

Trial of  
MUSLIM LIBEL CASE

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*Edited by*  
BASHIR A. MALLAL

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ILLUSTRATED.

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TO

JOHN GEORGE CAMPBELL, ESQUIRE,

ENROLLED LAW AGENT, SCOTLAND, ADVOCATE AND  
SOLICITOR OF THE STRAITS SETTLEMENTS, FEDERATED  
MALAY STATES AND STATE OF JOHORE.

THIS VOLUME IS, BY HIS KIND PERMISSION,  
MOST RESPECTFULLY DEDICATED  
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AS A MARK OF GRATITUDE.

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## PREFACE.

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I do not wish to elaborate this preface by indicating to the reader the special points of interest to be found in the book I have undertaken to edit. I leave it to him to evaluate the importance of the Muslim Libel case according to his individual taste.

The works on famous British trials now extant are all concerned with criminal cases which appeal to our instinctive craving for sensation. Civil cases have not been fully reported. They are totally excluded from a place among known records of trials, the reason being that they are devoid of the sensational element.

The main issue tried in this action which was whether the defendant was entitled to adjudge the plaintiffs Kaffirs, was superseded by the apparently subsidiary question as to whether the Ahmadies\* are infidels. Mr. Justice Deans the trial judge in his **obiter dictum** expressed his willingness to adopt the ruling in the Indian cases of which the reports are reprinted in the appendices to this book, that the Ahmadies are Muhammadans but also eulogised this sect for their great missionary efforts. The evidence and judgment in this case have brought to light much illuminating and valuable information concerning the religion of Islam which has for many centuries been misunderstood and misinterpreted by those outside this faith. I believe that His Lordship, who was quite unfamiliar with the peculiarities of this religion, appeared at the initial stage of the proceedings to be confused by the foreign terms used in the libellous document. All praise is therefore due to His Lordship for having given so admirable a decision on a case of a somewhat intricate nature. I am gratified to find that both counsel engaged in this case were well versed in Mohammadan Law and they pleaded their clients' causes with unusual skill.

It will not be inappropriate to give a brief account of the events giving rise to the dispute upon which the present action was brought. The trouble indeed owes its origin to the arrival of Al-Haj Khwaja Kamal-ud-Din in

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\* The name "Ahmadies" occurring in this preface is intended to refer to that party of Muslims under the leadership of Maulana Muhammad Ali of Lahore.

Singapore in 1921. Although this great missionary was well received here, there was a conservative section of the Muslim community who regarded his doctrines as being more or less heterodox and became generally distrustful of him and persons who approved his teachings. After the departure of Khwaja Sahib the Anjuman was formed for the purpose of spreading Islam on the principles upon which the Working Muslim Mission had been conducted. The conservative local Muslims were naturally reluctant to join that Association, but they found no opportunity of denouncing the admirers of Khwaja Sahib's mission or the enlightened sect of the Ahmadies. In 1925 Mr. Daud Shah visited Singapore with the object of collecting funds for the publication of his Tamil translation of the Holy Quran. At the same time also arrived three Maulvis from Southern India, who imported for the first time into this Colony the news that in India fatwahs or religious decrees of excommunication had been passed against the Ahmadies. The defendant and other orthodox Muslims then found occasion or excuse to defame the Ahmadies in general and the Plaintiffs in particular.

While the result of the case has cleared the plaintiffs of the evil tendencies imputed to them, it certainly acts as a deterrent to others who might have the intention of condemning the Ahmadies as Kaffirs.

At the request of my friends I have attempted in this book to preserve as faithful a record as possible of a remarkable case which finds no parallel in the history of Malaya. I trust that my humble attempt may fulfil some of my obligations to my religion and serve to spread a more accurate idea of the fundamentals of Islam among not only Muslims but also those professing belief in other religions.

In conclusion I hope that the publication of this book will redound to the Glory of Allah and the last of His prophets Mohamed. (Peace and blessing of God be upon him).

B. A. M.

Singapore, June, 1928.

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## FOREWORD.

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By R. Jumabhoy.

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The Muslim libel case the proceedings in Court of which are embodied in this book created a great deal of stir among the local Muslims. Religious controversies there had been before in this Colony and the participants in them had freely indulged in giving expression to what they thought of their opponents but no one had thought for a moment that he was not entitled to say whatever he liked when it was a question of denouncing the other man's doxy. So the plaintiffs in this case sought the protection of the law Courts. The situation was a novel one locally and consequently much interest centred round the trial.

I was present throughout the trial of the case. The evidence brought to the surface the incredible narrow-mindedness of some of the witnesses but in spite of all the fanatical opinions held by them one could not but arrive at the conclusion that the both parties did not differ on fundamental principles of Islam.

From my study of it I find Islam a very comprehensive and liberal religion. It teaches all those principles of humanity which are necessary for the proper advance of civilization. Tolerance for the opinions of others is especially inculcated. But what do we find among the Muslims? Intolerance and bigotry which are making our religion a byword among the professors of other faiths. A religion is most often judged by the conduct of its adherents and if the Muslims act discreditably they are not only harming themselves but also the beautiful religion of Islam in the eyes of others.

I had the privilege of going through the following pages when they were in a proof form and I was greatly impressed by the possibility of their contents doing much to dispel a lot of ignorance about their religion existing in the minds of the narrowminded Muslims. This I understand is the object of the editor in putting the proceedings in this case in a book form. I hope and wish he succeeds in that object in the hope of attaining which he has given so much of his valuable time and taken so much trouble.