FATWAS[1] , DURING MAPPILA OUTBREAKS

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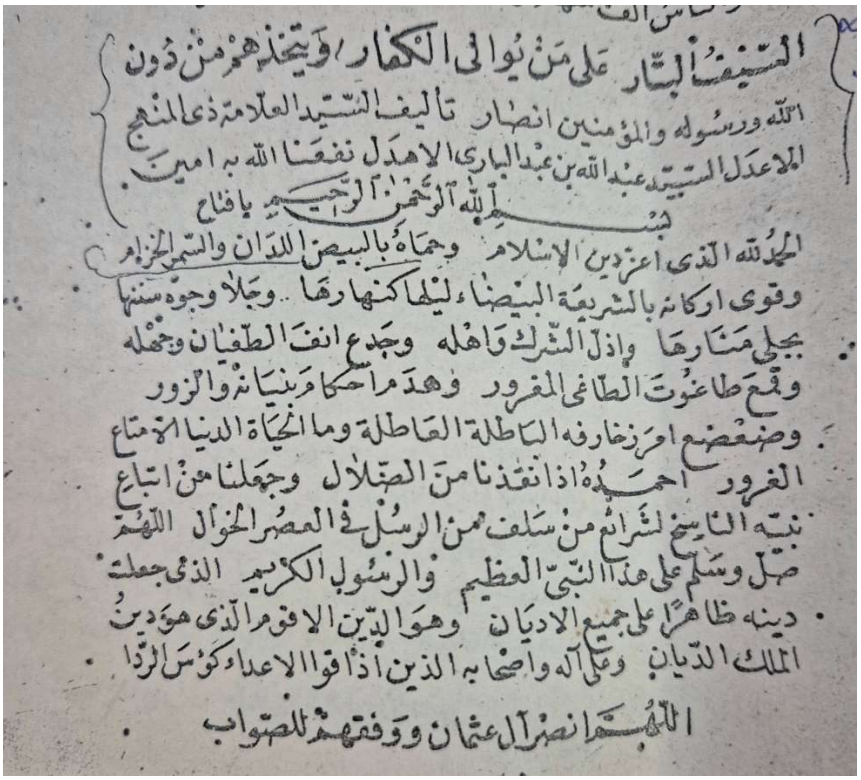
السيف البتار على من يوالي الكفار ويتخذهم من دون
الله ورسوله والمؤمنين انصار تاليف السيد العلامة ذي المنهج
الاعدل السيد عبد الله بن عبد الباري الاهدل نفعنا الله به امين
بسم الله الرحمن الرحيم بافتاح
الحمد لله الذي اعز دين الاسلام وحماه بالبيض الدان والسمر الخزام
وقوى اركانه بالشريعة البيضاء ليلها كنهارها وجلا وجوه سننها
بجلي منارها واذل الشرك واهله وجدع انف الطغيان وجهله
وقمع طاغوت الطاغي المغرور وهدم احكام بنيانه والزور
وضعضع امر زخارفه الباطلة العاطلة وما الحياة الدنيا الا متاع
الغرور احمده اذ انقذنا من الضلال وجعلنا من اتباع
نبيه الناسخ لشرائع من سلف من الرسل في العصر الخوال اللهم
صل وسلم على هذا النبي العظيم والرسول الكريم الذي جعلت
دينه ظاهرا على جميع الاديان وهو الدين الاقوم الذي هو دين
الملك الديان وعلى آله واصحابه الذين اذاقوا الاعداء كؤس الردا
اللهم انصر آل عثمان ووفقهم للصواب

European colonialism in India sparked numerous resistance movements, among which the Mappila Muslim community's struggles in Malabar hold significant importance. The onset of colonialism in India can be traced to the arrival of Portuguese traveler Vasco da Gama, who landed with his companions on the shores of Calicut on 17 May 1498. This event marked a pivotal turning point in the history of India and the Mappila community. As R.E. Miller observes:

[1] *Fatwa is* a verdict or a decision on a point of law by the learned doctors of Islam. The *fatwa* document is a conventional form and varied little over the centuries. It is headed by a pious invocation in Arabic often written in a very involved and stylized manner and varying from period to period. *Encyclopaedia of Islam,* ed. Brill, Leiden, 1983, Vol. IV, p.86

> Blessed by ignorance and without knowledge of the language, the Portuuese were neither inclined nor equipped to respect the customs and sentiments of the society they encountered. Arrogant and cruel, they were epitomized by their first representative, da Gama, who in many respects was a "nobler savage" than many who followed his historic path.[1]

Although the Mappilas frequently participated in armed struggles alongside the Zamorin, the local raja, against his enemies, their popular militancy became pronounced only with the arrival of the Portuguese. While economic grievances are often cited as a key factor behind this militancy, the primary and most influential cause was religious persecution by the Portuguese. The active leadership of the *ulama* and religious divines, combined with the participants' zeal for martyrdom, underscores that the ideological impetus for the militancy was rooted in Islam. The Portuguese viewed their Indian expedition as an extension of the crusades against Islam in the Middle East. Religious edicts, known as *fatwas*, provided legal and religious sanction for the Mappila community to wage a crusade against the "infidel" Portuguese. However, Mappila jurists did not declare Malabar as *dar al-harb* (house of war), as the conditions for such a declaration were not fully met, and the Portuguese had not yet established full authority over Malabar.[2] Nevertheless, Mappila leaders called upon the community to resist and expel the Portuguese invaders.

Shaikh Zainuddin the Senior (d. 928 /1521), the religious head of the Mappila community during his time, was the first Muslim scholar in India to declare war against European colonialists. His treatise, *Tahriz Ahl al-Iman 'ala Jihad 'Abdat al-Sulban al-Marghabat fi al-Jinan al-Munqidat min al-Niran* (Incitement of Believers to Fight Against the Worshippers of the Cross: Attraction to Paradise and Rescue from Hell), focuses exclusively on the Portuguese atrocities against the Mappilas and the necessity of waging a holy war against them. By articulating the theory of *jihad* and vividly depicting the persecution of Muslims, Zainuddin declared holy war obligatory for all Mappilas.

Zainuddin describes the Portuguese atrocities as follows:

> They arrest people without reason; rob them; burn holy books and mosques; dishonor scholars; set fire to wealth; loot travelers; destroy livelihoods; enslave believers; molest women; impose restrictions on the people; arrogantly build churches; harass those undertaking *hajj*; disrupt the *hajj* ceremony itself; whip Muslims and pilgrims; destroy the grandeur of villages and cities; sell people into slavery; confine them in dark rooms like cattle; impose laborious tasks; and compel them to worship the Cross. The tongue recoils from describing their atrocities.[3]

He urged the Mappilas to fight against the enemies of Prophet Muhammad to save both their religion and the world, stating: "It is compulsory upon every Muslim to wage war against the Portuguese with their body, wealth, and weapons. Everyone can join the war front—slaves without their master's consent, daughters without their fathers' permission, and wives or husbands without

spousal consent. Rush to war even in the midst of prayer. Do not hold back, even if there are no means to support your family's livelihood."[4]

Zainuddin further implored: "Oh, Muslim community! Oh, community of Prophet Muhammad! Rush to the war willingly. God and His creation—humans, jinn, animals, birds, and all creatures—will rejoice in your efforts. Never entrust leadership to the Portuguese. Fight fiercely against the enemies of the religion and Prophet Muhammad. Save the religion and the country, and through this, secure blessings for the hereafter. Gain paradise. Expect death at any moment and do not fear. God will aid you and will surely break the Cross of the Portuguese."[5]

After Seventy years Shaikh Zainuddin, the junior(d.1583) came with another treatise namely, *Tuhfat-al Mujahidin fi-B'ath Ahwal-al Burtuqaliyyin (*The Gift to the Holy Warriors in Respect of some Deeds of the Portuguese) which is also intended to incite the Muslims to the war against the Portuguese.[6] The book explains "the havoc which the Portuguese had wreaked up on the Islamic society of Kerala."[7] The first chapter of the book exclusively dealwith the virtues of jihad with help of excerpts from the Qur-an and traditions of Prophet Muhammad. He also gives a description of the aarival of Islam in Malabar and the customs and the traditions of the society of the region. The second part of the book deals with the encounter of Malabar people with the Portuguese.

Like his predecessor, Shaikh Zainuddin the Senior, Shaikh Zainuddin the Junior highlights the atrocities committed by the Portuguese and the disgrace they brought upon Islam. He asserts that Malabar, as a Muslim territory, imposes an obligatory duty of *jihad* on every capable Muslim when attacked by unbelievers, regardless of their status—be they slave, woman, or dependent—without requiring permission from a chief, husband, or creditor.[8]

The Mappilas, previously known for their commercial activities, transformed into both agriculturalists and warriors following the large-scale conversion of peasants to Islam. These converts became fighters in the cause of God while also tilling the soil. Driven from coastal areas, they moved inland in search of agricultural opportunities and sustenance. Accompanying them were scholars and Sufis who engaged in widespread proselytization of low-caste Hindus. These converts later became a significant source of strength in the Mappila outbreaks against colonial oppression.

In 1570s Qazi Muhammad, the author of the famous poem *Muhyaddin Mala* came with a *fatwa*, *Khutbat al Jihadiyya* stirring the Muslims to fight against the Portuguese. Basically it is an Arabic speech by the Qazi, compiled taking verses from the *Qur-an* and Prophetic traditions. The fatwa repeats the atrocities of the Portuguese and says that the Portuguese had established a Christian rule in Malabar: "Oh, the slaves of God! Are you sleeping or awaken? Or, do you undermine my words? Do you see our age is coming down every day. Only few days left between the life and death. If this is the condition of man, those who sacrificed their life for the holy war are really blessed."[9]

Qazi also compiled a poem in the name *Qasidat al Jihadiyya.* It was written to applaud the Muslim and Nair warriors of Chaliyam war of 1571.[10] The war song Fath al-Mubin (Manifest Victory), also authored by Qadi Muhammad, is a significant literary work that illustrates the deep-seated animosity between the Portuguese and the people of Malabar. It highlights the pivotal role of the ulama in mobilizing the Mappila community for a holy war against the Portuguese. The text also underscores the remarkable unity between Nairs and Muslims during this period, as they jointly resisted Portuguese colonial aggression under the leadership of the Zamorin.[11]

When the British established their authority over India with a clear aim and policy, the question of declaring war against them sparked significant controversy among Muslim scholars, particularly regarding whether British India constituted dar al-Islam (House of Islam) or dar al-harb (House of War). The British adopted a mild yet strategic policy toward Muslims, complicating this debate. Most ulama emphasized the necessity of jihad, arguing that British authority posed a threat to the Muslim community. However, a minority of ulama supported the British, leveraging their influence to maintain community loyalty to the colonial government.[12]

In North India, the controversy gained momentum with a fatwa issued by Shah Abdul Aziz (1746–1823), the son and successor of Shah Waliyullah of Delhi. Although the fatwa did not explicitly declare India as dar al-harb or mandate jihad as obligatory, its implications were sufficient to inspire Shah Abdul Aziz's disciples to initiate an anti-British movement.[13] Despite the religious freedom granted under British rule, which technically disqualified India as dar al-harb, many Muslims feared that a powerful non-Muslim (kafir) government could undermine Muslim interests at any moment, as evidenced by the treatment of Muslim tenants in Bengal and Malabar.

The Mappilas, unlike the north Indian Muslims who were Hanafites, belonged to the Shafi school of law and sought religious guidance from the scholars of Shafi school. The Mappila religious leadership being mostly immigrants from Hadramaut and Southern Arabia, got in touch with the Yamenite jurists whose verdicts were sought for religious guidance. It was with the Khilafat and Non-Co-operation Movements the Mappila struggles became a part of National Movement and the Mappila leaders got in touch with the north Indian leadership.

Saif- al Bathar, the *fatwa* said to be issued by Sayyid Alawi Tangal(1166/1753-1260/1844)of Mamburam, *and Uddat al Umara*[14] the book written by his son Sayyid Fazl 1240/1824-1318/1901) are important sourses to study the attitude of the Mappila religious leadership towards the British rule. Quoting *Tuhfa* of Ibn Hajar, Sayyid Alawi insists that, if an Islamic country is attacked by infidels, it is incumbent up on all Muslims to resist the enemy with all his efforts to save the country.[14] The author refers the Europeans (*Afranj*) as the worst disbelievers[15] and prevents the Muslims, in appointing the Christians as domestic servants (*ahilla*) because they will not seek good in their master.[16] The Muslims who remain as subjects under the Christian rule and satisfy with it, are sinners and are liable to exemplary punishment, eventhough they seek the welfare of Muslims

through Christian rule. To praise the Christian rulers and to pray for their welfare is a sin which needed repentance and if a Muslim praise the Christian religion over his own, he is a *kāfir,* that a Muslim cannot praise a debauchee.[17]

Sayyid Fazal compiled the book in Arabic, *Uddat al Umara Wal Huukkam*, urging the Muslims to a holy war against the British. The book contains nine chapters, all deals with the life of Muslims and necessity of holy war against infidels. A treatise of Fazal, *Thanbeehul Ghafileen* (Advice to those who are unmindful) deals with the treacheries of the British and how they snatch power from the hands of Muslims and how they deceive them. He says: " Struggle is a treasure from God. He gives it to those who like it. It highlights the superiority of Islam. So come forth for the holy war and seek the treasure of God."[18] In another treatise called *Al Durr al Manzoom Ladhul Aqli wal fuhum* (Necklace made for those who are intelligent and learned) he invites the soldiers and rulers for fighting with the British.[19]

During the rebellion of 1921, the participation of *'ulama* became more evident and there was a growing political co-operation between the *ulama* and the national leaders. The *ulama* became actively involved in the Khilafat- Non- Co-operation movements and this helped, to a great extent, in forging the alliance between Hindus and Muslims. As observed by Conrad Wood, "the significance of the role played by the Moplah *ulama* in the rebellion consisted partly in the way in which the wider contacts of this particular section of the Ernad population. The Moplah musliyars were each usually attached to one or more of the mosques scattered across the face of the 'fanatic zone' and most had been trained at the same religious establishment in Ponnani."[20] So it was easy for them to disseminate the call to rebellion.

Ali Musliyar, the chief of the 'Khilafat', Chembrasseri Tangal, Seethikoya Tangal, the Konnara Tangal, Avokkar Musliyar, Kattilasseri Muhammad Musliyar and Aminummantakath Parikkutty Musliyar were the chief *ulama* activists and divines who gave leadership to the 1921 rebellion. Besides their academic attachment with Ponnani seminary, a well established network was maintained through the Sufi orders. Most of these *ulama* were the representatives of the Qadiri order of Sufism, and the propagation of their ideas was easily made through their disciples, who included both rich and poor .

Consequently, when Ali Musliyār spread the news on August 20, 1921, regarding the defilement of the Tirurangadi mosque, he accompanied the report with an urgent appeal for assistance. His disciples were dispatched to coordinate with other religious scholars and divines in neighboring areas. The *Ulama* appealed to the Mappilas to defend their faith, circulating *fatwa*s and pamphlets to incite an insurrection. These actions undoubtedly increased the community's

disposition toward supporting the social and political goals inherent in the concept of a Khilāfat kingdom.

Sir.W. Vincent, Home Member of the government of India, in his speech at Madras Legislative Assembly on 8 February 1922, attributed the sole responsibility of the rebellion up on *ulama.*[21] But at the same time, though the *ulama* were powerful enough to incite the Mappilas to rebellion, once they had resorted to violence, it became beyond the control of *ulama* in stopping it. This fact was evident in the rebellion at Manjeri, where one Mappila retorted, "they wouldn't remain silent even if the Mamburam Tangal himself were to rise from his grave and order them not to create a disturbance."[22] However, the Mappilas were very particular in getting a religious sanction for their deeds and it was for this, they sought the blessings of the *ulama* and divines and it was considered a certificate to paradise even if the rebels were defeated and killed.

During the 1921 rebellion, the seat of leadership was shifted from Mambram shrine to Tirurangadi mosque where Ali Musliyar, the principal *(mudarris)* of the *Dars,* emerged as the Khilafat leader. At Mamburam, the successors of Sayyid Fazl were less interested in the rebellion and often remained loyal to the authority. However, the rebels never forgot to visit the shrine and seek the blessings and the practice had become a widely accepted tradition.

Muhimmat-al Mu'minin[23] the *fatwa* issued in Arabic Malayalam by Aminummantakath Parikutty Musliyar(d.1942), is an important fatwa that incited the Mappila Muslims to participate actively in the Khilafat and Non Cooperation movements. The document deals, at length with the issue of *dar-al Islam* and *dar-al Harb.* The MusIiyar was one of the leaders of the rebellion of 1921 and also the secretary of Tanur Khilafath Committee.[24] The fatwa is an example to show that how the Islamic ideals were used to incite the believers against imperialism and for nationalism. In the light of the Qur-an and the prophet's traditions the fatwa invites the believers to fight against the British.[25] "One shouldn't take Jews and Christians as helpers and friends and one who turns to them for friendship is one of them,"[26] the Musliyar criticises the pro-British Muslims and calls them heretics.[26] According to religious scripts there is no error in joining with those non Muslims who are supporting the Muslims for their cause. [27]

The author continues: "The people who persecute us and banish us from the country and causing destruction to our religion are the Christians and the Jews and the infidels who help them. There is no prohibition in seeking worldly help and co-operation with those who are supporting Muslims.[28] One shouldn't support the oppressor whomsoever he may be, and the abode of such people is hell.[29] If a Muslim steps forward to confront an oppressor, it is incumbent upon all Muslims to support them with their strength and resources; failure to do so invites divine retribution upon the community.[30] When the infidels enter in a country of lslam (dar-al *Islam)* or make preparations for attacks, it is compulsory to wage war up on them.[31] According to Islamic teachings, a Muslim must not obey Christian kings identified as kāfirs (unbelievers) by

the Qur'an and Hadith. Residing in a country while submitting to an infidel ruler is considered a sin. If a Muslim is unable to resist such an enemy, they are obligated to emigrate from that land.[32]

Thus "it becomes compulsory(*farz- 'Ain*) upon all Muslims who reside in the country occupied by an infidel king, to strive forth by all means for a *swarajya* and appoint an *imam* for the performance of the religion.[33] Parikkutty Musliyar asks the Muslims to strengthen the hands of the Ottoman khalifa who is moving in the right path in resisting the British. Thus it is compulsory to be against those who are against the khalifa.[34] The fatwa was printed at the expense of the Khilafat committee and distributed in the mosques and Khilfat meetings. An order was issued in the Madras 'Gazatteer of 1921, that those who keep the *fatwa* will be brought to custody and Cherussery Ahmad Kutty Musliyar, and Puthiyappila Abdurahman Musliyar, two leading ālims, were warned by the authorities for signing the *fatwa.* The other *ulama* who signed the fatwa are Kuttayi Bava Muslyar and Mylassery Zainuddin Kutty Musliyar. The Government issued a search warrant against the author Pareekkutty Musliyar, but he escaped to Makkah where he continued his anti British writings till his death in 1934.

NOTES:

1. R.E. Miller, *Mappila Muslims of Kerala*, Madras, 1976, pp. 61-62
2. According to the religious law a *dar al harb* is a land where it is incumbent up on every Muslim to wage war against the enemy, since the enemy does'nt permit the Muslims to observe Islamic religion or propagation, whre as dar al Islam is a land where the religion is protected and no war is permitted. See Maulawi Chiragh 'Ali, *A Critical Exposition of popular Jihad*, Idar-I Adabiyyat-i- Delhi, Delhi, 1984, pp.164-72.
3. *Tahriz Ahl al Iman*….
4. Ibid
5. Ibid
6. Zainuddin, *Tuhfat al Mujahidin*, trans. Muhammed Husyn Nainar, University of Madras, 1945,p.18
7. S.F. Dale, *The Mappilas of Malabar*, *Islamic Society on the South Asian Frontier*, Clarendon Press,Oxford, 1980 ,p.3., Dale observes that the book is a unique one because of the insights it offers into Malayali Muslims' perception of their turbulent history and because these Muslims continue to regard *Tuhfat al Mujāhidin* as the authoritative guide to their own past,Ibid.,pp. 3-4
8. S.F. Dale, *The Mappilas of Malabar*, ,p.19.
9. *Khutbat al Jihadiyya, 3*.
10. K.K.N.Kurup and N.A.M Abdulkader, *Ideology and Struggle (A study of Malabar Muslims)*, Department of Arabic, Calicut University, 2012 , P.30
11. *Fath-hul Mubin*, Translation, Abdul Aziz Moulavi, Mankada, Kozzhikode,1996
12. Mujeeb Ashraf, *Muslim Attitude towards British Rule and Western Culture in India*, Delhi,1982, pp,118-130
13. For the *fatwa,* see, Shah 'Abdul 'Aziz, *Fatawa-i 'Aziziyya*, Delhi. 1904, Vol I. pp.90-92.
14. Sayyid Fazl had included *Saif al Battar* in his *'Uddat al Uamara ' wal Hukkam li Ihanat-al Kafarata wa 'Abadat al Asnam(Requirements for Leaders and Rulers to Prevent Disbelief and Idolatry),* Egypt, 1273/ 1856. The book was prohibited in Malabar by Conolly, the Collector.
15. Sayyid Fazl,(ed.), Uddat..., p.25.
16. Ibid., p.28.
17. Ibid.

18. Ibid
19. Ibid pp.30-31
20. Conrad Wood, *The Moplah Rebellionand its Genesis,*People'sPublishing House, Delhi, 1987 p. 19 7
21. Speech of Sir, W.Vincent, Home Member, Govt. of India, 8 February 1922, *Madras Legislative Assembly Debates, Official Report,* 1922, V01.II. Part II, p. 227.
22. *Times* of *India,* 27 August 1991, p.1I, Conrad Wood. *The Moplah Rebellion,* op.cit., p.198
23. *The full title of the fatwa is Tharjuma Muhimmat al Mu'minin fi Tarki Muvalati A'dai al dini, wa Nusrat khilafati Sayyidi al Mursaleen Wa Tanzeehi Jazeerat al Arabi Min al Mushrikeen*. An order was issued in the Madras 'Gazatteer of 1921, that those who keep *the fatwa* was taken into custody and Cherussery Ahmad Kutty Musliyār, and Pudiyappila Abdurahman Musliyār, two leading ālims, were warned by the authorities for signing the *fatwa.* The other *'ulama* who signed the fatwa are Kuttayi Bava Muslly̆ār and Mylassery Zainuddin Kutty Musliyār. The author lived many years in the underground and in 1930 he left for Makkah as a mendicant. From there he used to write anti-British articles in the journal *Umna-al-Qura.* Parikkutty Musliyar died at Makkah.
24. Dr. C.K. Karim, *Kerala Muslim History Statistics,Kochi,1993.* pp.74-76.
25. Parikutty Musliyār, Muhimmat., op-cit., pp.2-3
26. Ibid., p.4
27. Ibid., p.34
28. Ibid.
29. Ibid
30. Ibid., pp. 7-8.
31. Ibid., pp. I 1- 12.
32. Ibid.,pp.33-34
33. Ibid.
34. Ibid., p.20