shāh Wali Allah of Delhi (1703-1762) and their contextualisation by the Indian religious divine of the twentieth century, Ubaid Allah Sindhī (1872-1944). Refer to my article on him entitled "Maulvi Cachalia: The Contributions of a Thinker-Activist to the Political Liberation of South Africa" in *Journal of Muslim Minority Affairs*, vol. 16, no. 1, 1996, pp. 129-131 as well as my interviews with him recorded as "Interviews with Maulvi Cachalia", housed as item ACC 358 of the Documentation Centre for African Studies at the Unisa library in Pretoria.

I have knowingly devoted a little more space to his inputs because a number of experiences are common to him and other stalwarts who succeeded him like Imāms Haron and Hassan Solomon, and Farid Esack.

last-mentioned person returned to India and finally became the Grand Mufti of Gujarat. I have not found any further details about these people's political profiles.

Probably, the most noted Muslim religious leader cum political activist is Imam Abdullah Haron (1924-1969) who was incarcerated and killed by the security police. He lost his mother when he was still an infant. He was brought up by his aunt who showed great keenness for his Islamic education which he acquired at the hands of *imāms* and *shaiḳhs*; locally as well as in Makkah and Cairo. Among them was Shaikh Ismail Ganief of Cape Town (d. 1958) and Shaikh 'Abd Al-Raḥmān al-'Alawī al-Mālikī of Makkah (d. 1986). He memorised the entire *Qur'ān* by the age of fourteen.

Two of the foremost events that politicised him were the police killing of Black anti-pass protestors on 21 March 1960⁷⁸ and the Group Areas Act which affected him personally, together with his mosque where he served as *imam*, and his congregation. He explained to the MJC that the precincts of mosques were inviolable and their buildings were perpetually sacred. After persistent pleas, the state acceded to his stance.

Imam Haron initiated adult male and female classes, allowed women to participate on the mosque's executive, and taught Arabic so that the congregation could comprehend the *Qur'ān*. He organised fetes and picnics to raise funds for the poor. Together with some friends, he established a monthly newspaper, *Muslim News*, in 1960 to conscientise the community politically. He maintained close contact with political activists, some of whom he invited to address his congregation, as well as with the poor migrant workers in impoverished suburbs. During the 1960 State of Emergency he sent food into the townships and was co-opted to a body that raised funds for the defence of political detainees

because many of his close associates were imprisoned.

In December 1968, Imam Haron visited Makkah, Cairo, the Netherlands, and London for the last time. He was arrested on 28 May 1969 under the Terrorism Act and held incommunicado for 123 days. The police tortured and then murdered him on 27 September 1969.⁷⁹ We could say that Haron paid the ultimate price for regarding Islam as a total way of life that went beyond the performance of a few rituals.

The response of the *ūlamā'* to prevailing conditions is a good barometer of their involvement in politics at that time.

What underscored their attitude in the late 1950s and 1960s was the understanding that those who were unhappy with the status quo could migrate to more promising territories. This remained their stance to police tyranny against peaceful anti-pass protestors at Sharpeville in 1960, the banning of the liberation movements (the ANC and PAC) in 1962 or the rigorous implementation of the Group Areas Act in that decade.

Quoting three thinkers, Gunther accuses the *ūlamā'* of the MJC of being very conservative, complacent, silent and even apolitical. Part of the reason for that, according to Achmat Davids, was that Muslims in the Western Cape were mostly called Malays. Although they were classified coloureds under the racial laws prevailing then, they were made to believe that they constituted the elite among this category. This sense of false superiority made it difficult for them to merge with the other sections of oppressed people and develop a common strategy against the racist government. On the other hand,

(78) Blacks were mandated to carry a document on them at all times to prove to police that they were bona fide residents of certain areas and that they had not strayed into what the state regarded as prohibited territory.

(79) Goolam Vahed, "Imam Abdullah Haron", in *Muslim Portraits: The Anti-Apartheid Struggle*, Durban: Madiba Publishers, 2012, pp. 143-144; and Jill E. Kelly, "It is because of our Islam that we are there: The Call of Islam in the United Democratic Front Era", in *African Historical Review*, vol. 41, no. 1, 2009, p. 125.

Rashid Omar contends that this false superiority engendered parochialism and servitude to white dominance. The tyrannical government had also struck deep fear among the populace. In that climate, the *ūlamā'* deemed it convenient to adopt a minimalist stance towards opposing the state; meaning thereby that so long as religious matters (according to their perceptions) were not endangered by the government they had no justification for resisting political authority. Even the abhorrent Group Areas Act had no impact on their attitude.⁸⁰

The *ūlamā'* bodies in the remainder of South Africa replicated the MJC's conduct. Moreover, they mirrored the deep racial, doctrinal, linguistic and ethnic divisions found within the Indian Muslim community.⁸¹

However, the unfolding struggle from the side of the masses and increasing state repression from the mid-1970s to the late 1980s undermined the *ūlamā's* appraisal of political involvement in a way that "their monopoly of interpretation and definition of religious matters was questioned".⁸² How this happened will be clarified now.

In contrast to the theological route, some Muslims had by then already adopted a humanistic approach that supported an Islam which was both grounded in its intellectual tradition and was also enconced to the demands of modernity and change. The writings of Islamists like Quṭb and Maududi, which stress the importance of human agency, were very popular among them. In the early sixties, the Cape Muslim Youth Movement (CMYM) and the Cape Muslim Youth Association (CMYA) highlighted these tendencies. Imām Haron, who was actually a founder member of the latter body, addressed its members on burning social issues. The CMYA distributed a pamphlet labelled *Call of Islam* which subverted the traditional view about freedom of worship by proclaiming that racial segregation undermined

self-respect and transgressed common law rights. This was a refinement of Cachalia's insight given earlier.

In 1970, Durban played host to the establishment of the Muslim Youth Movement (MYM) whose affluent class founder members were concerned with providing the Muslim youth with an alternative worldview. It used its publication, *Al-Qalam*, to reach mainly middle-class members of society throughout the country.

They, like Cape Town's CMYA, sought inspiration in the writings of Quṭb and Maududi. The youth who joined this movement were particularly inspired by the overthrow of the Shah of Iran in 1979 that provided impetus to their pan-Islamic vision while the writings of Black Consciousness Movement leaders like Steve Biko captivated them after the Soweto Riots of 1976. In 1984, Maulānā Ebrahim Moosa, a graduate from the Nadwatul Ulama in Lucknow, assumed the cudgels of the MYM and convincingly articulated their discourses on social justice. According to M. Haron, "(I)n this way, MYM members weaved their thoughts about Islam along with the Black Consciousness Movement into an interesting mosaic of ideas".⁸³ Briefly, their

(80) Ursula Günther, *The Memory of Imam Haron in Consolidating Muslim Resistance in the Apartheid Struggle*, at <http://ursulaguenther.files.wordpress.com/2010/05/the-memory-of-imam-haron.pdf>, pp. 121-123 (Accessed 2 September 2014).

(81) For more details, refer to Goolam Vahed, *Muslims in Post-Apartheid South Africa*, 2006, p. 4, at www.onislam.net/english/politics/africa/431271-muslims-in-post-apartheid-south-africa.html (Accessed 3 September 2014) as well as his article entitled "Islam in the Public Sphere in Post-Apartheid South Africa: Prospects and Challenges", in *Journal for Islamic Studies*, 2007, vol. 27, p. 119. Very recently, the *ūlamā'* of south Asian descent particularly have been scathingly attacked for promoting theological "silicosis" (in the form of sectarianism), corporatisation through trademarking the ḥalāl logo and control of resources by the editor of a team of writers that are at variance with the Islamic ethos. Read further comments of Ismail Omar in *Islam: Oligarchies and Unmatis*, Durban: Impress, 2014.

For more background relating to racial and class stratifications in Indian society (that have spilled over in the diaspora), see M. A. Falahi, "Caste and Social Hierarchy among Indian Muslims", in *Indian Dalit's Voice*, 10 August 2008, at <http://dalitmuslims.wordpress.com/2008/08/10/caste-and-social-hierarchy-among-indian-muslims-m-a-falahi-interview> (Accessed 3 September 2014) and Yoginder Sikand, March 2004, "Islam and Caste Inequality among Indian Muslims", in *Qalandar*.

(82) Günther, *The Memory of Imam Haron*, *op. cit.*, p. 137.

(83) Muhammed Haron, "Islam, Intellectuals and the South African Question", in *Intellectual Traditions in South Africa*, (edited by Peter Vale, et. al.), Pietermaritzburg: UKZN Press, pp. 313-328.

objective was to establish an Islamic system in South Africa but they hesitated to view the resistance model of the Iranian Revolution as a model for South Africa.⁸⁴

In 1982 Farid Esack returned from his studies at the Jāmi'ah 'Arabiyah Islāmīyah in Karachi and criticised the MYM's stance as being too elitist since it interacted with Islamic movements abroad while ignoring inter-faith cooperation at home. For him, this was an instance of positive neutrality, meaning that while it condemned apartheid vehemently, it was neutral with respect to competing liberation movements. Of paramount importance to him was the contextualisation of the political struggle in South Africa. He penned his ideas in a few publications like *Musa went to Firaun* and *The Struggle: A Manual for Islamicists in the midst of the South African Crucible* and, finally, his nuanced hermeneutical interpretation of the Qur'ān in *Qur'ān, Liberation and Pluralism*.

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He formed the organisation called Call of Islam in 1984 and became its primary ideologue in response to emergence of the broad-based umbrella body called the United Democratic Front (UDF) which aimed to accommodate all grassroots movements in the quest for a non-racial, non-sexist and democratic South Africa. Of immediate concern to the UDF was opposition to the government's ploy of creating some semblance of democracy by giving people of Indian origin and Coloured people representation in a Tricameral Parliament that excluded the majority indigenous people from the legislature. The Call of Islam comprised members belonging to the lower-middle and working classes of the Cape Flats together with the middle class of Transvaal. It espoused the eradication of depraved social conditions among all South Africans; regardless of ethnicity, language and religion. All members of society had to unite to confront apartheid in different guises.⁸⁵

Meanwhile, Cape Town had another impressive religious figure in Imām Hassan Solomon⁸⁶ who belonged to the MYM and was also an executive member of the MJC. He used his sermons at the Claremont Road Mosque to attract the youth to his mosque and actively called on other mosques to serve as arenas for the struggle of justice. With the launching of the UDF in the Western Cape his ideas spread from the pulpit to mass rallies, protest marches and mass funerals. He addressed people alongside leaders of other faiths which resulted in a low turnout at those Tricameral elections among the Indians and Coloureds.

Notably, both Esack and Solomon were members of the MJC which compelled that religious body to adopt a more liberal line compared to other clerical groupings. It declared, willy-nilly, that participation in those elections was juridically prohibited.⁸⁷

The discourses of almost all other *ūlamā'* groups reflected conservatism to varying degrees. During the Tricameral elections that were aimed at perpetuating white minority rule JUT and JUN were reluctant to criticise the apartheid state. The JUN and MUSA regurgitated the facile arguments presented by their counterparts at the MJC in the 1960s about religious freedom in this country and migrating to better countries in cases of disenchantment with prevailing conditions. Eventually, the JUN backtracked after fielding pressure by radical groups and a wide range of organisations. But JUT remained constantly silent.

(84) Jill E. Kelly. "It is because of our Islam that we are there": The Call of Islam in the United Democratic Front Era". In *African Historical Review*, vol. 41, no. 1, p. 126.

(85) *Ibid.*, pp. 118-119, 128, 130-131 and Haron, "Intellectual Traditions", *op. cit.*, p. 328.

(86) He was taught locally by some religious personalities of Cape Town. He furthered his studies in Saudi Arabia in 1985. Like Imām Haron and Farid Esack, his advanced theological studies remained incomplete. (For more details in this connection about Solomon, see Kassiem Adams, "Hassan Solomon", in *South African Muslims*, vol. 2, n.d., p. 10. Details about Esack are found at "Farid Esack: Muslim and Democrat", in *Religion and Culture*, 18 February 2013 at http://reconciliationbarometer.org/wp-content/uploads/2013/02/18_Muslim_and_Democrat.pdf (Accessed 26 May 2014).

(87) Kelly, "The Call of Islam", *op. cit.*, p. 130.

Their discourse was totally exclusivist; that is, only confined to Muslim interests rather than the legitimate interests of the larger population. It was characterised by an intransigence that exposed their middle-class merchant status which, in turn, has a huge influence in their propensity towards right wing ideologies.

The tabloid called *The Majlis*, which enjoys readership among Muslims in the eastern provinces of South Africa, capably articulated this obscurantism. It invoked a mixture of various ideas to show that political cooperation with non-Muslims is un-Islamic. Ultimately, non-Muslims are misguided.⁸⁸

In the process, it stressed the deterioration of religious authority and power that could render their office redundant. Moosa's ground-breaking finding states: "In a bid to rationalise their political views, conservatives impute certain negative theological and moral values to terms like 'leftists', 'atheists' and 'bible-wielding priests' as shorthand for heresy and deviance. This new theological grammar is the modern-day equivalent of the medieval demonology of Islam".⁸⁹

When we weigh up the invective against the left and its Muslim allies we find the discourse to be less opprobrious towards the "right wing" than the "left wing". The rationalisation for that is that the right wing's evil affects solely the participants themselves. But the evil that the left poses is more substantive because it can ultimately bring about the demise of Islam. From the point of view of interpretive theory there is a distinct privilege for the right wing in the discourse of the *Majlis*.⁹⁰

The author concludes his critique with some awe-inspiring observations:

"It is deceptive to believe that conservatism does not have a political posture. Beneath the veneer of civic apathy is a benign and paradoxical political posture. The prevailing opinion that it is narrow, sectarian and exclusivist does not mean it

cannot rejuvenate itself to become a force to be reckoned with. In fact, it does from time to time make a forceful public appearance if the issue(s) justify such presence.

While war is waged with the prevailing political culture of the left and its Muslim allies, the conservatives themselves can hardly be described as alienated from modernity. Conservatives enter universities and flourish in the top professions of medicine, law and business. In other words their resistance to change is selective. Perhaps the most significant observation is the upward shift in the socio-economic status of conservatives. Capitalism and free enterprise are freely embraced, which is a reflection of their class positions. The central thrust of their opposition is socialism, communism, atheism and the morality of modernity".⁹¹

Conservative clerics often verbally berated activists among them and alleged that they were insufficiently qualified to act as spokespersons for Islam; in other words, they were not qualified *ūlamā'*.

Only the SJU opposed those elections for tactical rather than principled reasons. They were new role-players on this territory and needed to also symbolically show their difference from the more legalistic outlook of their counterparts.

Since the state's unbanning of the ANC in 1990, there slowly began a volte-face in the relations between the future democratically elected government and the *ūlamā'* at large. When addressing predominantly Muslim voters, the ANC seized upon every opportunity to remind them that during their overtures to the *ūlamā'*, the latter were most impressed with the high percentage of Muslim names on the organisation's national list of candidates for the forthcoming 1994 general elections.

(88) Ebrahim Moosa, "Muslim Conservatism in South Africa", in *Journal for Theology in Southern Africa*, vol. 69, Dec. 1989, pp. 73-78.

(89) *Ibid.*, p. 80.

(90) *Ibid.*, p. 80.

(91) *Ibid.*, pp. 80-81. See also, Maurice Ostroff, "Muslim Influence on South African Politics", in *South African Jewish Report*, 16 April 2014.

Discussions relating to the religious freedom did not centre on the extent to which religion could be excluded from the public domain but rather the extent to which it could be accommodated. It was not surprising that South Africa had chosen to respond to the issue of religious freedom in a more tolerant manner given its discriminatory-laden history under colonialism and apartheid. While race-based discrimination was the most obvious, religion was a further invidious form of discrimination.⁹²

With pretentiousness, the secular ANC began portraying itself as a broad church that welcomes everyone since it is guided by the people.⁹³ Some political commentators interpret this idiom as a paradox whose contradictions lead to inaction.⁹⁴ Several political commentators and activists have complained that the ruling party has gradually succumbed to global capital.⁹⁵ Consequently, the ANC has become hugely accommodating to alternative social, economic and political insights; so long as it retains sufficient latitude to rule the country.

In this new dispensation, we also need to examine state-religion relations that could shed light on the enigma. An intensely forceful synopsis of the Nigerian situation in the post-colonial era was made by Oluwale Jacob Odeyemi when he remarked that priests continued to emphasise self-reformation among the masses; thereby deflecting faults away from governmental misrule and corruption. In return, successive governments have eagerly supported religious conventions aimed at redeeming attendees of their sins and lack of faith, in which priests instil a strong sense of obedience among such devotees. Eventually, this docility gets projected on to the political plane.⁹⁶

It is easy to discern the parallels with the South African situation when we take cognizance of the *ulamā's* stress on personal piety throughout the period under review.

Goolam Vahed remarks that in recent times, endeavours at self-reformation through the assistance of religious leaders and spiritual guides have increased exponentially; as is evident in greater veiling trends among Muslim women, the entrenchment of *halāl* food certifying bodies, de-Westernized dressing and the interest in Islamic finance. At the same time, a greater number of *ulamā'*, with the exception of the *Majlisul Ulama of South Africa*, have supported the ANC's electoral campaigns in order to secure rights for Muslims. This gesture reiterates their narcissism since it excludes other members of the citizenry. Admittedly, the JUSA probably has greater political nous and is aware of the limits of making excessive demands.⁹⁷

In this changed environment, most of the *ulamā'* bodies have snatched every opportunity to cooperate with the state in the moral regeneration initiative launched by the state. They also serve on the National Religious Forum that promotes dialogue between government and religious authorities. They have embarked on joint initiatives aimed at alleviating or eradicating social ills like po-

(92) Waheeda Amien, "Politics of Religious Freedom in South Africa", 27 April 2012, at <http://blogs.ssrc.org/tif/2012/07/24/politics-of-religious-freedom-in-south-africa/?disp=print> (Accessed on 6 September 2014).

(93) This was the description made by President Zuma during the centenary celebrations of the ANC. See https://www.google.co.za/search?newwindow=1&site=&source=hp&q=anc+broad+church&coq=anc+broad+church&gs_l=hp.3..0i22i30.7594.13326.0.14590.16.12.0.4.4.1.878.2430.3-3j0j1j1.5.0....0...1c.1.53.hp..8.8.1878.X0iEprgugjI (Accessed 5 September 2014).

(94) Osiame Molefe, "The broad church means the ANC is too big not to fail", in *Daily Maverick*, 22 June 2012, at <http://www.daily-maverick.co.za/opinionista/2012-06-22-the-broad-church-means-the-anc-is-too-big-not-to-fail> (Accessed on 5 September 2014).

(95) Irvin Jim, "ANC in lucrative alliance with international capital" in *International Journal of Socialist Renewal*, 11 February 2014, at <http://links.org.au/node/3707> (Accessed on 5 September 2014); John Pilger, "Apartheid did not die in South Africa. It inspired a world upheld by force and illusion", September 2012, at <http://www.newstatesman.com/world-affairs/world-affairs/2012/09/apartheid-didn%E2%80%99t-die-south-africa> (Accessed on 5 September 2014); Andile Mngxotema, "Madiba's legacy led to flase love", in *Mail & Guardian*, 19 December 2013; and Chris Roper, "The lies Nelson Mandela taught us", in *Mail & Guardian*, 13 December 2013.

(96) Oluwale Jacob Odeyemi, "Elite-Priesthood Connivance in Nigeria", in *Jorind*, vol. 11, no. 2, December 2013, pp. 255-268.

(97) Goolam Vahed, "Islam in the Public Sphere", *op. cit.*, pp. 123-126, 143, 148. The *ulamā's* role in securing the rights of the minority Muslim population has also been averred by M. Haron (See his "South[em] Africa's *Dar ul Ullums*: Institutions of Social Change for the Common Good", in *Studies in Philosophy & Education* (chief editor Gert Biesta), vol. 33, no. 3, 2013, p. 255.

verty, crime, HIV/AIDS, unemployment, and child and women abuse. To this effect, Maulānā Ebrahim Bham of the JUSA highlighted “the importance of public service in an era when community isolationism cannot deliver desired outcomes”⁹⁸

*But Muhammed Fabrie Hassan remains unimpressed by these manoeuvres and accuses “local religious leadership’s response to political power, particularly in recent years, (as being –YD) one that can best be described as expedient political accommodations – trying to get as comfortable as possible with those in power. The present accommodationism is consistent with our history for a community intent on finding a position that best served its own narrow material interests.”*⁹⁹

While this may indeed be the case, the state has realized the tremendous role religion can play in sustainable development. Religion can promote human good in order to provide basic human needs and guarantee the protection of human rights.¹⁰⁰ Furthermore, it tacitly appreciates the greater influence that religion can exercise in impoverished communities.

In the post-apartheid era, we find clerical bodies divided into two in terms of developing relations with the state; the vast majority of them under the umbrella body termed UUCSA, have positioned themselves impressively in negotiations with the state; sometimes after blatantly misappropriating the legacies of stalwarts from their ranks like Cachalia, Haron and Solomon. On the other hand, MUSA have continued to castigate their counterparts for submitting to, what they consider to be, deviations from the Islamic norm.

In different ways, both trends have further enhanced their positions among their constituents; many affluent and professional people have been amazed at the suaveness with which *ulamā’* belonging to the first trend have entered this phase of our country’s history. But a vocal minority among them continue lamenting the loss of morality among

the negotiating *ulamā’* as the country slides inexorably towards its destruction. They betray selective morality as Ebrahim Moosa has eloquently mentioned in his earlier critique. Meanwhile, the committed and politically active Muslims feel disgruntled by the sheer opportunism on the part of *ulamā’* subscribing to the majority trend described above. And, finally, the poor and indigent members of this faith community have far more basic existential issues to contend with to be embroiled in this debate.

Before concluding this article, it will be expedient to briefly survey the role of South African *ulamā’* in contrast to their counterparts elsewhere.

Zaman remarks that the *ulamā’* generally “have ... been successful in enhancing their influence in a number of contemporary Muslim societies, in broadening their audiences, in making significant contributions to public discourses, and even in setting the terms for such discourses. In many cases, they have also come to play significant religiopolitical activist roles in contemporary Islam”.¹⁰¹ Our analysis has confirmed these observations completely.

He adds that their ambivalence towards the state has, ironically, served them well. It has allowed them to pursue several options simultaneously and with great flexibility: they can extract fulfillment of state promises, but at the same time expand the scope

(98) Dietrich Reetz, “The Tablighī Madrassas in Lenasia and Azadville: Local Players in the Global ‘Islamic Field’”, in *Muslim Schools and Education in Europe and South Africa* (ed. A Tayob, et al.), Münster: Waxmann, 2011, p. 98.
 (99) Mohammed Fabrie Hassan, “The Ulama and Elites – Accommodation & Betrayal”, in *After the Honeymoon* (eds. Aslam Fataar & Farid Esack), Cape Town: Centre for the Study of Progressive Islam, 2009, p. 27.
 (100) Joseph Ogbonnaya, “Religion and Sustainable Development in Africa: The Case of Nigeria”, at http://www.saintleo.edu/media/411881/religion_and_sustainable_development_in_africa_final.pdf (Accessed 10 September 2014). While, the author focuses on Nigeria, the argument is equally valid for South Africa. John S. Mbiti has observed that Africans are very religious. See his *African Religions and Philosophy*, London: Heinemann, 1969.
 (101) Muhammad Qasim Zaman, *The Ulama in Contemporary Islam: Custodians of Change*, Princeton: Princeton University Press, 2002, p. 2.

of their own activities at grassroots level by, for example, providing social services, basic education that the state is incapable of doing apart from creating new and radicalized sectarian identities. This article has illustrated copious examples of this slickness where the clerisy has shown great keenness to partner with government to alleviate social problems. Contrary to Zaman's claim, the South African *ūlamā'* have managed to de-radicalize their adherents with their immense popularity among their followers together with their servility to the state.

Apropos their political activism, Zaman comments: "There no doubt are politically quiescent *ūlama* just as there are more radically inclined ones; ... The activities and attitudes of the contemporary *ūlama* are more accurately ranged along a broad spectrum of options and possibilities,..."¹⁰² He concludes that the bases and expressions of their position in the public sphere are complex, multi-faceted, and often contradictory.¹⁰³ For South African *ūlamā'*, these observations are spot on when we consider the virtually total U-turn in the political role of many of them from apathy to collaboration.

Conclusion

We may now evaluate the role of *ūlamā'* in South African Muslim society against some criteria presented by Weber and Foucault in particular.

Since the advent of Muslims in this country, successive political authorities implicitly acknowledged the strategic role eminent *ūlamā'* were capable of playing between the state and the Muslim public. This is evident in their special treatment of Shaikh Yūsuf in the seventeenth century, the Mias of JUT in the early twentieth century and the UUCSA from the last decade of that century up to now.

The *ūlamā'*'s attitude to political authorities has fluctuated. During the seventeenth and eighteenth centuries it ranged between unwavering opposition to and pragmatic compromises with them. Throughout the Cape during the nineteenth century, there was ambivalence to authority characterized by large amounts of confidence in political authorities as protectors together with minor gestures of dissent. In the eastern provinces, however, they were powerless vis-à-vis the state because traders negotiated with the state via control of power arenas in the guise of mosques and elementary religious schools. Religious leaders only exercised authority within the confines of mosques and religious schools.

The twentieth century ushered in a new phase in the authority of *ūlamā'* when some affluent members joined their ranks; leading to the formation of theological-cum-judicial bodies that first negotiated covertly with the state. I have cited examples of this activity with reference to the MJC and JUT.

In addition, they formalized religious education syllabi, reproduced authoritative religious texts, established regulatory bodies dealing with several problem areas and equated orthodoxy to compliance with the status quo. For instance, they derided Imām Haron's political role and even advised disenchanted people to migrate. Their political apathy was also evident during the State of Emergency of the 1980s.

From Weber's perspective, we could say that their power was evident in their ability to portray an authentic – or orthodox – understanding of the Muslim role in politics. In this way, the religion that most of them depicted became important for legitimizing authority; both the authority of the *ūlamā'* and the authority of state functionaries.

(102) *Ibid.*, p. 134.

(103) *Ibid.*, p. 179.

This licence to define orthodoxy, as defined by Weber, is not an innocuous activity for Talal Asad for whom the term is “not a mere body of opinion but a distinctive relationship – a relationship of power”.¹⁰⁴

They began playing their political hand more openly after the post-apartheid era. By now, they could be defined as active ascetics according to Weber’s outline.

Nevertheless, there always remained a minority in the midst of the clergy who contextualized religious maxims for seeking liberation for underprivileged South Africans through avenues like doing legal and/or community work to reveal the monstrosity of discriminatory legislation, participating in peaceful resistance and/or military campaigns, promoting interfaith solidarity for broadening the base against the repressive government, and undertaking social work among all oppressed people regardless of their faiths.

The mainstream *‘ulamā’* have exerted their power primarily through their institutions and much less through any individuals among them. For this reason, I disagree with Foucault regarding the decentred nature of power.

At the same time, this power has been multidirectional; which corroborates Foucault’s exemplification of this topic. On the one hand, the power vested in them by the laity, as per Weber’s argument, has authorized them to play various roles during their dealings with the state over the past century. On the other hand, it has enabled them to influence Muslim perceptions about suitable strategies when dealing with the state.

This multi-focused nature of power has had implications for another two tendencies among the *‘ulama’*. Firstly, those with a social conscience have taken unkindly to such strategies; regarding them as pragmatic at best and hypocritical at worst. Consequently, they have responded by unceasingly demonstrating the moral high ground. Secondly, the minority represented by the MUSA who advocate aloofness from politics may be defined as selective mystical practitioners, based on Weber’s classification. I categorize them thus for their selective renunciation of mundane life that conceals their capitalistic inclinations in the corporate world. Power has been very productive for both these groups when we assess how they have seized opportunities to expand their fellowship networks.

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(104) Talal Asad, *The Idea of an Anthropology of Islam*, Washington, D.C.: Center for Contemporary Arabic Studies, 1986, p. 15.