

*The Holy Quran
and
Our Daily Life*

Dr. Mir Mustafa Husain

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the Name of Allah, Most Gracious, Most Merciful

The Holy Quran and Our Daily Life

155/ROP

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Dedication

*I dedicate this work to the late
Syed Abdul Rasheed Razvi of Hyderabad
(India), an eminent scholar of Islam,
whose guidance helped me initially
in understanding the holy Quran.*

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I profoundly acknowledge the valuable suggestions and help rendered in finalizing the script of this work by Dr. Mustafa Ali Khan Fatimy, M.A., Ph.D. (Osm.) former Director, Abul Kalam Azad Oriental Research Institute, Hyderabad, India.

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FOREWORD

Professor Mir Mustafa Husain, an eminent scientist has made a significant contribution to the science of Agronomy while he served as a professor in Agricultural University at Hyderabad. While attending to his scientific work he has also made a deep study of the Holy Quran and has developed a rare insight into its universal message. I had the privilege of having many discussions with him and have been impressed by his understanding of the higher moral and ethical plane and the humanitarian outlook which Quran wants its readers to achieve.

Professor Mustafa Husain has written many articles and papers on Islamic subjects in the Urdu language. He has now taken up this more detailed work in English as he feels that the message of Islam deserves a wider audience and must also reach those who do not know the Urdu language or its script.

The usual books on Islam restrict their scope to beliefs and rituals or duties to God only. This book **The Holy Quran and Our Daily Life** would open out the much neglected teachings which really form the Muslim character and deal with duties to God's creatures, human and others, in addition to their duties to God.

This would enable the readers to understand the high moral character coupled with practical good deeds which are necessary to be a good Muslim - a person who has humility, truthfulness, honesty, charity, a sense of justice, a strong conscience, the courage to enjoin the right and forbid the wrong, and to struggle against injustice and oppression, and above all an understanding of human nature and kindness and love for all human beings and all other creatures of God.

May Allah enable the readers of this book to achieve the desired objective.

Chicago, U.S.A.
July 1994

Syed Hashim Ali

PREFACE

The present work, *The Holy Quran and Our Daily Life* is an attempt to give the reader an idea about the teachings of the holy Quran in simple and understandable English language. Holy Quran, the last Divine message was revealed by Allah (God) on Mohammed (S), the last prophet in the series of apostles, fourteen hundred years ago at Makkah and Medina (Arabia). Scriptures, prior to the Quran, could not be preserved long in their original form whereas the Divine guidance, embodied in the Quran, is preserved in its original form as Allah Himself has taken the responsibility of preserving the Book. The Quran is in its original form in which it was revealed.

The Quran, which has enshrined the permanent Divine guidance, is not bound by time, place, and circumstances. The teachings of the Quran will never go out of date; at no point of time the Book will fail to guide the mankind. It is a comprehensive, complete, and final Divine code of life in every sense of these terms. The Quran claims that its teachings make man perfect, the mankind prosperous, and the world a real welfare State. All this is possible provided the message is adopted completely and sincerely in our daily life. Its adoption is not possible unless the message is fully understood. Scholars have expressed their view that understanding the Quran is not possible through translation, as translation from one language into another is not possible, and it is more so with the Arabic language the Quran has used. Understanding the Message by interpretation is also difficult because personal ideas of the interpreter dominate the actual meaning. The last resort left is to understand it through its *mufhoom* (meaning) - which the Quran projects on various aspects of life.

Whenever one gets interested in understanding the Quran and adopting its teachings in daily life, the main difficulty experienced is that of non-availability of Quranic literature in scientific and logical form, and in an easily understandable language particularly in English; and this is what the younger generation needs. Volumes of literary works in this respect are available in Arabic, Persian, and Urdu languages but most of the intelligent youth in the Indian sub-continent is not acquainted with these languages these days. This could perhaps be the reason why the younger

generation is remaining away from the Quran as well as *Deen-e-Islam*. In view of the above and especially to fulfil the objective of providing the Quranic instructions in a simple and easily understandable form, this attempt has been made so that the English knowing stratum of the population, particularly the youth, could get acquainted with the Quranic teachings. It is, therefore, expected that those who are interested to know what guidance the Quran imparts for our daily life, the present work be able to provide and thereby satisfy them.

It was felt necessary to give some explanation of the format adopted and terms and abbreviations used in this work. As far as possible, the original terms of the Quran have been retained, wherever possible its English equivalents are given in parenthesis. It could honestly be pointed out that it is difficult to express the original concepts of the terms and words used by the Quran in any other language but their English equivalents will help to get almost nearer meaning of the Quranic words. The method adopted to refer the Quranic text is that the number given in parenthesis as first numeral denotes the serial number of the *surah* (say chapter) and the second numeral is the serial number of the *aayth* (Quranic verse) within that particular *surah*. These two are jointed by colon. For example the figures (15:9) indicate *surath-ul-hijr* and its *aayth* number nine from the Quranic text.

The capital letter 'S' given in brackets after the name of Prophet Mohammed stands as an abbreviation of an honorific and respectful Arabic expression viz. *sallallaho-alaihe-wa-sallam* for the Prophet of Islam. Similarly after the name of other Prophets (mentioned in the Quran) a letter P is used which stands for the conventional expression 'peace be upon him'. References quoted in the body are from the Bibliography given at the end of this work, and that their serial number is given in Roman figures, alongwith their page number/s to enable the reader to refer the respective publication/s wherever required. In case of Bibliography number XVIII wherever, after its page number, letter G is marked, it indicates page number from the Glossory appended to this reference book.

It is beyond human effort to cover all the teachings of the Quran as the Book is meant for guiding the mankind at all levels for all times. This work is just like few drops from the 'Quranic Ocean'; for further understanding (whenever needed) the text has to be

referred to, with the help of some authentic lexicon of the Quran. Matters have been discussed in a precise manner.

In this work our focus is only on the teachings of the holy Quran especially its commandments given briefly in juristic terms. These were first translated into action by Prophet Mohammed (S). Subsequently eminent jurists of Islamic law interpreted them and formulated the Islamic jurisprudence called Fiqh, the exposition of which is beyond the scope of this work.

Like other works on Quranic explanation this work is also a human attempt, it cannot claim to be free from errors. The author will appreciate very much if any error found in this work is communicated to him.

This book is meant for persons who are educated and desirous of seeking guidance from the holy Quran for their own benefit, and for the benefit of the society at large. The Quran itself says that its guidance is for *Muttaqeen* (Believers who obey Allah and follow His instructions and laws totally). The author feels that he is adequately rewarded for his efforts if at least a single person, after reading this book, gets attracted to the **Truth** contained in **Divine Guidance** of the holy Quran, and contributes significantly to his self and to the society at large.

Hyderabad - India

Mir Mustafa Husain

July 1995

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The Quran

The Quran is the last Divine revelation (Book) which has embodied complete and final version of universal guidance from Allah, revealed on Prophet Mohammed (S) - the last Prophet of Allah, fourteen hundred years ago. This version of the Divine guidance is found exactly in its same original form in which it was revealed. Allah himself has taken the responsibility to preserve His Book when He says that we have revealed the Book and We verily are its Guardian. [(15:9)-I,p.638]

1.1

Revelation

The Divine version was revealed from time to time over a period of twenty three years - for thirteen years when the Prophet (S) was in the holy city of Makkah, and for the rest of ten years in the holy city of Medina. Prophet Mohammed (S) had taken all care for the transcription of the revelations, appointing a team of honest, trustworthy, sincere, dedicated transcribers of character and diligence (80:15,16). The entire revelation was compiled in the form of book and the master copy was handed over to his followers (*ummah*) by the Prophet (S) before he passed away. During his lifetime, hundreds of people memorized the Quran.

It is an unchallenged historical fact that during the course of fourteen hundred years the Book remained in its original form throughout the world. This remarkable Divine book is a perfect code of conduct for mankind containing ever-abiding universal values, eternal truths, and complete guidance for all aspects of human life, irrespective of time and place.

1.2

Guidance for Humanity

The Quran is a very clear and elaborate Book (5:15). It is easy to obtain guidance from this Book; it contains absolute reality. Allah has made the Quran very easy to understand and follow (54:32). The Quran itself questions: "Do they not consider the Quran (with care)? Had it been from other than God, they would surely have

found therein much discrepancy." [(4:82)-I,p.205)]. It is not only that the Book is free from all sorts of discrepancies, it is capable of resolving differences by playing role of a judge (authority); Divine books were revealed to settle matters of discrepancy existed among mankind (2:213).

The Quran claims that its guidance for humanity is for ever irrespective of period, place or person. It is a perfect code of life free from any ambiguity as well as contradictions throughout its text. Its teachings guarantee growth, development, and realisation of potential imbibed in man and thereby build up one's personality and give perfection to it. The Book explains that rise, decline, and fall of nations are governed by Divine laws; such phenomena do not occur arbitrarily or accidentally. [(7:34; 13:38-39)-XVII,pp.182-83]

The Book also contains teachings of all the Divine messages revealed to earlier prophets, and those messages could not be preserved in their original form by the followers of those prophets. The Quran testifies that it was revealed in Arabic language (6:103; 26:195), in a simple form with utmost comprehension so that its teachings could be easily understood by those who have an earnest desire to understand it. The teachings are completely practical and adoptive in daily life. As long the Divine teachings are followed exactly in the same way these have to be followed, then Allah will keep his blessings open for them; when the laws are rejected the blessings are withdrawn. (7:96). This Divine version, being the last revelation of Allah in the Series (6:115), there will not be any further revelation from the Almighty. Hereafter if anybody claims that he has received any such revelation it will be totally false. This means that in the presence of the Quran the mankind does not need any further guidance from Heaven. No one, even the Prophet (S) himself, was permitted to make any kind of change in the text. In matters related to *deen-e-Islam* the Quran is the final and absolute authority for judgement. According to some Islamic scholars, the greatest deed of the Quran is that it points out real position and place of man that was kept undisclosed or mistold by the vested interests since ages.

1.3

Characteristics of the Quran

The beauty of this Book is that on one hand it satisfies an ultra-genius scholar of the world (at all time); on the other, it guides an individual of common understanding also. Its high state of

understandability was elaborated by a verse with exactly the same wording that has been repeated four times; it goes as "And we have indeed made the Quran easy to understand and remember: Then, is there any that will receive admonition?" [(54:17, 22, 32, 40)-I,pp.1456-60] The Book was revealed gradually (over a period of twenty three years as mentioned earlier) facilitating its instructions to be transformed into action (76:23), and this was also to enable the Prophet (S) to establish Quranic State in the light of the teachings received from time to time. When the Message is followed, man can rise to the heights of grace, honour, and respect (80:11). Only those persons will be the real beneficiaries of the Guidance who take it from the core of their heart (80:12); its honoured and graceful pages are in an open form so that whosoever wants he can read them and get the benefit out of its teachings (80:13). The Book has been made "Exalted (in dignity), kept pure and holy". The Message was "(written) by the hands of scribes - Honourable and Pious and Just". [(80:14-16)-I,p.1688] The Book certifies itself that the Quran has been revealed by Allah (26:192; 32:2; 69:43). It testifies that it has been revealed in crystal clear Arabic language, free from any kind of ambiguity (26:195). The Quran also describes about its revelation that "With it came down the Spirit of Faith and Truth". [(26:193)-I,p.969], the epithet of Gabriel who used to come to the Prophet (S) with the inspired messages. The Quran was revealed upon the inner depths of the heart of the Prophet (S) (26:194).

1.4

Bigoted Resistance to Quranic Teachings

In the Quran, Allah has clearly expressed realities in various ways, through various parables. Prophet Mohammed (S) had delivered the Messages to the people in the most ideal way and explained its meaning with utmost simplification that the people had understood it to the hilt. Those persons who see that their vested interests remain unsatisfied if they follow the Messages, they oppose it, and also those having bigotry and religious persecution say that these are the talks of vanities (30:58). Those who adopt such an attitude of bigotry do not use knowledge and wisdom, their hearts get 'sealed' and they do not understand the realities; rather they lose the capacity to understand the truth (30:59). The Quran advises to ignore such persons and to stick up with perseverance to the programme ahead. A Muslim should hold strong belief that every promise of the Almighty gets fulfilled beyond any doubt and he will succeed in his efforts. But he has to be very careful and see that

none of his actions gives the opponents a feeling that the claims are shaky or infirm; otherwise the opponents will think it easy to displace the Believers (30:60).

1.5

Studying the Quran

It has been stated that the Quran is the complete code for mankind and it is preserved in the form of book (85:21,22). Only those persons can get real benefit out of its teachings who have a clean heart and fair mind (56:79). If a person has preconceived ideas, he cannot draw benefit from its guidance. Adopting its teachings in practical life, in the exact manner, and in complete form alone guarantees material for growth and development of mankind (56:77). Those who oppose its teachings do not have any idea as to how much honourable the Book is (85:21,22). It has itself described the qualities it possesses :

- i) It is most honourable, *karim*; which implies, besides the fact that it is worthy of receiving honour, and that it confers great favours on those who receive it (56:77).
- ii) It is well guarded, *maknun*; precious in itself, and well preserved in its purity (56:78).
- iii) None but the clean shall touch it - clean in body, mind, thought, intention, and soul, only such persons can achieve real contact with its full meaning (56:79).
- iv) It is a Revelation from the Lord of the Worlds, and therefore universal for all. [(56:80)-I,p.1493]

1.5.1

Hearing the Quran

The Quran advises *momineen* (Believers) to ignore the opponents and to concentrate on their associates and tell them that whenever the Quran is recited, it should be heard with utmost concentration giving full attention to it. This will provide them the material to think and act upon for their growth and development (7:204). One should listen its recitation in perfect silence, and this helps in understanding its teachings (provided one has knowledge of its language); it is wrong to think that just by listening he has achieved the objective. The instructions have to be kept always in

mind to follow them in humbleness from the core of heart and to apply them in day-to-day life (6:63; 7:55) and to remain heedful (7:205). It is a fact that the material for growth and development is received only by following the advice. Why one should not adopt it from the inner heart? Such a perfect bent of mind should emerge from the depths of one's conscience. This is because a rebellion mentality against the Divine laws is never liked by the Almighty (7:55) because under such a state of mind one cannot think about the realities.

1.5.2

Understanding the Quran

The Quran states that acquiring knowledge is one of the characteristic features of a *momin*. In this context certain phenomena of nature have been quoted to think over them as to how they occur and why knowledge of them is necessary to understand and to derive benefit out of them. The rainfall system and growth and development of vegetation cover many branches of science. Mountains and their formations, for example, have been referred to, which cover geological subjects. A mention of man himself has been made, and this brings into its fold sociological, anthropological, and medical sciences also. Then a reference to animal kingdom has been made, and this includes veterinary sciences and animal husbandry, entomology, and other related subjects. Then it states that the 'pages of nature's document' are open to every one to perceive, study, and understand the laws of nature. Only those persons bow their head before these laws who think over them, apply their mind, and derive benefit out of His creations; they are the people who deserve to be called *ulema* (scientists) according to the Quran. [(35:27,28)-VI,pp.1010-11] They are the persons who can get advantage from the resources Allah has created; they exploit them for productive purposes and distribute the products according to the Divine instructions. The Book says that calling the universe false or unreal is *kufir* (not believing in realities) (38:27; 29:44).

How to understand the Quran is an important question. It is a separate subject by itself and requires elaborate explanation beyond the scope of this work. However an attempt has been made to give a brief idea of our approach to understand the Quran.

It is an accepted fact that until and unless one understands a particular law, he neither realises its importance nor he can put it

into practice to derive benefit out of its worthiness. It is very important to know the causes due to which the Muslim community has gone far away from its lifestream - the Quran - the code of life which had showered upon it once all the bounties of life and the most graceful living the members had in this world. One of the most basic causes of the degradation of the community was gross violation of the Quranic laws, and this is going on since ages. Explanation and the meaning of the Quranic words in usage are mostly non-Quranic. For this, it is said that because we understand the Quran through its translations, we remain unaware of its fundamentals, and therefore we think it quite necessary to know Arabic language. Undoubtedly the Quran is in Arabic language and until and unless we know Arabic we cannot understand the Quranic text. But it should also be kept in mind that those who have translated the Book in other languages they knew Arabic. If the Quran could have been understood only by knowing Arabic, then it ought to have been understood through such translations, if not the whole version, at least a major part of it. Another point which is more important than the previous one is that a significant population throughout the world had Arabic as its mother tongue; and for them there should not have been any difficulty to understand the Quran. But it is a fact that those people also understand the Quran in the same way as those Muslims without Arabic being their mother tongue, understand the Book through translations. As far the Quranic meaning and interpretations (for understanding) are given, there is no difference between the Arab and the non-Arab Muslim world. In the Arab world too, those *tafaseer* (interpretations and commentaries) given for understanding the Message, have been greatly influenced by the *ajmi* (non-Arabic) thinking. That literature is the product of the period during which the Muslims had gone far away from the Quran. In other words specific meaning of the Quranic words and idioms has been fixed and the same is in usage whether it is from an Arabic or non-Arabic world. Therefore, the main cause of being away from the Quran is not that we do not know Arabic language but it is the usage of that meaning which had been fixed long long ago; and this meaning is *ajmi* i.e. non-Arabic. We have become habituated to understand the Quran in the light of those terminologies (specific meanings). That our Arabic did not remain the same Arabic language which was in usage during the period when the Quran was being revealed. Words of the Book are the same but their perception is the product of the *ajmi* ideas; and this 'meaning' being used in the Arab as well as in the non-Arab world.

The Quran repeatedly says that it has been revealed in Arabic-Mubeen (16:103; 26:195), that in clear, simple, and understandable Arabic language which was spoken by the Arabs during the period of the revelation. Arabs of those days had a very simple living - open atmosphere of the deserts, date gardens, few domestic animals, clusters of tents, shining and scorching sun in day time and moon alongwith twinkling stars during nights. Those were the things which used to revolve before their sight. Words of Arabic language and their derivatives used to move around these objects. One finds that the derivatives of the words were based mostly on individual or collective perception of the objects like camels, horses, sheep and goats, date gardens, sword, bow and arrows, deserts, sun, moon, stars, etc. But at the same time, it is an accepted fact that the Arabic language has such a vast, deep and endless horizon that these (words and derivatives) canvassed a world beyond imagination for explanation of truth, laws, theories, phenomena, etc.

When the Quran was revealed, its first addressees understood its meaning without any difficulty and beyond any doubt. They neither required any key or dictionary or any *tafseer* (commentary or interpretation) for understanding the teachings, nor those religious or other disciplines which are now considered necessary for understanding the Quran. This was due to the fact that the words (language) used in the Quran were the same spoken in their daily life by the Arabs of those days. Therefore, they fully understood the meaning of those words used in the Quran.

A linguist knows well the various factors that influence a language and bring change in its several aspects. The Arabic language was particularly influenced by such changes during the period of Abbasi Caliphs. The Arabs came in contact with the *ajam* (non-Arabs), especially Persians. Instead of their original simplicity, the Arabs adopted Iranian culture and way of life which overshadowed the Muslim world. [VIII,-2p.106; IV, pp.230-47] The non-Arabs, although adopted the Arabic language for interpreting the Quran, they kept their own concepts in mind for the interpretation purposes. Thus Arabic language became a medium of projecting the non-Arabic concepts in this period [148-232 Hijri (763-847 A.D.)] during which the edifice of the Islamic literature was constructed. Books on Quranic literature, produced during this period, were written in Arabic language but the meanings of those Arabic words used were different from those which were in the minds of the people

who lived during the period of Quranic revelation. In this background one can imagine and understand the extent to which the interpretations and explanations, written in Arabic language by our non-Arab scholars, would have been closer to the text of the Quran. And this is the language (Arabic) in which the Quran is taught now a days. Whatever is being explained in the name of Quranic interpretation is not meant by the Quran; it is infact a non-Quranic explanation constructed through Quranic words. Similar is the case of commentaries and interpretations wherein personal ideas and views of the interpreter dominate the expression. [VIII,2-p.107]

Keeping in view the above facts, the right method of understanding the Quran is to see that those words used by the Quran were originally used in what sense by the Arabs of those days when the Book was revealed. With the help of this kind of research a dictionary or encyclopedia of the Quran can be prepared, and this helps in understanding the text of the Quran. Fortunately, so much material is available through which meaning of those Quranic words used by the Arabs during the revelation period could be fixed. Such material is lying all over, and that can be gathered and made use of. Some Islamic scholars have made an effective attempt in this direction and they have come out with wonderful dictionary of the Quran. This has helped very much in understanding the Message.

1.5.3

The Quranic Style

As an appropriate methodology is required to elaborate the meaning of the Quran, so also it is necessary to adopt pertinent approach to understand the Book. When one looks deep into the diction of the Quran, he appreciates the beauty and comprehension of the language it has used, the mode of description it has chosen, the style of expression of a particular phenomenon it has adopted, and the concrete examples it has quoted for convincing its reader*. All these bring scholars and intelligentia to one conclusion that undoubtedly the Quran is the word of Allah. The challenge it has put forth to the world fourteen hundred years ago still stands today and it will stand forever that if anyone has any doubt with regard to its being from Allah, he should bring a similar verse (2:23).

* Further details on this subject are beyond the scope of this work; see Reference VI, Bibliography.

Scholars and researchers who have worked on the literary style of the Quran and its diction, which are wonderfully interwoven, have agreed that neither translations nor interpretations help in complete understanding of the Quranic text because of the fact that exact translation of the Arabic text is not possible in other languages. For example in one Quranic verse (text), the equivalent of the word 'we' has appeared five times when its English and Urdu translations could get this word only three times. [(50:43)-VIII,1pp.57-58] Similarly in case of interpretations, personal ideas and views of the interpreter have consciously or unconsciously crept into the expression. A third approach towards understanding the Book is that of fixing up the meaning of all the words and idioms through standard dictionaries, and this method helps very much in understanding the Quranic language. One should also see that in what different meanings those words have been used, and the meaning of such words be fixed through the verses of the Quran itself, and to see the concepts projected through such terminologies. This is an important point to be kept in mind.

The next step will be to find out the 'roots' of the words used by the Quran. Every word in Arabic language has its 'root'; whatever form that word takes, it always keeps its link with the 'root' and thereby it is identified. This helps in fixing the meaning of the Quranic words and the sense in which those words have been used by the people of the period of revelation. If possible, it shall also be shown as to what changes had taken place in the meaning of those words in course of time. Hardly any such dictionary of the Quran is available in which chronological changes in meanings of the words are given.

After preparation of such a lexicon, the next step will be to explain the meaning of those Quranic words in the light of the present level of knowledge and understanding. For this purpose, the concept of every word which has been thus uncovered through its 'root' should be kept in view. Then only those terms and idioms be sorted out and collected which are most suitable to elaborate the Quranic concepts. Then it will be a logical necessity to prepare an alphabetical index of the Quranic terms and idioms duly citing the relevant *surah* and the verses. This is because the Quran itself explains its own meaning in its own way of *tasreef-e-aayaat* (repetition of verses). If the root of the Quranic word is kept in view, the Quran goes on explaining its most difficult places in a very simple way. This is how one is expected to get closer to the meaning of the Quran and thus understand the Book. In the recent past, some eminent Islamic

scholars (scientists) have adopted this methodology, conducted research in this area, and came out with very successful findings towards understanding of the Quran. Such an approach is very much helpful to get closer to the exact meaning or sense of the Quran when compared to the translations, inter-pretations, and commentaries which do not make the matter clear and understandable.

Once dictionary of the Quran is prepared it will serve permanent purpose, but the meaning of the words fixed through such lexicon will get improved with the passage of time in accordance with the level of knowledge and understanding which change from time to time. [VIII-2,pp.100-09]

1.6

The Quran and the Mankind

Earlier discussions have pointed out that the Quran was revealed for the benefit of the entire mankind; its ultimate objective is to turn the entire mankind into a universal brotherhood by removing the differences created by human beings themselves (2:213). This objective was finally fulfilled by sending the Prophet (S) who brought all the individuals under one roof - *ummah*. Teachings of the Book are universal, its message is very clear, comprehensive, simple, open, free from any kind of ambiguity, and easy to put into practice.

1.6.1

Universal Message

Basically the Quran has addressed the entire mankind. It has referred to people of different categories based on their character and behaviour, qualities, activities, etc. Allah has declared Himself as *Ilah* of all the people (114:1-3). His Prophet (S) has clearly pronounced that he has been made *rasool* - Messenger of Allah for the entire mankind (7:158; 34:28). The Quran is a tower manifesting light to the mankind (4:174), and showing the right path to all the people, and He will bless those who hold His laws fast and follow them truthfully (4:175). The Divine laws are also a cure for psychological diseases of human beings and provide corrective measures for the disorders of humanity (10:57). On revelation of such a code of life the mankind should have celebrated and rejoiced profoundly over it (10:58). The Book has clearly stated that stability and permanency are associated with that movement (system) only which is for benefit of the entire mankind (13:17).

1.6.2

Entire Mankind - One Community

While talking about unity among human beings, the Quran says that all human beings are members of one brotherhood and the entire mankind is one community (2:213). Dividing people into various sections is against the basic concept of oneness of mankind which remains a single entity. If at all there could be any differentiation, it could only be based on one criterion (line of demarcation) according to the Quran, and that is of *Iman* (faith / conviction) which puts the entire mankind into two categories:

- (i) The Believers - Momineen (who believe in the unity of Allah, and this is a permanent value);
- (ii) Unbelievers - Kafirien (who do not believe in the unity of Allah, or consider other authorities equal to Allah's authority having same rights or powers (64:2; 18:29)).

The Quran states that survival of mankind is possible when it moves and acts collectively as *ummah* (3:103), and whenever people are addressed they have been addressed collectively as *ummah*, and not individually. While addressing *momineen*, it says that they are the people who are made to have a universal outlook; they remain equidistant from all people (like centre of the circle). It means that they have neither any leaning towards any particular people nor estrangement from others (2:143). They have been further addressed that "O *Jama'at-ul-Momineen*, your responsibility is not just to follow Allah's guidance yourselves. You are an *ummah* raised for the good of all humanity. Your responsibility is to enjoin what has been recognised to be right and to forbid what is considered wrong by the Quran". [(3:109)-XVIII,p.102] Muslims have been further addressed that after having accepted the Divine code of life, they should not revert as Unbelievers (30:31); like those who have splitted into various groups and each one became happy thinking itself truthful, and regarding others false (30:32). Allah has addressed the Prophet (S) asking him that he should have nothing to do with those persons who create differences in the *deen* (Islam) and divide the *ummah* into sects. Divine law will decide their matters, and it will make them realise what they have done (6:160). Believers are members of a single Brotherhood, and whenever any dispute arises among them, they should resolve it through reconciliation (49:10), and this should be based on justice and equality (49:9), referring the matter to the Quran ultimately.

1.6.3

Basic Commandments

A set of instructions (teachings) is given in a very concise form by the Quran itself, and these are mentioned as the basic commandments:

- "(i) Do justice to all;
- (ii) Make good the deficiencies of others beginning with those nearest to you whether relatives or others;
- (iii) Avoid accumulating everything for your own self;
- (iv) Avoid that which is not recognized by the Quran to be good;
- (v) Do not transgress the limits prescribed by Allah;
- (vi) Fulfil the covenants after having confirmed them and particularly when you have made Allah a surety with you (9:111); and
- (vii) Do not break oaths when you have cited Allah as surety for them (17:34; 25:16).

These directives have been given by Allah who is aware of every thing you do." [(16:90-91)-XVIII,pp.399-400]

1.7

Presenting the Quranic Message

When a person gets aware of the Quranic commandments, it also becomes his prime responsibility to convey them to others in an effective manner and that is what the Prophet (S) was asked to do (5:67). It needs to present the Message in an ideal way adopting a methodology which attracts and appeals to the people, and this way people are invited to the right path. The Message should be carried and delivered with great wisdom, firm discretion, and kind exhortation. The teachings are explained in a beautiful, appreciable, and convincing way. The purpose, the aim, the objective, and the values of the matter should be elaborated in a simple and understandable form (16:125).

The Divine message should not be delivered in a dogmatic way. It should neither be self-regarding, nor be enforced by compulsion. The manner should be gentle, considerate, and attracting the attention of the people whom it is being addressed. Manner of presentation should not be argumentative nor acrimonious, it should rather be explanatory and offered in most courteous and gracious manner. Uptodate information about the

subject matter be imparted, and the previous background of the audience should be gainfully utilized and effectively linked up with what is being presented to them. The presentation should give a feeling that the preacher is sincere in his discourse. The gathering should have perfect discipline in itself, and this creates an ideal atmosphere necessary for the purpose to fulfil the objective (34:46). At the end of the presentation, the audience should have a feeling that something significant has been added to their knowledge and information. Modern scientific techniques, teaching aids, and illustrations could be used for better presentation. Psychology of the people has to be kept in view. Presentation should be effective, scientific, and logical so that the audience get convinced. Whenever required audio-visual aids should be used to facilitate people to understand the presentation properly. Modern examples related to the subject matter could be quoted during explanation. The audience should be given a chance to ask questions which have to be answered in a satisfactory manner.

The Concept of Allah

Man is mostly guided by his mind, his acquired knowledge, and personal experience of his life. But it is not sufficient to help and guide him in all matters in view of the fact that its source of knowledge is his own-self. In this difficult situation the perfect and most reliable guide left for him is the Divine revelation (*wahi*) which claims its ability to lead mankind to its exact and ultimate goal in the most appropriate manner. Allah (God as generally translated in English), Who has created the entire universe, has also taken responsibility to make the objects of the universe aware of their goal, and to guide them towards it (25:50).

2.1

Divine Revelation

The infallible guidance which comes from Allah through His prophets all along is known as *wahi* (revelation); this Divine message used to be communicated by them to mankind in its exact and original form time to time. It was rather most unfortunate that the text of those scriptures, delivered by the prophets, could not remain in its original form due to modifications by vested interests. The Guidance from Allah in its complete and final version- the Quran was revealed for mankind through Mohammed(S) the last Prophet in the series of *anbiya* (prophets) fourteen hundred years ago (details are given in Chapters 1 and 3).

2.2

The Concept

Mostly, when we talk about Allah, infact it is not about Allah but it is about a projection of our own individual concept of Allah, and this is the product of self-styled religion. Such an idea is always an outcome of subjective thinking as every individual has his own way of thinking about God. Such a subjective concept of God cannot bring into its fold the basic principle of *tawheed* (affirmation of the only one Allah). Generally this subjective concept is based on weak foundation because this concept is the creation of human mind. Whatever concept of God develops in one's mind, one thinks about,

believes in, and projects it accordingly. The Quran has given an entirely different concept of Allah, when it says that Allah cannot be carved out of human mind but He is present objectively. His existence is not time-bound. He existed even before the creation of human mind and He will remain in existence when there will not be a single human mind to conceive. Thus human mind is totally incapable of conceiving about Allah nor it can speak out subjectively in this respect. At this stage the question arises as to what shall be the real source to get this concept. This is the point at which need of *wahi* - Divine revelation - a super human knowledge arises.

2.3

Al - Asma-ul-husna

The Quran, while elaborating the concept of Allah, states that He is present with all His attributes - the different facets of absolute reality. This knowledge has been revealed by Allah Himself through His prophets, and the final revelation was made through His last prophet Mohammed(S). Through this source of information, Allah introduces Himself, and details in this regard are available in the Quran. The names for His various attributes are collectively known as *Asma-ul-husna* (59:24). These attributes are blended in a single Being in the most perfect equilibrium and in the most appropriate proportion. The Quran calls upon men to develop in themselves the Divine attributes, within the human limits, for growth, development, and completion of human personality. To achieve perfection of the personality, Allah has endowed every man with *ruh* - Divine energy (32:9), which expresses itself through a free and self-determining will; no other creature is endowed with this power. It may be pointed out that *ruh* is entirely different from 'spirit' which has a special meaning in Christian metaphysics, and that of soul which is a peculiar expression for a particular notion in Greek philosophy.

Human personality is not a part of Divine 'Personality'. Since it is indivisible, one personality cannot be a part of another personality. And this is the point from where starts the concept of personality which is called *nafs* - self (16:111) in man - the exposition of Divine energy i.e. possessor of attributes of Allah (within human limitations). Such attributes are the realisable possibilities, and every human being is endowed with them. Actualisation or manifestation of the potentials is the objective to be fulfilled by man. The greater the manifestation of the potential under Divine guidance, the 'nearer' will be the individual to Allah. When all the attributes are actualised

in man (ofcourse within human limits), then man will 'reach' nearer to Allah. The Quran has described the goal of human life so beautifully by saying "That to thy Lord is the final Goal" [(53:42)-I, p.1449], and therefore every matter of life should be settled according to the Divine laws (79:44). At this stage which is attained by man, he himself will not become the Almighty, Who is infinite; he will have to be within limits despite the attributes endowed by Allah. Every individual, therefore, has to agree to the fact that the Quran has presented the real concept of Allah and His attributes that no other scripture available at present has given such a concept. [XV, p.7] It is impossible for human mind to give such a concept of Allah. [XV, p.7]

2.4

Adopting the Attributes of Allah

Our attempt to adopt the Divine qualities (within human limits) is the climax of our life in this world. Man is blessed with such potentials and capabilities which can be utilised for all the possibilities of shaping one's self in most beautiful and balanced form. Thus faith in Allah will mean to set before oneself the excellent combination of attributes of Allah described in the Quran. These attributes are inherent in man himself ofcourse within human limitations. By assertion and adoption of these attributes the latent potentials can be actualised; and the extent to which these are actualised in life, man will attain that much 'nearness to Allah'; the climax of his life is: "That to thy Lord is the final Goal". [(53:42)-I, p.1449] But this does not mean that man will become God, because a finite can never become an infinite. When such qualities are reflected in the self of man, it will be the climax of life in this world. [(64:3)-VI, p.1321]]

Allah has endowed man with special faculties and capabilities in addition to beauty and grandeur; these provide him a unique position among all the creations contained by this universe. Attainment of perfection of qualities raises man to the position of Almighty's vicegerent on earth. Man has been informed that creation of universe is a bare reality, it is not a mirage, neither an illusion nor a dream. It is for the man now to fulfil his duties and responsibilities by making use of available resources in this universe, within the framework of the Divine limits; this will raise man to the desired heights (when he follows the Divine laws).

When man keeps the attributes of Allah as a pattern before him, he should try to acquire complete knowledge of various aspects of reality to enable himself to know which attributes are developing and which are still dormant in him. This is called acquiring the knowledge according to the Quran. This cannot be attained by mere reading the Book, its impression should deeply enshrine one's mind.

The entire edifice of human life rests on the foundation of *iman* (conviction in Allah, details are given in Chapter 4), without which the concept of leading ideal life cannot be formed; goal of life determines the mode of thinking and line of action. These are the struggles to achieve the goal, and at this stage the difference between means and ends does not remain. The true conviction in Allah becomes the motivating force for action. This is the reason why the Quran says that if one does not have true conviction in Allah, his action plans cannot yield fruitful results. And believing in Allah according to one's own individual and personal thinking also cannot meet desirable end.

Another reality which needs to be understood is about the human personality which is comprised of two major components - the soul (self) and the body (physique). Both of them are important and need to be developed in individual; development of body is visible whereas development of self is invisible. Development of self is judged through the dealing of one individual with another. Though personality is unique in every individual, its development is possible only in a society; and the Quran says that perfection of personality and collective way of life are inseparable. [(59:9) - XV, p.9] When a society with common goal is developing, every member of it will consider it as his prime duty to care for growth and development of other members and the society as a whole.

2.5

Creation, Growth, Development, and Perfection of Universe

Allah has assumed responsibility of providing perfection and protection to His creations (6:12). The purpose of this expression indicates that whatever demand is put forth for growth, development, and perfection by any creature, the corresponding attribute of Allah - the Creator - fulfils that particular demand. Under specific circumstances there will be manifestation of one of His attributes and this is generally called Grace of the Providence which

is eternal and unchangeable. In this world all the creations of Allah are bound to follow the natural laws set for them, and none can violate them in any form (2:116; 30:26). Since human beings have been made responsible for reward of good deeds and punishment for bad deeds in this world and in the Hereafter, man is given an option to follow or not to follow the Divine laws (18:29), but the results of his action are beyond his control. This can be explained by few examples of our daily life such as that when a man plants a mango sapling, it will bear mango only; if he wants fig from mango tree, it will not be possible. In another example, if a person takes potassium cyanide he is bound to die; he has an option to take or not to take, but as far the result is concerned he has no control over it. Further, if a person puts his finger into fire, it will be burnt. Also the result will not depend on how it was done whether intentionally or unintentionally; the effect will be the same for the poor and the rich, minor or major, insane or sane, black or white, *kafir* or *momin*. This is called the *Law of Mukafaat* (Law of Reward or Punishment) which is permanent and unchangeable. In all other day-to-day activities, the effect of the *Law of Mukafaat* will be the same. At the same time man has not been left without guidance, and in this respect the Divine revelation says "And those who strive in Our (Cause) - We will certainly guide them to Our paths: for verily God is with those who do right". [(29:69)-I,p.1048] The Quran has also categorically stated that when the right path is followed, the followers will be showered with blessings from heaven and earth, but when these laws are violated, the blessings are withdrawn (7:96).

In the light of the above explanation, it could be seen that Allah is not the creation of any human mind but exists as an Absolute Reality. We have to believe in Allah through understanding His attributes which He Himself has described in the Quran. These attributes serve a pattern for the mankind to follow.

Prophet Mohammed (S)

The Holy Prophet Mohammed (S) is the last prophet of Allah in the series of the prophets. His father was *Hazrath* Abdullah and mother was *Hazratha* Aamina. He was born on Monday (morning hours) the 20th April, 571 A.D. (9th Rabi-ul-Awal)* [XVI, P.78] in the holy city of Makkah (Arabia) where the Grand Mosque - Kaba is located. He breathed his last in Medina (Arabia) in 632 A.D. His father died before he was born. At the age of six his mother died. His grandfather *Hazrath* Abdul Mutallib took him under his patronage. His grandfather died when Mohammed was quite young. His uncle Abu Talib became his guardian.

At the age of twenty five he married *Bi Bi* Khadijah, a widow of forty. She remained his only wife for twenty five years; those ladies whom he married subsequently were elderly homeless widows whose husbands were either killed in wars or had divorced them. He performed such marriages mainly from the point of view of extending patronage to those ladies. *Bi Bi* Aisha was the only virgin lady whom he married before his migration to Medina.

The Quran called the wives of the Prophet(S) *Ummahath-ul-Momineen* (mothers of all the *Momineen* i.e. Believers in Islam), and thus prohibited them to re-marry even after the Prophet(S).

3.1

Beginning of Prophethood

At the age of forty, revelation of the Divine Message - the Quran - started on the Prophet(S) at Makkah during the month of Ramzan (2:185). Mohammed (S) undertook *hijrat* (migration) to Medina in 622 A.D. as the people of Makkah (the Quraish) resisted very much to the spread of the Divine message. And this was the

* The above mentioned date of birth, reckoned by mathematical calculations, is noted in a treatise written by Mahmood Pasha Falaki, a famous astronomist from Egypt. This is cited by Allama Shibli Nomani in his world famous book *Seerat-un-Nabi* (Urdu) 1 (1), p.124, 1918 A.D. (1336 H.), Nami Press, Kanpur.

start of the Muslim era - *Hijri*. The land of Medina was found most 'fertile' for the establishment of a State totally based on the Quranic ideals. The Prophet(S) was given a ceremonial welcome at Medina, and a large number of people embraced Islam - they are called *Ansaar*, and those who migrated from Makkah to Medina were called *Mohajreen*.

3.2

Attributes of the Prophet (S)

Prophet Mohammed (S), as a human being (18:110), possessed such high qualities which are beyond one's imagination. While describing the attributes possessed by him, the Quran has used a word *Fastawah* (53:6), which means that he had the most balanced personality in which all the human qualities attained utmost perfection and found in the highly developed form. The Quran calls upon human beings that for the perfection of personality, Divine Attributes have got to be adopted, within the human limits, and Mohammed (S) did the same in the making of his personality (64:3), and this is the climax of life in this world (and this crest has not been attained by any other individual). The Book has testified perfection of the character of the Prophet(S) stating that: "And you are certainly of an exalted character". [(68:4)-II, p.557] In this respect, Allah says that Mohammed(S) is the most trustworthy. [(81:21, 24)-VI, p.1420]

On announcement of the prophethood, people around him (the Quraish of Makkah) asked Mohammed (S) to produce some miracle as a proof of being the prophet of Allah. When this demand of miracle became severe, he placed before the people a verse from the Quran itself: "I have indeed lived a lifetime among you before the Quran was revealed to me. Do you not then understand?" [(10:16)-II, p.205] Thus Mohammed (S) placed before the world his own moral character as a miracle*, and also as a proof that he was not telling them any lie, and his entire life (private as well as public) remained crystal clear and as an open book before the people. This shows how much important is the moral character** of a person in society. And the Quran states that the noblest of you in the sight of Allah is the best in conduct (49:13).

* It may be pointed out that as far the miracles are concerned these are also demonstrated by liars and wicked persons. Miraculous powers can be acquired by such persons who lost their human values miserably (26:221-222; 45:7). Such of their demonstrations should not be mistaken as Divine revelation which is made by Allah alone to the prophets, and the last one was made to the Prophet Mohammed(S), and it was stopped after him.

** Though character is a very complex term, precisely it is that behaviour of a person through which permanent values are always respected and preferred over physical or material benefits under choice and freedom.

3.3

Proclamation of Prophethood

With the initiation of the Divine revelation, the Prophet(S) called the people of Makkah and addressed the gathering projecting to them the background of his own life, stressing particularly on his attributes - truth, and trustworthiness which alone he had exhibited throughout his lifetime. He further spoke about his other attributes that he never misappropriated the articles kept under his custody by the people who used to be away from home on journey nor he ever deceived anybody. Then he questioned them as to how such a person can change overnight to declare himself falsely as the Prophet of Allah. He also made it clear that he was standing on a pedestal from where he can see one part of the world wherefrom realities of the universe rise and the other part of the world also where these realities are applied - the crest of the horizon. This is the position of a *nabi* (prophet of Allah) as he is endowed with Divine revelation (53:7; 81:23). And this is the reason that whatever the prophet says he has seen it all with his own eyes. In this respect, the Quran says that the heights of knowledge, vastness of realities, and the depths of creative thoughts are pooled in the most balanced form in the personality of a prophet. When these qualities attain perfection his heart becomes capable of receiving the Divine message (the *wahi*). Through this message, he enables himself to bring about remarkable revolution in the world of mankind. An earnest desire of a prophet is to see in practical form whatever he conceives for the betterment of mankind in the light of Divine revelation. According to Allama Iqbal, the criterion to judge the achievements of a prophet is to see that in what form he has moulded the mankind, what impact he has created on it, and what type of cultural world has emerged out of the spirit of his message. [XV, p.41]

The prophet is expected to remove all the evil forces which are suppressing mankind and unbalancing the society. He establishes an order as per the guidance of Divine revelation. He is entrusted with the responsibility of accomplishing Allah's programme in the human world as a result of which 'Allah's kingdom on earth' is formed. The prophet is assigned the task of removing tyrannical, oppressive, and self-seeking rulers who had suppressed mankind miserably under their sway. His another task is to sway the priestcraft (religious leadership) which exploits innocent people by presenting themselves falsely as representatives of Allah on one hand and supporting oppressive rulers on the other. At this juncture, the work

of the prophet becomes much more difficult and complex as he has to remove the obstructive forces from his path and to establish a kind of free society in which men will not be governed by other men; they will be ruled by the Divine laws. With this crystalised objective, the prophet acts as a great revolutionary, and not as an individual simply reciting sermons and chanting holy verses. In this process of establishing such an ideal society, man becomes a true servant of Allah Who is the Supermost Power (53: 5-9).

Establishment of a society based on the Quranic laws was a very difficult, complex, and comprehensive task before Prophet Mohammed (S), and this needed a group of educated trained, disciplined, sincere, honest, dedicated and devoted Believers whose high qualities have been described by the Quran at several places (5:54; 48:29; 98:8). And in a very short period of time Mohammed (S) prepared a team of such persons through the process called *tazmeel*, [XII, p.155] and their educator - the Prophet(S) has been addressed by the Almighty as *Muzammil* (73:1). Members of this society had, in every facet of their life, complete reflection of the Quranic teachings. And with the help and with total involvement of his associates (*Sahaba*), the Prophet(S) was able to establish a State which was justifiably called a 'heaven on earth'. In this State every individual found himself complete free and obedient to the Quranic laws. This ideal State assured people perfect peace and harmony, and provided them material for their wholesome growth and development, and an opportunity to express their potential and capability to contribute for the welfare of the mankind. The objective of sending the Prophet (S) has been described by the Quran as to communicate to the mankind the Divine Message, to make the Prophet's life a model for the world, and to establish a State, which in the real sense, will be the most ideal one for man's life on the earth and also for the life after death. The Prophet(S) is, therefore, addressed by the Almighty as *Rahmath-an-lil-Aalameen* ('a Mercy for all creatures'). [(21:107)-I,p.846)] And the Prophet Mohammed(S) fulfilled these objectives in the most perfect and ideal manner.

The contributions of the Prophet(S) have been mentioned in the works of several unbiassed writers throughout the world since ages. As an example, a French historian, philosopher, and an Islamic

scholar Lamartine* rightly deserves to be quoted here, and some researchers call this account as the best *Na'ath* - praise for the Prophet Mohammed (S) in prose. He says:

Either unwillingly or with free will and consent, no one has ever set an ideal of life higher than that of Prophet Mohammed (S). This ideal was much higher than that of normal human standard - rather a super human ideal. What was it ? It aimed at removing the barriers of misconceptions between man and God, and thereby fill man's heart with His Love, and tinge it with His Divine attributes by presenting a pure and rational concept of the oneness of Allah amidst a host of false deities. No one has ever dared to take up such a magnificent task beyond human capability and lack of resources. When the Prophet (S) thought of this sacred duty and came forward to translate it into action, he had no means except his own self and a handful men settled in a corner of the desert. With such a lack of resources, none would ever venture to bring about a great and lasting revolution - a revolution which spread and won over the entire Arabia to its beliefs and deeds, and within a period of less than two centuries conquered Iran, Khurasan, Western India, Syria, Egypt, Ethiopia, and the already known areas of North Africa, various islands of the Mediterranean Sea, and even Spain.

If the loftiness of the ideal visa vis limited resources and brilliant results is taken as a criterion of human genius, can anyone dare to present a man as the equal of Mohammed (S) ! The great men of the world could only produce weapons of destruction, formulated laws or established empires. At the most they could create material means which were often burnt to ashes before their own eyes. But Prophet Mohammed (S) was a man who established vast States, defence forces, and legislative bodies. He not only moved nations and dynasties but also influenced the hearts and minds of millions of men living in one third of the area of the then populated world. Far beyond that, the personality of the Prophet(S) shook the idols and altars, changed the norms and the false beliefs and convictions. He even moved the spirit of human beings. On the basis of the Book (Holy Quran), every word of which is law, the Prophet (S) laid the foundation of a nationhood (Ummah) which is an amalgam of races and languages. This immortal Ummah rejected idolatry and offered its devotion and absorption to Allah, the only One.

* LAMARTINE : 'HISTOIRE DE LATURQUIE', 2, pp.276-77; quoted by Parwez,G.A. 1986. 'Meraj-e-Insaniyat', (Urdu), pp.458-60; and translated by Dr. Mustafa Ali Khan Fatimy, the then Director, Abul Kalam Azad Oriental Research Institute, Hyderabad, India for inclusion in the present work on request of the author.

These are memorable monuments of the great personality of the Prophet(S). In the midst of fictional gods, the proclamation of the only one Allah was in itself a miracle. No sooner this was announced by the Prophet of Islam, than the temples of false gods collapsed and one third of the world set alight. The Prophet's life, his contemplations and pursuits of thought, his war like struggle against idolatry and superstition, and his unsurmountable courage to face with a smile the oppression and anger of paganism. His integrity and perseverance to endure all these difficulties for thirteen long years of his life at Makkah, then migration (Hijrat) to Medina, and successive preaching and propagation of Islam, unceasing efforts, unshakable faith in the success of his ideal mission, superhuman coolness of mind in times of prevailing unfavourable circumstances, forbearance and forgiveness at moments of triumph and victory in his conquests - not for establishing a State but for the success of his divine mission with utmost ambition and enthusiasm. His successive prayers in ecstasy and absorption, his communion with the Almighty, his limitless popularity all along his life and even after his passing away. Is it not that these realities are the manifestations of the way of his life ?

Can a liar or a slanderer lead such a life ? Really, it is the life of a true and divine being with firm belief in his righteous and holy mission. His belief melted mountains and stimulated him with immense quivering energy filling up his faith with life and immortality. What is his belief ? It is Unity and Purity of Allah, the former to explain what He is and the latter to express what He is not. That is illa and this is la - the first to efface the idols (even by use of sword, if necessary) and the second to set the majestic throne of the real Almighty on earth.

A profound thinker, a sublime orator, a messenger of Allah, an eminent jurist, a supreme commander and conqueror of concepts and beliefs and an architect of a true theory of life based on insight and reasoning.

The founder of an order wherein false gods have no place in human mind. The only divine monarch of a heavenly kingdom in the multitude of worldly States and that is MOHAMMED.

Come along with all measures and standards for evaluation of human evolution and magnificence, and then decide whether any man greater than Mohammed (S) has ever lived in this World.

3.4

Establishment of Divine State

It is a misconception among some people that the duty of a prophet is to receive the Divine message and to deliver the same to the people. It is incorrect to think that since the message is revealed by Allah, the individuality of prophet does not play any role. From the day a prophet is born, he is prepared for this most important responsibility. It is altogether a different issue whether he himself knows it or not that such a great responsibility will be cast on him in future. As a result of this rather 'un-informed training', the personality of the prophet becomes perfect and balanced; his 'heart' gets prepared to receive the Divine guidance through revelation. The task of the prophet starts with the beginning of the revelation.

The duty of the prophet does not end just with the receiving and delivering the Divine message, he is made responsible for setting up an order and to establish a State completely based on Divine laws - a true Divine State on earth. Such a State in the real sense, is totally governed by the laws given by Allah, and under this Divine order, men will not be subordinate to other human beings but all will be subordinate to Allah and following His laws. In such a State every individual will get maximum opportunity to grow and develop his potential and contribute substantially to the society and the mankind. And Prophet Mohammed(S) established the most ideal Divine State.

3.5

Uswa-e-hasna (excellent example to follow)

The Quran has quoted two great personalities from the entire humanity and presented their life as the best model for emulation and to translate it into action in its true spirit. The Book says that their life is an excellent example for you to follow (*Uswa-e-hasna*). [I, pp.1532-33] These two personalities are Prophet Mohammed (S)* (33:21), and Prophet Abraham (P) (60:4,6). Allah says that indeed in their lives the most beautiful pattern of character and conduct is found for the entire humanity who believes in the Final Day of Judgement.

* Michael Hart, in his famous book *THE 100 A Ranking of the most influential persons in History* [III,p.40] states : "It is this unparalleled combination of secular and religious influence which I feel entitles Mohammed to be considered the most influential single figure in human history."

Allah and His angels honour and bless the holy Prophet(S) as the greatest of men; people have been asked to honour and bless him in the same way all the more. This should not just be merely by lips but through their concerted practical following in all aspects of life so that his mission fulfils its objectives and reaches the ultimate goal. The only way to achieve this objective is to obey instructions of the Prophet(S) to the core of heart (33:56; 33:43). This is the practical method of following and blessing (*darood and salam*) the Prophet(S).

The matter of strengthening the hands of the Prophet(S) has been further elaborated that Allah stands with those who endure steadfastly (*sabireen*), and they should obey the Almighty and His Apostle (the central authority) in every matter. They should stand united, and should not quarrel among themselves for individual gains. If they do so (for fulfilling selfish desires), their power and strength get weakened, and they lose the 'battle'. They should, therefore, render themselves firmly because the Divine laws favour and support only those who endure steadfastly (8:46).

Islam

In the world around man, and also for the functioning of his own body systems, physical (natural) laws are operative and all their related activities are governed by these laws. Laws are also given by Allah for social activities of man as a code of conduct in life. The very object of giving these laws is to provide its followers a peaceful, harmonious, and prosperous life in this world and in the Hereafter. To fulfil this objective the only Divine code given is Islam which means (in brief) total obedience to Allah and His laws. Following these laws in full faith is Islam and the strong conviction which forms the base for such following is called *iman*.

As far the physical laws are concerned, all the objects of the universe are bound to follow them, and the question of violating them does not arise. In case of social laws (exclusively given for man), option is given to follow them and to see whether these laws bring about the same results as claimed by the Divine Code which is available in its original form in the Quran alone and nowhere else. In the event of deviating from them, mankind is warned against its disaster. And the foremost pre-requisite to adopt the Divine laws in one's social life is the conviction in their truthfulness, easiness in understanding, and worthiness for adoption. An attempt has been made to elaborate these features of Islam.

4.1

Iman and Islam

Iman is full faith in Allah the only One and this truth should be based on reason and knowledge. Sometimes it is synonymous to English word conviction. The Quran lays much emphasis on reason. During the process of evolution, man has emerged as a 'new creation' (23:14). At this stage, Allah 'breathed' in him His *ruh* (32:9), then he was endowed with His attributes to the extent of human limitations (32:9). Man has been gifted with mind which enables him to think and the intellect that helps him to build up knowledge. These are the best Divine gifts man is endowed with, and expected to get the right benefits from the resources of Nature following the Divine laws.

Man will remain an ungrateful creature if he does not make use of these gifts. In this respect the Quran says: "You will see many amongst both *Jinn*¹ and *Ins*² who are destined for *Jahannam*³ for they have been given the faculties of thinking, seeing, and hearing but they do not utilize them (to grasp the truth). They are just like brutes - and indeed worse than them. They remain unheedful of the laws of Allah." [(7:179)-XVIII, p.252] Blindly following the footsteps of ancestors in their life is the characteristic of misled people who defend themselves on this invalid base. When they are told that the Quran is the only criterion of right and wrong, truth and falsehood, they will not accept it saying that they will follow the path of their ancestors even if they lacked in knowledge and wisdom (2:170).

Persons who have belief and conviction (based on reason) in Allah and His Messengers and surrender themselves with everything including their life to Allah are called *momineen* (singular *momin* - meaning Believers) according to the Book (49:15). With such a conviction in their mind, they do not have even the slightest doubt or suspicion in the Divine laws, and they work for the establishment of the Quranic order. At another place, while describing the qualities of *momineen*, the Quran says that they are the people before whom when the Divine Revelation is placed, they do not accept it like deaf and blind (25:73). The Book always insists on thinking to understand and to get the knowledge of the universe i.e. Allah's creations and about all the matters of life. The Quran insists on rational thinking about the Divine message (4:82; 47:24) so that man could get a clear understanding of the teachings, instructions, and the guidance given therein. While talking about the 'pathway' of *iman*, Allama Iqbal describes it as the truth which enters the heart through mind or intellect. This truth brings about change in the world around him.

1 *Jinn*: "... a tribe that continued wandering from place to place and remained mostly out of sight was called *Jinn*". [XVIII, p.28(G)] "This also means those Bedouins, nomadic tribes or gypsies who kept on wandering from place to place and remained in deserts or forests away from cities. In Arabia such people were great in number." [XVIII, p.37(G)]

2 *Ins*: "... humans (human beings) living a collective urban life, as opposed to gypsy life." [XVIII, p.28(G)]

3 *Jahannam*: "... a situation in which humanity is ruined. a condition in which human evolution is prevented and life begins to stagnate instead of progressing." [XVIII, p.32(G)]

The Quran, while differentiating *iman* from *kufir* (antonym or negation of *iman* i.e. open denial of truth), draws a line of demarcation between these two that *momineen* are those who believe in Allah's law of *mukafa't* (retribution) and the life after death, whereas the Unbelievers are the people who deny the Divine code of life; their fundamental thinking is similar to that held by those who died in the same state of denial of *Deen-e-Islam*. On account of this people (*momineen*) have been asked not to make Unbelievers companion (friends) as they have the Wrath of Allah. [(60:13)-I, p.1536]

4.2

Divine Laws and Man-made Laws

Divine laws govern the entire universe and these are not subject to any change - time or place. These laws are operative in the physical life of man too. Divine laws are also given for the social life of man and these are also unchangeable; these are found in their original form in the Quran alone. These are formulated by the Almighty for the benefit of man. By adopting these laws the entire mankind is benefited, and if these are violated, the mankind gets into disaster. At the same time man is given option to follow the Divine laws unlike the other living beings which are left with no choice except following them by instinct.

Man-made laws, on the other hand, are subject to change at any time to suit and satisfy requirements and interests of individuals or groups. Among the followers of these laws there could be exemptions too; when a person, for example, commits a crime he may or may not be caught; even if he is caught he may or may not be punished. This is not the case with the Divine laws. When a person puts his hand into fire, it is bound to get burnt (it is immaterial whether he has put it knowingly or unknowingly). It is not that one person puts his finger into the fire and someone else receives the burn.

For social life and economic matters, Divine laws are given for adoption so that related problems could be solved ideally. For example, matters related to capital and assets are to be handled in such a manner that the worldly life becomes peaceful and guarantees economic welfare, and 'paradise' in the Hereafter is assured. For this purpose the earnings should be utilised for improving not only the quality of one's own life but that of the society, thus economic and social justice are provided to the people. In this regard it is

obvious that the usual attitude of man is towards violation of Divine laws, and this results in destruction of the mankind (28:77). Yet at another place the Quran says that those who accumulate wealth for themselves and do not keep it open for the needy and deserving persons, they form such a society and introduce such laws which do not appear to be disastrous but in reality these are destructive. Such persons do not openly violate the Divine laws as they are not bold enough to do so. But such an attitude of these persons cannot stop the effectiveness of the Divine laws in the process of forward movement of the potentials and capabilities of the people who follow these laws (57:24).

4.3

Benefits of following Divine Laws

The Quran stresses very much on thinking. Thus one can realise how much important thinking is. In this respect the Prophet(S) was instructed by the Almighty to tell the people just one word - '*Thumma-tatafakkaru*' - reflect (introspect) within yourselves. [(34:46) - I, p.1148] Yet at another place the Book observes that persons, inspite of having given them the faculties of thinking, seeing, and hearing do not make use of them to grasp the truth; they are just like brutes (beast), and indeed worse than them. They remain unheedful of the Divine laws. [(7:179) - XVIII, p.252] Qualities of *momineen* have been described such that they are the people before whom when Divine revelation is kept, they do not fall upon it like deaf and blind but accept it duly applying their mind (25:73). The meaning of Islam itself is to follow Divine laws in every walk of life. Some of the benefits accrued on following them are given hereunder.

(i) Misfortunes can be averted by following the Divine laws. Misfortunes are brought by the person himself, and no one else should be blamed for it. Troubles are the consequences of man's own activities and for this he is personally responsible, and therefore he should not throw blame on others for what he himself has done (42:30). If one acts according to the Divine laws the results will be fruitful, otherwise those will be fruitless for which he himself will be responsible (4:79).

(ii) Disasters can be faced satisfactorily by following the Divine laws. In view of this fundamental principle, disaster can be averted by following these laws, provided one is aware of physical laws and possesses the knowledge of systems around him. Then he should

see that the society functions accordingly and the social order does not develop unevenness from within. The Quran has quoted an event from the period of Prophet Solomon (P); people at that time were happy and prosperous as long they were following the Divine laws in their daily life. After the death of the Prophet Solomon when they became covetous and selfish, they had fallen from the grace (34:19).

(iii) Day is for work and night is for rest (sleep). For growth and development of man, Nature has made arrangement that during day time (in the presence of sunlight) people should work (to earn their living), and for taking rest night has been made so that one may take rest and thus the energy lost due to the day's work is restored. Allah has been graceful and bountiful to mankind by providing such conditions (facilities) for human efforts but most of the people do not value them and do not take proper advantage (40:61).

(iv) Objective of life is achieved by following the Divine laws. The goal of human life is not just the physical growth and development, it is also the development of his 'self'. When people have ignored this aspect and violated the laws the level of their life came down to that of the level of animals or even lower than that (7:179).

(v) Following Divine laws brings about bright and fruitful results. Those who strive for the cause of Allah, He certainly guides them to His path. Undoubtedly, new vistas of life get opened and these lead to the right path. Thus the objective of Divine programme is fulfilled (29:69).

(vi) As a result of following the Divine laws for life matters, when desired results come out of the human efforts, it is said that the promise of Allah is fulfilled; as He never departs from His promise and most of the people do not understand this fact. It is a fact that the Divine laws are eternal therefore in nature nothing happens against these laws. This phenomenon asserts that Allah never departs from His promise (30:6).

(vii) By following the Divine laws survival of man on earth is assured. Life and death are determined by the law of capabilities. Those who are capable enough to survive, they alone will survive, and also those who strive to live will enjoy life. Those who are not capable enough to do so, they will get perished; and this is according

to the Divine law. By one's own performance he may stand or fall (50:43; 8:42).

4.4

Deen and Mazhab

Whenever Divine guidance was needed for the mankind, it was revealed to apostles by Allah, and through them it reached people of those days exactly in the same form and words in which it was revealed over a particular period of time. The collection of the entire message was called Divine book. Followers of the prophets did not keep those scriptures in their original form after their prophet. As stated earlier, the last book in the series is the Quran which also contains the Divine laws that include permanent values in complete, unchangeable, and eternal form. No one, even the Prophet Mohammed(S), upon whom the Quran was revealed, made any change such as addition, deletion or modification in the Book, which also contained a code for life of man and this is called *Deen-e-Islam* (3:19). This order was operative during the lifetime of the Prophet(S), and for three decades after his passing away. Subsequently, evil forces, which had remained suppressed by the influence of the Divine code (*Deen*), used to raise their heads to fulfil their evil objectives, to satisfy their vested interest, and to implement their greedy motives. They exploited innocent people by projecting their ideas in the name of Islam. Such forces utilized services of persons who had a false saintly appearance, pious robe, and angel-like face; they used to speak out their own ideas in the name of *Deen*. They appeared before the people as interpreters of Allah's Will presenting *Deen* in a distorted form, and the *Deen* thus got "... reduced to a set of soulless beliefs and lifeless dogmas and formal rituals divorced from reason and knowledge and the realities of life in this world. They sought to keep the common people entangled in the labyrinth of dogmas and rituals, and the exploiters, religious as well as temporal, were thus left free to maintain their stranglehold upon the defrauded masses and to fatten themselves on the labour of others. This was the metamorphosis of *Deen* into *Mazhab* or religion, as in the old". [VII, p.9]

The kind of disorderliness mentioned above, could not continue long, and in the meantime another apostle of Allah used to appear, and re-establish the *Deen* of the earlier prophets. These processes went on in an alternate form, and at last, the last, perfect, and final code of Divine Guidance in the form of the Quran was

revealed. On the basis of this Divine Book, Prophet Mohammed(S) established a State in Medina for its enforcement. Characteristic feature of this State was sovereignty of Allah and not of man, and introduction and adoption of the Divine code of life and not man-made laws. This was the real Islamic State totally based on the Quranic laws. After the Prophet(S), the system continued for few decades. Then the leaders of the religion (*Mazhab*) enmasked the *Deen* befooling people, violating the Divine code of life, deceiving the common people in such away that they accepted the shadow in place of substance, false interpretation in place of truth, and blind devotion in place of real knowledge. Thus people had fallen into grip of *Mazhab*, weaning themselves away from the *Deen*. (It is worth mentioning that the word *Mazhab*, though an Arabic word, has not been used anywhere in the Quran). The history of mankind is precisely the history of an incessant conflict between *Deen* and *Mazhab* throughout. *Mazhab*, which is a priestcraft, has no sanction in the Quran.

Another characteristic of religion (*Mazhab*) is that of following traditions blindly. Its representatives profess that whatever was followed by their ancestors has to be followed, no matter it is a blind imitation adopted unwisely, without thinking and without reasoning. Whenever any reasonable person raised voice against them, they tried to arouse the ire of the people against him on the plea that he is desecrating and insulting their respectful and renowned ancestors. This is how the whole structure of *Deen* was weakened and damaged. But the real *Deen* (the Divine guidance and code of life) is available in its real and original form in the Quran. The permanent values preserved in this Book are trustworthy and reliable, unchangeable and practical, and easily adoptable. These values ensure real freedom to man, satisfy the urge for self preservation at the physical as well as human level, and heavenly life Hereafter. With this kind of attitude towards life, the bondage of religion and superstition get shackled and thus set the man free. Under this Divine code of life - *Deen* - the concept of Allah is that He is One Who makes those laws which are universal, eternal, unchangeable, and irreversible. Every action under this system brings about results according to the Divine laws.

The universality of these laws is such that it brings about the same results throughout the world whenever and wherever these are adopted. This also means that when the world community follows these laws, undoubtedly it will have a pattern of living characterised by unity, uniformity, and peaceful co-existence in every walk of life.

It has been pointed out that whenever a particular event takes place, at that moment a particular attribute of Allah manifests itself. It has been stated that man has certain innate faculties and qualities. If these are properly trained and positively developed, they express themselves and produce the same results (within human limits) as those absolute and limitless attributes of Allah exhibit. If such a human social order is established in which human attributes are trained and developed, they exhibit themselves and the speed of effectiveness and rate of resultability of the Divine laws will increase manifold. In this context the Quran says that if you help the establishment of the Divine order, Allah will help you and you will get yourselves established (47:7). In other words helping the Divine system by following the Divine laws means to help ourselves.

In the Quranic order - the *Deen* - a perfect and harmonious coordination between people and the Divine laws occurs, and this occurrence is called *nuzul-e-malaikah* (97:4). This means that the forces of nature at work and the human potential (which includes physical and psychological forces within the human individual himself) working together to fulfil the objective of Allah to transform the Divine scheme into practical establishment of a real 'welfare State' on earth. This is not possible when we follow rituals and traditions given by *Mazhab*, denying knowledge to accomodate faith.

The two factors - Divine laws and human potentials - when act together accelerate the speed with which a positive and desirable development of human social order takes place in the process of evolution. This could be explained with an example that when a ball of cotton fibre lies in hot sun, it does not get burnt. When the same rays of the sun are focussed and concentrated on the cotton fibre with the help of man-made lense, the rays become more active and effective and the fibre starts burning within a very short period of time. On the contrary, when we talk of *Mazhab*, we talk of people following the man-made laws and these negate the process of establishment of Divine social order, and the result is obvious.

Mankind talks of peace and harmony on earth; these are possible only in that society in which life is led in accordance with law and constitution free from fear and grief; and the Divine system alone ensures this. It provides equal opportunities to all the people to grow and develop their potential. Such a peaceful and harmonious system - the *Deen* - was established by the Prophet Mohammed (S),

and this system was based totally on the Quranic laws. The Prophet(S) not only brought revolution in the physical world of the people but in the world of minds and thoughts in the shortest possible time (twenty three years), and the history of mankind has miserably failed to quote such an example. For all this, what the Prophet(S) did was that he conveyed the message of Allah (the Quran) to the people and introduced the Divine laws into the society. He pronounced that he was the first person to obey (follow) the Divine laws (6:163). He removed slave-thinking from the minds of the people and provided them a free sphere which created for them an atmosphere to think and act freely and thereby to grow and develop their capacities and potentials. Historians of the West conducted research throughout their life to find out the real cause as to how Prophet Mohammed (S) could bring about such a revolution beyond one's imagination. The answer is that he established the *Deen* in its real sense, and this provided a real constitutional atmosphere which resulted in growth and development of human potential. During his lifetime, the Prophet(S) never insisted on anything other than following the Divine constitution (the Quran), and this amounted to following the *Deen* and not *Mazhab*.

The preceding discussions explain the difference between *Mazhab* (religion) and *Deen*, and lead to the Quranic version that Islam is not *Mazhab*, it is *Deen*. Allah has approved only one code of life for mankind, and He Himself named it *Deen-e-Islam* (3:19), and this is described by the Quran as *Deen*, which is generally translated into English as religion. This English equivalent of *Deen*, as religion, is not only incorrect but is also a deviation from the actual meaning and significance of *Deen*.

Islam urges upon establishment of the Quranic Order (*Nizam-e-Salath*), and a plan of action for growth and development of the entire mankind through a system called *Nizam-e-Zakath* (details of these two systems are discussed in Chapter 5). As a Divine code of life, Islam is very simple to follow and easy to adopt in practical life. It aims at establishment of a social order based on permanent values and sound economic principles and the only system which is sustainable and beneficial for the entire mankind (13:17). It is most unfortunate that Islam as *Deen* - a system totally based on the Quranic laws - is yet to be established in Muslim countries in the modern world. [VI, p.9]

Ibadaat

Ibadat (plural *ibadaat*) is a very comprehensive term the Quran has used; prayer or worship is used as an English equivalent of this term but this cannot give the real sense of the Quranic term *ibadat*. (Wherever prayer or worship has been used, this is taken to give the meaning of *ibadat*). Obeying every order of Allah, as given in the Quran, is *ibadat*. The Book itself has made clear the meaning of *ibadat* when it advises the Prophet (S) that the path adopted by the *momineen* (Believers) is different from that adopted by the *kafireen* (Unbelievers). The objectives of people belonging to these two categories are different, and the means of achieving these objectives are also different. The Prophet(S) has announced that the deity of the Unbelievers is different, and the Authority whom he obeys is different. He follows the Divine laws and the code of life revealed on him by Allah, and as such his *ibadat* is to follow the Divine laws; the prayer of the Unbelievers is to worship the deities carved out of their minds (109:2-5). This expression explains the meaning of *ibadat* viz. *salath* (*namaz* as generally called), *zakath* (tax prescribed by Allah), *soum* (fasting), *hajj* (pilgrimage to Makkah in a specific lunar month of the year); *jehad* (continuous struggle, war in defence); and these are briefly discussed here.

5.1

Salath (Prayer)

Salath is the term used by the Quran for a comprehensive system - *Nizam-e-Salath* - established to introduce and follow the Divine laws in society. This aims at fulfilling the responsibilities entrusted to *momineen*. The word *salath* has been used by the Quran at many places in various meanings. It says every creation in the universe is busy in paying tribute to and praising the Creator by following the Divine laws either instinctively [(24:41)-VI,p.806], or consciously since man has been given the option to choose between good and evil. The duty of performing *salath* has been cast on him to save him from shameful and unjust acts. [(29:45)-I,p.1041] This enables him to keep himself on the 'straight path' - *Sirat-e-Mustaqeem* (1:6). Generally *salath* (prayer to the Creator and Providence of the

universe) is performed five times in a day*. Performing collective prayer aims at growth and development of physical, mental, and moral faculties on individual plane; and establishment of Quranic system ordained by Allah in the society (collectively). Such a system alone provides material for growth and development of the society [(24:56)-VI, pp.810-11], and enables man to reach the status of vicegerent of Allah on this earth for enforcement of rules and regulations in true Islamic State.

5.2

Zakath (Tax prescribed by Allah)

Ideal conditions for growth and development of human beings, individually or collectively, could be made available only through following the Divine laws revealed on prophets. A system thus established by following the Divine laws will be *Nizam-e-Rububiyath*, and this terminology is derived from one of the attributes of Allah i.e. *Rabb-Providence* (1:1). This system ensures growth, development, and welfare of the entire mankind. A true Muslim is one who is always at the service of humanity. In this regard the Book says that only that system will remain stable which strives for the good of individual as well as for the entire mankind (13:17); business (selfish, fraudulent) mentality and capitalistic attitude have been condemned severely. [(83:1-3)-VI, p.1425]

The Quran lays very much emphasis on the *Order of zakath* as that of *salath*; and these two systems could flourish only under the socio-economic order given by the Book for the mankind. Growth and development of personality are possible when all the people get their requirements - basic needs (food, clothing, and shelter) including health services and education justifiably and in desirable form. From this point of view also, the Quran has talked about *salath* and *zakath* simultaneously at several places as pre-requisite for achieving the objectives. The Almighty says that when He bestows

- *"1. The Dawn Prayer must be observed during two hours before sunrise (11:114, 24:58);
- 2. The Noon Prayer is due when the sun declines from its highest point at noon (17:78);
- 3. The Afternoon Prayer can be observed during the 3-4 hours preceding sunset (2:238);
- 4. The Sunset Prayer becomes due after sunset (11:114);
- 5. The Night Prayer can be observed after the twilight disappears from the sky (24:58).

The Friday - noon congregational prayer an obligatory duty upon every Muslim; man and woman (62:9). Failure to observe the Friday Prayer is a gross offense."
 ['Tolu-e-Islam', vol.48:(4),pp.1-2 (English Section), Lahore, April, 1995]

on *momineen* a State on earth to manage, they introduce the *Nizam-e-salath* (Order of *salath* - so that people will follow the Divine laws), and the *Nizam-e-zakath* (Order of *zakath*) - that will provide material for growth and development) for the entire mankind. [(22:41)-VI, p.762] In other words, fulfilling all the requirements of the people is the total responsibility of such a State. The above explanation makes it clear that *zakath* is not just charity based on certain calculated percentage of the value of assets or capital goods owned by an individual or a group, and given in the form of cash or kind.

Zakath is traditionally determined at the rate of 2½% on 52.5 *tolas* (612.35 g) of silver or 7.5 *tolas* (87.48 g) of gold and other assets equivalent to either of these two quantities of the metals, if possessed by any individual for a period of one year. According to this the eligible persons are required to pay 2½% of the value of the assets. It is thought that after effecting 2½% of the value of the assets the rest of the belongings will be under the 'safe custody' of God.

The Quran aims at removal of socio-economic unevenness from the society and to provide such conditions which help all round development of mankind by establishing an ideal socio-economic system. Under this order, every individual will work wholeheartedly, using all his capacities and potentials for his own benefit as well as for the benefit of his fellowmen. Under this philosophy the spirit involved will be that of service to mankind in the interest of humanity at large. When such a system operates, natural resources are exploited (through science and technology) and the products are distributed among people according to their needs (16:71). In this respect Allah refers to a question put to the Prophet (S) by the people enquiring the quantity of the surplus they should spare towards *zakath*. The reply is that whatever is surplus (*al-afw*) beyond one's needs and requirements of a decent life. This is in reality the surplus meant for *zakath*. In his lifetime, the Prophet (S) has been asked to collect such surplus (beyond the needs of those who have it) (7:199). When this kind of wilful and voluntary resource-sharing of surplus by the people takes place, it is obvious that no human being will remain devoid of adequate fulfilment of basic needs - food, clothing, shelter, health services, and education. Provision of means to satisfy needs of Muslims or non-Muslims will be the responsibility of the Islamic State. This can be taken as an ultimate purpose for appropriation of *zakath*.

Sadaqah (plural *sadaqath*) is another term which has been used by the Quran (2:280; 12:88). Basically *sadaqath* can be treated as charity willingly given for the welfare of the needy or the poor persons of the society or institutions. This practice prevailed during the transitory period of the establishment of Islamic State by the Prophet(S) in Medina. Similarly, another term *khairath* has been used by the Quran (9:88; 5:48; 3:114), and this is to denote material help by individuals to the needy.

It is important to note that the Quran has neither fixed any percentage or ratio of the value of assets nor specified the items on which *zakath* is payable. [XVIII, p.97(G)] This itself indicates that the ideal form of *zakath* will be entrusting the entire surplus owned by any individual to be utilised by the Islamic State for the welfare of the needy and the poor.

5.3

Soum (Fasting)

Soum is called in Urdu *rozah* - meaning fasting which is practised by followers of almost all religions in one or the other form. Under this practice, an individual has to refrain himself from chewing, eating, or drinking, and smoking for a specified period of time on specified number of days. Such restrictions lead one to think that fasting is a practice of keeping oneself hungry and thirsty for some period. In this regard the Quran has used a very comprehensive term *Al-soum* which speaks of the high objectives of fasting. While addressing the *momineen* the Quran says that fasting has been made compulsory for them also as it was for the earlier Believers. Fasting will enable its observers to establish a just and equitable society to fulfil its object. This object of establishing an obedient and disciplined society is fulfilled when persons are trained repeatedly every year to exercise through control over themselves for steadfastness and develop courage and endurance in themselves to bear hardship and labour under varied situations.

Fasting makes one to lead a disciplined life for the benefit of individual as well as of the society at large. It has in itself physical advantages and health care. Fast is observed for the entire month (lunar) of Ramadan every year; this month is regarded sacred and significant on account of the fact that revelation of the Quran began in this month. Fasting is done in this month from dawn to dusk every day, during which eating, drinking, chewing, smoking, and sexual

intercourse are prohibited; these activities are allowed from dusk to dawn during these days.

The main object of fasting is to develop the personality, to cultivate discipline, and to nourish one's own potentialities (2:185-187). Fasting helps in distinguishing between lawful and unlawful behaviour of people. The Quran states that it is not a mere rite or subjecting human beings to hardships and difficulties but it is meant for enabling them to establish supremacy of the Divine laws in the world (9:33). Fasting is also not just abstaining oneself from eating, drinking, or material indulgences to get 'closer' to Allah (as considered under monasticism); He says He is close to the people at all times (50:16).

While making fasting compulsory during the entire month of Ramadan, Allah has given consideration to persons under different situations and different conditions during this month. In this regard, the Quran says that if a person is sick or he is on journey and thus unable to observe fast, he must complete the prescribed number by fasting on other days. In another case, if a person is neither sick nor on journey and still he cannot fast except with great hardship, he should arrange food for one needy person in lieu thereof for those many days he has missed fasting. But the purpose served by fasting cannot be achieved by providing food to other persons (2:184).

5.4

Hajj (Pilgrimage to Makkah)

The Quran, besides containing solution (guidance) for every problem of mankind, also suggests fundamental procedure to solve the problems. While explaining the procedure, *hajj* has been quoted as an outstanding example in this respect. For example, the Prophet(S) has been addressed as "O Rasool ! the ultimate object of your mission is to eliminate differences amongst human beings and make them one *ummah* as they were at the beginning of human history. They created differences and were split". [(10:19), XVIII, p.302] Fourteen centuries back, the Quran has stated that mankind is one community (2:213). International organisations are now talking of the mankind as one community. Presently, one of the difficulties encountered by the world nations is that of nationalism which has divided the globe into different countries by artificial demarcations, and people inhabiting in each region are called a nation and the nations are further divided into developed and

undeveloped ones. Every nation prefers its interests over that of the others', and this results in battles among them, and history of the mankind is full of such clashes and wars. The Divine instructions, therefore, aimed at bringing the mankind together into one nation to share jointly the benefits of human efforts as well as losses incurred.

The objective of forming one *ummah* was assigned to prophet Ibrahim (Abraham (P)). As a result of his efforts, a symbolic centre for the entire mankind came into existence on earth under the name of *Kaba* in the city of Makkah (Arabia) to serve for a united order. The *Kaba*, the first mosque on earth was built by prophets Abraham (P) and Ismail (P), the father and the son respectively. The Quran has described this centre as the first House (of Allah) established on earth, above the variance of nationality, nativity, race, tribe, colour or creed, for the entire mankind, located in the sacred valley of Makkah; this was a significant landmark to guide humanity towards its ultimate goal (3:96). Allah has called the *Kaba* as His house (2:125), and this indicates that this House could not be the property of any particular tribe, nation, country, or a government. At this point it is noteworthy that what all the verses about *Kaba* and *hajj* are given in the Quran contain a common word *al-Nas* (humanity), and this exhibits that the purpose of establishing such a 'world-centre' has been to bring the entire mankind into one fold of universal brotherhood.

The Quran has declared *Kaba*-the 'grand mosque', as Qiblah - the centre for the mankind (*markaz-e-millath*). Such centre does not mean to refer simply to the structure constructed in mud and stone. For example whenever it is said that this is the policy of Washington, London or Moscow, it does not mean to denote these cities but it refers to those governments to which these cities belong. Similarly *Kaba* (Makkah) refers to the world-centre of that government which is established totally on the basis of the Quranic laws. The *Bani-Israel* (Jews) raised an objection at that time as to why did the Quran make Makkah (*Kaba*) as Qiblah (the centre) instead of Jerusalem (2:142). The reply of the Quran is that Jerusalem is the centre of a particular nation - *Bani Israel* whereas: "... the first House ever selected for the entire mankind was *Makkah*. It was from this place that humanity was destined to get the guidance and the basic laws which would ensure stability and nourishment for all". [(3:95)-XVIII-pp.99-100] The purpose of making *Kaba* the centre of Divine order has been to enable the entire mankind to stand at its own, and to make it

strong and powerful (5:97). And Allah knows the requirements of all creatures (5:98).

Another objective of declaring *Kaba* as a centre established by prophet Abraham (P) appeared to bring together the entire humanity for universal peace. In this respect people have been addressed that: "O *Jama'at-ul Momineen* ! if you aspire to attain *Abraham's* standing then you must follow his path and emulate his conduct". [(2:125)-XVIII, p.32] While declaring *Kaba* as a centre of peace, the Quran declares that "...he who enters it has entered the abode of peace ..." [(3:97)-V, p.172]. Yet another question arises whether any permission or Visa is required to enter this House of Allah (*Kaba*) and the holy mosque around it, and for this it has been declared that the doors of this centre remain always open for all the people, local or those coming from other countries there is no restriction on them to come, nor any permission is required to enter (22:25). But later the Quran has stopped entry of the Unbelievers stating that "They should, therefore, not come near the sacred Mosque after this year." [(9:28) -XVIII, p.276] In the category of Unbelievers are included not only those who worship idols but also those who do not believe in Islamic faith.

On completion of construction of *Kaba*, prophet Abraham (P) prayed to Allah "O Sustainer of all creation! make this habitat a sanctuary for the oppressed people of the world (2:126) and grant me and my progeny the power to withstand those forces which create obstructions in your way. These forces have led many people astray...". [(14:37)-XVIII, p.373] Prophet Abraham (P) had constructed *Kaba* so that it should serve as a centre for mankind, and Prophet Mohammed(S) fulfilled this objective, and completed his mission by establishing Quranic State under this centre during the sixth century A.D. First of all he (Mohammed(S)) formed a united *ummah* (community) which was beyond the identities of race, colour, tribe, caste, creed, language, and territory. The Quran has explicitly pointed out the reason as to why such an *ummah* was formed on earth by saying that "... the best community that hath been raised *for the benefit of mankind...*" [3:110)-VII, p.271] The task of this *ummah* was to lead the mankind to its goal and to form a universal brotherhood based on permanent values given for the humanity, and to treat the mankind as one family. The system established by this *ummah* had the basis of mutual consultations within the framework of the Divine laws in solving the problems of mankind (42:38).

Functioning of the Quranic State is based on mutual consultations in the light of the guidelines suggested by the Quran, and problems of the people are solved accordingly. For this purpose gatherings (in local mosques) take place on a small scale confined to limited areas viz. daily prayers (*salath*) held five times a day (details given under Section 5.1 - footnote). Such gatherings are extended to relatively large areas where congregation for prayer takes place once in a week on every Friday (62:9). The world's biggest assembly of the *momineen* (Believers in Islam, the Divine order) takes place once during the last lunar month (*Zi-al-Hajj*) every year; this is called *hajj*, and this institution gets people from all over the world at one centre - Makkah. This assembly was started by the Prophet Abraham (P) - the Builder of the *Kaba* - when he was asked (by Allah) to notify and invite all human beings to participate in this assembly (22:27), and accordingly he invited the mankind to attend. He was declared as the *Imam* (supreme leader) of the human beings and his life has been regarded as a model for the Believers to adopt in their life matters (2:124). The Believers (in the Islam - the Divine order) who can afford, were asked to assemble for *hajj* at this centre - *Kaba*, and to see with their own eyes as to how much the system is beneficial for the mankind of which *Kaba* is the centre (3:96; 22:28). It is worth noting that the sanctity attached to *Kaba* and its importance lie in what it symbolises (the supreme symbol of unity of mankind) and the Quran has termed it *shaa-erellah* (mountains) of *Al-Safa* and *Al-Marwah* its symbols (2:158); and Makkah is a resort for mankind and a place of security (2:125). *Kaba* serves as a centre of the world social order established as per the guidance of the Quran, and the people who join this order will always remain secure and fearless (2:125).

After the Prophet Abraham (P), the *hajj* gathering continued but its rituals were performed in non-prescribed ways. The Quran had not only retained the purposeful congregation of world Muslims but also made *hajj* a very strong pillar of the Islamic system.

During the year 10th Hijri (632 A.D.), *hajj* was performed as per the Quranic guidance under the direct leadership of Prophet Mohammed(S) himself (being his first and last *hajj*). At this occasion the Prophet(S) delivered that famous address *Khuthba-e-Hajjat-ul Wida*, which is taken as the best and the foremost DOCUMENT OF FREEDOM for the entire mankind. [XVI, pp.391-94] Precisely, this address has a focuss on establishment of a universal brotherhood

on the basis of justice and human equality by abolishing the man-made identities of race, colour, blood, language, creed, caste, community, tribe, nationality, and territory. He(S) said that every individual is answerable to Allah, and the Quran is a guidance available with people; and if they follow it totally sincerely, they will never be at loss. They should not interfere with the *deen*; earlier nations have suffered wrath of Almighty on account of this attitude. He(S) stressed to observe Divine laws concerning women; because women have equal rights with men, and they should not be ignored nor ill-treated.

Annual assemblies of *hajj* used to fulfil the objectives set by the Quran. Gathering of representatives of various regions of the world used to take at one place in the *Maidan-e-Arafat* (assembly ground) for introducing each other and on account of this it is called *Arafat* (mutual introduction ceremony). Each representative used to announce his programme of work for the coming year, and the programmes were given mutual consideration. Then these people used to camp at the ground of Mina for a period of three days for further consultations and finalization of their action plans, and then they used to return to their respective regions; the agreed programmes were implemented accordingly.

The city of Makkah is occupied by rocks and mountains where nothing grows (14:37). For such a large *hajj*-gathering huge quantities of food material are required, and the Quran has not ignored this matter. The *hajj*-participants were required to bring alongwith them their 'food stuff', - that is surplus camels. This beast of burden was used for transportation of men and material of daily use, and commercial goods for sale at the time of *hajj*. Subsequently, during the assembly of *hajj*, the animals were slaughtered and consumed, the poor who could not get meat during the normal periods were able to share it (22:28)*.

Another objective of *hajj* was to provide an opportunity to the world to witness as to how the real Islamic system is beneficial for mankind, and to watch the results in perceptible forms, on implementing the programmes (22:28). During the assemblies of

* The word *Qurbani* used for sacrificing animals, has not been used by the Quran, nor about those animals which are slaughtered at the time of *Id-ul-Azha*. The pre-condition for slaughtering (of such an offering) the animals is the occasion of *hajj* and the specific place of their sacrifice. [(48:25)-I, 1398] and [(37:107)-I, p.1206]

hajj, results of previous programmes were discussed and new problems if any, were considered. This was the purpose of *hajj* assemblies when Islam was in force as *deen*, and now it has taken the shape of traditional religious activity performed by millions of Muslims who congregate from all over the world. Most of them pray and return home without understanding the philosophy and real purpose of this great principle of Islam and the purpose of the assembly (the *hajj*).

5.5

Jihad (Continuous struggle, War in defence)

With the name of *jihad*, generally a concept of war leading to killing and destruction develops in one's mind whereas Allah has made life sacred and its unjust destruction is strictly forbidden (*hara'am*) except for just cause (17:33). And in case of murder (unjust killing) the punishment is *qisas* (death) (2:178), and this safeguards against lawlessness (2:179). Entire life of a *momin* (Believer) is a process of continuous struggle aiming at establishment of a system that guarantees peace and security and provides material for growth and development of mankind. This kind of life is the practical expression of *jihad*. In this process, vested interests and evil forces bring obstacles waging war and leaving no option except war (22:39), and a defence against them has to be made in the battle field, and this is called *qital* which is the extremity of *jihad* for which 'iron' is given (57:25). But everywhere the meaning of *jihad* cannot be taken as *qital*. Such a war will be in the way of Allah alone i.e. for saving mankind from tyranny, and the fundamental principle to be observed here is that when the enemy ceases war you should also stop it, and not to transgress the limits of the Quran (2:190-93). Wrong interpretation of this Quranic verse has created very grave misunderstanding about Islam that wherever the Muslims used to go they used to say 'Islam or Sword'. And spread of this wrong notion, which is anti-Islamic, has made the civilized world to take Islam synonymous to massacre and destruction, tumult and oppression, and slaughter and blood-shed; and similar scenes appear before the sight one after the other when such wrong ideas are projected about Islam which is the code of peace, protection for humanity, and safeguard against lawlessness and tyranny.*

*[Parwez, G.A. 1979. *Matalib-ul-Furqan* :3 (Urdu), pp. 263-66. Idara Tulu-e-Islam, Lahore]

6

Moral and Social Behaviour

6.1

Individual Responsibility

Every individual, whether at home or in the society, has certain rights, corresponding duties, and responsibilities to fulfil. Fulfilling responsibilities will be in the best interest of the individual himself. The duty laid on him by Allah is not beyond his capacity (2:286). The individual shall have to enjoy the good that he has done and to bear outcome of the evil which he has laboured. [(2:286)-V, P.137] While doing so, one has to keep in mind that caring for ones own interests as well as that of others' will help to develop his own personality which otherwise gets subjected to retrogression under selfish attitude, though other factors for the development are normal. In this process one will not bear the burden of others (53:38). On accomplishment of the assigned task, according to the law of *mukafat*, every individual will get exactly the due returns for what he has done.

Islam expects from human beings that they should accomplish the tasks assigned to them like other creations of the universe and fulfil their responsibilities (67:4). Man can get only that what he strives for (53:39), and for this purpose he has to work hard and use his potential properly in the right direction following the Divine laws revealed by Allah - the Creator. To lead a successful life he needs to acquire adequate knowledge of *deen* as well as that of modern science and technology. This is the best way to exploit and utilize available natural resources and distribute the products thus obtained as per the Divine instructions. This will get him the reward for what he has done. *Momineen* always strive to follow the Divine laws scrupulously. They spend their possessions and lives in upholding the laws. If necessary they sacrifice their belongings and even lives for this purpose, and their efforts bring about fruitful results (9:88,111). Islam always stresses on adoption of practical approach to solve problems of life, and success or otherwise is judged by the ensuing results. Sometimes during the process of efforts, one has to exhibit his utmost patience, avoiding all quarrels with himself or

with others, and this increases his steadfastness. In this regard the Quran says "You should endure the trial steadfastly for Allah is with *sabireen* - those who endure steadfastly. [(8:46)-XVIII, P.265]

To fulfil one's duties and responsibilities one should have physical strength, mental capability, and knowledge of current affairs. Wealth should not be considered criterion while entrusting responsibilities to an individual. The Quran has quoted the example of Saul (Talut) whom Allah had appointed as war - commander for the followers of Prophet Moses (P). The followers objected that Saul was a poor man; and others were more deserving as they possessed riches and wealth. Moses (P) replied that wealth was not the criterion for appointing a person as commander; Saul possessed more knowledge of the assigned task and physical prowess compared to others (2:247).

6.2

Character

Character plays a very important role in one's life, and it has to be preserved at any cost. It has been rightly said that "If character is lost every thing is lost." Precisely, character is that act of a person under which permanent values - Divine instructions - are preferred over material or physical gains. When the Prophet Mohammed (S) was demanded miracle to prove himself as real prophet of Allah, he(S) placed his own moral character as a conclusive proof for his prophethood (10:16).

6.3

Respect for Other Human Beings

Allah has honoured mankind (17:70). There shall be no difference between one baby and another on account of birth, and as such they should not be discriminated. A child, by birth, is neither rich nor poor. He/she neither belongs to any religion nor to any linguistic group. It is a gross injustice to the child if he/she is labelled as belonging to a 'higher' or 'lower' caste. All human beings - men as well as women, irrespective of nationality, language, religion, and social or economic status deserve respect on account of the fact that they are sons and daughters of Adam the first man on this earth.

The criterion for respect in the society is based on the principle of deeds and misdeeds, for which he receives reward and punishment respectively. In this regard anyone shall neither be

favoured nor shall suffer due to any excesses (46:19). That person is honoured most who is the most righteous (*muttaqi*) (49:13).

It is incorrect to consider that men are superior to women or vice versa. It is most unfortunate that in the present society men are given a superior status against women, and this is a gross injustice to women folk. According to the Quran all human beings are equal, and everyone gets the reward or otherwise uniformly for what he or she has done (3:195).

Exploitation of one man by another is not allowed in the society. When a society is established on the basis of this fundamental principle, neither a human being will rule over another human being nor a human being will become slavery subject to another one. No man can force another man to obey him, and obedience is only and exclusively to the Almighty (3:79).

6.4

Human Senses and Understanding

It is seen that people generally hear superficially and spread the matter heard without confirming it. When an individual has no personal knowledge regarding something, he should not stand by its side. While drawing any conclusion about a particular issue, one has to use all possible means of inquiry to be sure of its correctness. The ear, the eye, and the mind will be questioned in this matter (17:36). One should listen carefully what is being talked, see things properly with one's own eyes, and think over and analyse the matter that you have heard and seen. Then apply the mind before reaching any conclusion. The intentions shall be to find out reality and truth. Those who do not think and do not apply their mind are like brutes (lower animals) rather worse than them (7:179). Such persons who do not think nor use their mind are called as blind, and should not be treated at par with those who can 'see' (6:50).

With regard to suspicion about things, men, and matters, this should be avoided to the extent possible as suspicion in certain cases is sin (49:12). Whenever one hears something good, he should act upon it (2:285), and whenever he hears anything bad, he should stay away from it (28:55).

6.5

Conversation and Speech

One should talk clearly, straight, to the point, and without hiding the truth. There are some guidelines in this respect as given below:

- i) There should be no ambiguity in talk (33:70).
- ii) While talking or conversing, one should use a language which is common and understandable, and such that others follow it (4:5).
- iii) Style of talk should exhibit its beauty (2:83).
- iv) Keep the talk free from cunningness, falsehood, and artificiality (22:30).
- v) One should speak justly no matter it goes against his very close relative (6:153).
- vi) While talking, one should be moderate keeping the voice lower; avoiding shouting. The harshest of voices undoubtedly is the voice of the donkey (31:19). Such a voice is hard on the other person.

6.6

Trivial and Indecent Talks

While describing the qualities of *momineen* (Believers) the Quran says that they are the people who keep themselves away from vain talk (23:3). They avoid worthless, meaningless, and trivial talk. One has to be away from indecency - in thought as well as in action, be it open or secret, written or visual - all these come under shameless acts (6:151). Dirty ideas promote ill-emotions. One should also refrain himself from filthy and obscene literature, nude films, dirty pictures, and evil activities. If one abstains himself from crimes, it will save the entire society from chaos, and the person will lead an honourable life (4:31).

6.7

Arrogant Walk

While walking, one should neither appear a proud person looking above (towards the sky) (31:18), nor he should walk like a sick person (though he is healthy and strong enough); one should be moderate in his walk. [(31:19)-XI, p.57] Men have been asked to

lower their gaze and guard their modesty (to keep their eyes downward while walking), and not to look hither and thither unnecessarily (24:30); and also women have been asked to lower their gaze and guard their modesty (to look downward while walking), and not to look hither and thither (24:31). Evil ideas of mind and ill sights of the eyes are in the knowledge of Allah (40:19). While on the walk, people should behave like men and women of nobility, and the looking should not go out of one's control.

6.8

Suspicion and Spy

Suspicion and spy on one another, or enquiring in a curious way about others' affairs means idle curiosity, and these two together amount to sin. This is similar to eating flesh from the dead body of one's own brother and that he himself hates (49:12). Enquiring with suspicion leads to many complications particularly in bittering relations, damaging friendship, and losing cooperation and good will of others. Such a behaviour is not liked even within the family as well as in the society at large.

6.9

Health and Sanitation

Good physique (as a result of good health) is essential for man, and this in turn influences the human mind. On account of ill health, a person's mind also becomes dull, and his capabilities get retarded. A person in whom authority, command, and leadership are vested should have sound physique, matured mind, and profound knowledge (2:247). Whenever a person falls ill, he should get himself treated immediately. Nature's creations have qualities for curing diseases e.g. honey has got this quality (16:69). Man falls ill when he violates laws of nature, and recovers by following some other laws; statement of prophet Abraham (P) has been quoted in the Quran that when he falls ill the Divine laws cure him (26:80).

Sanitation is necessary for health, and this includes cleanliness of human body, clothes, and home and its surroundings. This also refers to mental health and cleanliness which could be achieved by keeping one's mind away from evil thinking (9:108).

6.10

Knowledge and Education*

Knowledge and education play a very important role in one's life. An uneducated person cannot be equated with an educated person (39:9). The biggest characteristic feature of man is that he is blessed with knowledge about all things (2:31). Knowledge is acquired by talk (orally), and this helps in learning (55:3-4), and also through pen that is writing, and through eyes that is by perception and reading the written matter (96:4). There is no limit for the knowledge, and one should not think that he has acquired complete knowledge of every thing. One should always try to acquire more and more knowledge. Above every knowledgeable person there is One Who is all-Knowing (12:76). In this respect the Prophet(S) himself was asked to pray for increase in his knowledge (20:114). The knowledge revealed through *wahi* (Divine revelation - information to prophets from Allah) is above all available on earth, and this is beyond mistakes and errors.

The knowledge given by the Quran is such that it makes man a perfect human being. Man, therefore, has to acquire this knowledge, develop understanding of it, and should adopt its teachings in his practical life so that he can get advantage out of it. One should get the knowledge of modern science and technology so that he can exploit the vast natural resources and make use of them for his own good and for the benefit of the mankind. This way he can contribute to the world significantly. Education should result in all round development of human personality.

6.11

Aesthetic Sense

Human beings are endowed with aesthetic sense, and this differentiates man from other beings. This is an element considered necessary for the growth and development of personality (7:32). Beautiful creations and their various artistic phases demand appreciation, but in this respect the limits fixed should not be crossed. Creations in this world are in their utmost proportions and beauty (32:7). It shall be the earnest desire of man that Allah may make this wordly life beautiful, and the Hereafter a heavenly life (2:201). At the same time the principle of simple living should be observed as Allah does not like the spendthrift (7:31).

* *This is a very vast subject, and details are beyond the scope of this work.*

6.12

Mode of Earning

Islam insists on man to struggle in order to take out his living when he is physically fit enough to do work instead of remaining a parasite on others. Acquiring things unlawfully and by adopting unfair or immoral means, in order to fulfil one's requirements has been declared as bad practice and undesirable act (2:188); one should get his earnings through the righteous ways (29:17). A considerable number of monks, priests, *mullahs* (religious leaders), and capitalists 'eat away' property and earnings of innocent and ignorant persons by way of adopting unfair means and unethical ways. They collect material wealth on one hand, and do not keep the same open for the needy and rightly deserving persons on the other. Such men are warned that Hell is the final abode for them (9:34-35).

6.12.1

Religious Leadership

Religious leaders top the list of such persons who do not work to get their own living, and mostly depend upon others' earnings. If this matter is looked into its depth, religious leadership is the extreme form of capitalism. Capitalists at least invest their capital to get the returns whereas the religious leadership swallows others' earnings without any investment or expenditure from its side. This is the reason why this 'technique' has been regarded by the Quran as the most unfair means of earning money (9:34). [This subject has been discussed in detail under Section 14.3.]

6.12.2

Gambling, Lotteries, etc.

Earnings through gambling and lottery are the acts of Shaitan and these take an individual away from the right path, and one should refrain himself from such acts in the best interest of his own and his family's prosperity (5:90; 2:219).

6.13

Expenditure

Man is not forbidden from the use of attractive things, and these should not stand in the way of obedience to Allah. Various facets of attractive things emerge as a result of following the Divine laws. Transgressing the limits fixed by the Quran is disliked most by the Almighty (7:31); Pharaoh and his people were destroyed because of transgressing the limits (40:45-46). One can eat, drink, and use

things which are *halal* (permitted and unharmed), but one should not cross the prescribed limits (6:141; 7:31). Such things should not come in the way of obedience to Allah. Those who squander their wealth belong to the fraternity of Shaitan (17:26-27).

With regard to expenditure, one should not spend unnecessarily nor over and above his actual needs. Good food, decent clothing, and comfortable shelter (house) have not been prohibited. *Momin* (Believer) will neither be a miser nor a spendthrift. Things which are forbidden are: (i) indecencies - in thought and in action; (ii) all those things which debilitate human capabilities, (iii) unjust rebellion; (iv) associating other authorities with Allah Who has in no way sanctioned it; and (v) attributing to Allah that of which one has no knowledge (7:33).

Human Relationship

When people meet each other, they express and exchange good wishes for each other. They also wish for mutual prosperity. Such an expression is made in specific words e.g. *assalam-u-alaikum* (peace be upon you). Whenever a person receives lifegiving help, he must repay him in the form of message and material of still better quality than what he had received from the other side. If circumstances do not permit him for returning in better form, one should repay at least the same what he had received from the other side (4:86).

7.1

Privacy and Mutual Visits

Whenever one enters his own house or that of somebody else, the enterant and the inmates have to wish each other, say *assalam-u-alaikum* and receive the same expression of good wishes and exchange greetings by using pleasant words. This is inclusive of blessing for life and property (24:61). One should not enter others' house without permission (24:27-29). On entry with permission, one should express the best wishes in most pleasing manner. If he is asked for excuse, he should return forthwith. Unwanted entry is not desirable, and returning this way will have chasteness for himself (24:28).

Privacy is so much important that the Quran instructs about it specifically. Privacy should be guarded properly and kept up adequately. If it is seen that nobody is present in a house one should not enter it. In case of stores, godowns, stock-houses, etc. which are not used as a household, and where one's belongings are also kept, there is no harm in free entry; the intention with which one enters such places is within the knowledge of Allah whether it is revealed or concealed (24:27-29). Entry in others' house with permission is the best kind of attitude in one's own interest, and this way he upholds the best principle and orderliness for himself as well as for the society. Preservation of such values and practising them in daily life will be for one's own betterment.

7.2

Humane Treatment

One should treat one's parents with utmost respect. One's relatives, neighbours, orphans, needy persons, those stand on the way, and all those who are co-workers and subordinates shall be treated with gentlemanliness. Allah never likes proud and boastful persons (4:36). While extending good treatment to all those mentioned above, one should not desire for any returns, even thanks from them (76:9). One should not be crude or harsh to the people (31:18).

7.3

Co-operation

Man is infact a social being. None in this world can do each and every thing himself and therefore one has to take help from others in managing his affairs. This is called co-operation. In matters of welfare for humanity one should co-operate with others. At the same time he should restrain himself from joining with those who plan for creating disaster and causing destruction to mankind (5:2).

7.4

Promises - Fulfilment

Promise is of great significance in daily life. When a promise is made, it should be kept up and acted upon accordingly. While making a promise one has to be very thoughtful and careful. When a particular promise is made, it is a commitment which has to be fulfilled; in the event of deviation from it, the integrity of the person is adversely affected. If one fails to fulfil his promise, his integrity becomes doubtful and he gets bad name in the society. One will be accounted for every commitment he had made (17:34). In following the Divine laws also, people have to be committed to themselves, and this commitment is the foremost demand of conviction, and this has to be fulfilled (5:1). Whenever one makes high claims orally but does not translate them into practice, one's attitude becomes scornful according to the Divine laws. Concordance in talk and action is a proof of one's *iman* (belief) (61:2-3). A person is fully accountable for the contradictions in his talk and action.

7.5

Etiquette

While sitting in an assembly if people are asked to leave adequate inter-space, they should act upon accordingly and should

keep themselves away from each other immediately without making a fuss of it. This attitude itself speaks of manners. When the gathering is informed that the session is over and they are asked to rise up, they should act accordingly. Apparently such things appear minor but carry great significance for one's etiquette and social behaviour. Those who observe this etiquette, their status will be elevated (58:11). In gatherings (or elsewhere), one should not misbehave and misbehaviour is an utter unmannerliness in any human society.

Momineen (Believers) were instructed not to enter the Prophet's(S) house until and unless they were permitted and called inside; the Prophet(S) and his privacy should not be disturbed. Further instructions were given to the persons who used to visit the Prophet(S) that whenever they were invited for meal, they should not come before time keeping themselves waiting till the meals were served. On finishing the food they were advised to leave the Prophet's(S) residence avoiding stay which would have caused the Prophet(S) inconvenience even though out of his decency and courtesy he might not have asked them to leave (33:53).

The above Quranic expressions (in detail) indicated the state of the society the Prophet(S) had when he was bestowed with prophethood. The cultural level of the Arab society was so low that people of those days were made to learn even the etiquette of daily life. Subsequently, due to education and training given by the Prophet(S), the Arabs of those days were not only able to bring about reforms and elegance in the civilization of the Roman, Iranian, and Egyptian empires but also made the European nations to learn their manners. Despite having such teachings and guidance available in the Quran, we have reverted to the pre-Quranic period in handling most of our individual and social affairs. [X, p.145]

7.6

Envy

To be envious of others is a mentality to be condemned. It is one of the worst attitudes of people. By kindness and grace of the Almighty, blessings are showered on people (Believers). On account of this bounty the Unbelievers become envious of the Believers (4:54). Showering of blessings was not due to any favour to a particular category of people but it was the natural outcome of following the right path of the Divine guidance. Nature's bounties have been bestowed upon the entire mankind in the form of Divine guidance

and those who had followed it, got the benefits in this wordly life, and a guarantee of Heaven in the life Hereafter (2:201).

7.7

Backbite

Backbiting is one of the most undesirable habits in man. From the point of view of human relationship too, it is highly unfair to speak ill of each other. Mischief-mongers take advantage from this and try to create differences and enmity among people. One has to be very careful in this respect as this habit spoils fair relations of persons. Backbiting is similar to that of eating flesh from the dead body of one's own brother (49:12).

7.8

Nicknaming

Sometimes differences arise among persons over minor matters and feelings are hurt. The wounded emotions are expressed in a very undesirable language. One starts making fun of another and tries to make his opponent nervous. Such things happen among men as well as women. Such differences have to be sorted out amicably and in a decent manner. Once a person has resolved to follow right path and exhibit ideal character, it is not fair on his part to deviate from it, and to start nicknaming others. If anybody has done so, he has to repent. He should give up this practice immediately (49:11).

7.9

Laughing at Others

People have been warned against the habit of making fun of others or laughing at others. They should neither defame others nor be sarcastic to each other; whether this is between individuals, parties and groups, or nations. While belittling others, one has to think that the other person may be better than he himself. Such persons who do not repent on their act of this kind and do not give up this habit, they are the violaters of the Divine laws (49:11).

7.10

Defamation

Talking ill of others with a purpose of its publicity is the most undesirable activity in society. Views can be expressed only when an injustice is done to an individual. The intention of such a publicity is in the knowledge of the Almighty (4:148). Those who give up their

previous ill-attitude and conduct themselves decently, their earlier mistakes should not be publicised. Allah is aware of everything and that with what intention publicity has been made. So far as the useful talk is concerned, publicity is desirable from social and moral points of view.

7.11

Suspicion and Doubt

In one's life sometimes differences with others may arise on certain matters and these have to be sorted out carefully and resolved in a wise and peaceful manner. One should keep himself away from suspecting others unnecessarily as suspicion results in enmity of both and yields dangerous consequences. Whenever such a situation develops mischievous persons or miscreants take advantage in their favour and try to create problems for both the conflicting parties. A few type of suspicions are sin. One should be so much hateful to suspicion that as if he is eating flesh from the dead body of his own brother (49:12).

7.12

Scoff at Deen

It was mentioned earlier that *deen* especially Islam is a Divine complete code of life given for the progress, peace, and welfare of mankind. One can get the benefit out of it only when he understands the principles underlying this system and adopts them in his daily life. On the other hand, those who do not seriously take matters related to *deen*, reject its laws and principles, and scoff at it, one should not even sit in such company leaving aside having friendship with them. When a person moves with such persons who scoff at *deen*, he is also treated as one of them (4:140). Persons who do not respect their own religious orders and treat human life as children's play, they do not deserve to have company of true Believers. *Deen* is not such a thing which is to be scoffed at (6:70). They should be left with their attitude which itself will teach them lesson ultimately. At the same time the Quranic teachings should be placed before them as one should not be deprived of receiving knowledge of its high ideals. It is altogether a different matter that on account of one's own misdeeds, nothing except the Almighty's grace can save him from the awaited disaster.

7.13

Anger

Whenever a person gets angry and expresses his anger in the form of harsh words or wild behaviour, the state of his mind becomes abnormal and he acts in such an unpleasant manner that he himself repents when his anger subsides. Therefore one should not get violent and subdued by passions. The characteristic feature of *momineen* has been described such that whenever they have to face an adverse situation they restrain themselves from anger and forgive others (3:135). They ignore if an adverse treatment is meted out from others that would cause anger. Their objective is to maintain balance between their personality and the society. Such an attitude is very much valued by the Divine order.

If any mistake is committed by them, or if they have gone beyond limits prescribed by Divine laws they should realise and correct themselves accordingly. This is how they protect themselves from the adverse effects of their erroneous acts.

7.14

Forgiveness

In a society, a person commits mistake unintentionally and out of ignorance. Subsequently on its realisation he repents and mends himself. If the society thinks that on forgiving him, the person will not repeat the mistake, he should be forgiven. He should not be deprived of getting protection and benefits from the Divine order. This can be used as a fundamental principle, and this is how the Divine laws are described openly and clearly so that the pathway of people who commit crimes (intentionally) becomes distinct from that of those who go wrong by their ignorance or commit mistakes unintentionally and subsequently correct themselves and take the right path (6:54).

When a person troubles others deliberately and does not restrain himself from such acts even after making him conscious of his misdeeds, he will be punished for this sort of his mischief and no excuse be extended to him (42:42).

7.15

Self Correction

Whenever a person proposes to correct others he should give priority to self correction (2:44). Such correction is not restricted to the individual himself but extends to all his dependents and thus they are also saved from the disastrous consequences of adopting a wrong path (66:6). One should therefore see that his family members are also corrected to behave well among themselves as well as with others.

Self correction should not be momentary to be left at a particular point of time rather it is adopted throughout one's life. Allah alone knows how far one is following the Divine laws which help man to grow and develop his potentials and to remove obstacles coming in the way of his progress. The criterion to judge whether one's capabilities are growing and developing is the law laid in the Quran alone and not the standards set by people themselves (53:32).

7.16

Attributing Piety to Oneself

People attribute purity and piety to themselves. Allah knows best who guards himself against evils and follows the Divine laws most. These laws are fully aware of the human weaknesses. One should know the factors which are responsible for the growth and development of the human 'self', and also those which check or retard its development. And this is the Divine criterion which should be applied to judge as to how far an individual has followed these laws (53:32). That person is regarded as successful who has developed his 'self' and thereby has reached the goal (91:9).

7.17

Munafiqat (Hypocrisy)

Hypocrisy is the worst quality of man. Hypocrites talk something which is entirely different from what they have in their mind (3:166). The Quran has given certain categories of individuals on the basis of the type of conviction they have in the Divine laws (2:177); examples are given below.

- i) *Momin* : In order to become a *momin* one has to accept fundamental facts which are :

- a) *Iman* in Allah, and His Prophet Mohammed(S)
- b) *Iman* in Day of Judgement, the law of *mukafat*, and the life Hereafter
- c) *Iman* in the *Anbiya* (Prophets) [XVIII,p.25 (G)]
- d) *Iman* in all the revealed Books; and
- e) *Iman* in the *malaika*.

Some scholars of Islam have explained about the qualities of a *momin* that he is "One who stands guarantee for peace; upon whom one can depend, rely, and then rest at peace; one who guarantees international peace". [XVIII,p.25(G)] *Momin* is one who accepts the truth (Islam) from the depth of his heart and expresses the same verbally. This class includes persons who accept the Quranic laws, remain truthful, and lead their life accordingly. While describing the qualities of *momineen*, the Quran says that whenever they come to know that they have committed a wrong, they do not persist wilfully on their wrong action rather amend themselves and follow the path shown by Allah Who is the Protector (3:134).

ii) *Kafir* : There is a misunderstanding among people with regard to the term *Kafir*. It is, therefore, necessary to elaborate the meaning of this term *Kafir* so that the misunderstanding may be erased from the minds of the people.

"... According to the Quran, the term *Kafir* is not an abuse, but it is a statement of fact. For example if a party is formed, everyone who joins it, is called a 'member' and those who do not join are called 'non-members'. Accordingly those who accept Islam are called Muslims and those who do not are non-Muslims. Every non-Muslim is not a *Kafir* in the real sense of the term. *Kafir* is a person to whom teachings of the Quran are conveyed and explained and after listening to them he rejects them (47:32). Others may be listed amongst those who have not been guided to the truth. Then there are various categories of *Kafireen* (plural of *kafir*) e.g. those who not only refuse to accept but also hinder others from accepting, sometimes by force. There are a number of reasons as to why does a person, even after listening to this message, refuses to accept:

- a) Some do it on account of stubbornness, obstinacy, jealousy or grudge (2:90).
- b) Generally people do it because they feel haughty, rebellious, have inflated ego (35:42; 27:14).

- c) Some people do not accept because of false prestige; and once they say no, they would stick to it come what may (7:101) ..., and when one goes on repeating the denial he gets hardened in this attitude.
- d) Once they get into this category, then their false prestige forces them to stop others, because they do not want to be left alone (47:32). For this they devise the strategy of advising other people not to listen to the Quran and overdo the situation when Quran was recited to them by making noise (41:26).

These are the people who will not have faith and be convinced even if one makes them aware of the dire consequences. This is because they have lost the capability of understanding (7:179) ...

The definition of *kufr*, however, is not confined to the denial of the truth; it also includes concealment, or withholding of subsistence, which Allah has created for the good of all mankind and which He wants to be freely available to all." [XVIII, pp.39-40(G)]

The above explanation of the term *kafir* indicates that such a person (*kafir*) is one who rejects the truth by his heart and also by his talk, and opposes it publicly. He does not keep people in dark in this regard.

iii) *Munafiqueen* (singular *munafiq*): Though the word hypocrite cannot express real meaning of *munafiq* used by the Quran, yet it helps to get closer to the understanding of this term. Such persons keep something in their mind and speak something other than that, and this way they not only deceive others but also deceive themselves (2:8-9). Whatever such persons do they do it just for show (4:142). They are the persons who, "... before becoming member of a society or system, also keep open the exit route." [XVIII, p.52 (G)] This is the reason why the Quran regards a *munafiq* worse than a *kafir*, and says that such persons (*munafiqueen*) will surely be in the lowest depth of the *jahannam* (Hell) (4:145). The Book has also regarded *munafiqat* (hypocrisy) as a disease of mind (2:10). Such a disease of mind does not stop but it gets increased day-by-day. Treatment of this disease is nothing except that he should openly confess about it, he should feel ashamed of it, stick on his promise firmly, and keep on correcting himself.

The Quran has made a reference to certain persons whose sole object of life is to seek for worldly gains for which they talk in a persuasive and charming way. They repeatedly swear by Allah to authenticate their words but inside their heart there will be enmity towards the Divine system. When such persons come into power, they will strive to spread chaos in the land, destroy crop fields and human lives, and they will not allow balance to remain in the economic system and the social order; they will always keep in view their own personal benefits without bothering at all to see what is happening to the country. Allah never likes chaos and destruction spreading on earth (2:204-05).

7.18

Spreading Rumours

One should not spread rumours as it is a very dangerous act. Whenever something related to the people is heard, it should be referred to the responsible authorities so that they may investigate and reach a conclusion to adopt required course of action. Otherwise people may get unnecessarily panicky and knowingly or unknowingly create problems. People have been warned against such spreading of rumours (4:83). If any wicked or mischievous person brings any news, it should neither be trusted nor acted upon immediately. Its truthfulness has to be ascertained first, otherwise one's action in this direction may do harm to the people and one may repent on it afterwards (49:6).

Yet at another place it has been stated that whenever any evil words are heard about anyone, the first reaction of the person who hears it should be to call it an allegation. In *surah Al-Noor* (Number 24), the Quran has referred to a case in which some mischievous persons had spread an allegation against a pious, innocent, and respectable lady; and this rumour got spread all over. Allah took a serious note of it and stated that when they have heard about it, their attitude should have been that of non-suspicious nature saying that it appeared to be a false allegation (24:12). Those who had heard the rumour had not sensed the seriousness of the matter; their reaction should have been to regard it as inappropriate on their part to comment on this matter (24:15-16).

7.19

Mutual Consultation

Mutual consultation plays an important role in finding out right solution for any problem. Based on such consultation a fair and just decision could be taken. In this context, the quality of Muslims has been described such that they conduct their affairs by mutual consultations and settle all their matters in the light of Divine laws which show their followers right path, and guarantee for their success and honourable life (42:38). The Prophet(S) was also advised to consult his people in matters and then to take firm decisions trusting in Allah (taking action in the light of Divine laws); Allah loves those who place trust in Him. [(3:159)-I, pp.164-65]

Mutual consultations should be in those matters which are related to the welfare of mankind and not for those concerned with the disaster and destruction of humanity. Mutual consultations should not be against the Divine order which yields exact result of every performance, its grip is very strong, and it does not spare any culprit (5:2; 58:9).

Consultations have to be made with persons who have adequate experience and full knowledge of matters; such persons are noble, they have wisdom, possess good character, and follow the Divine path. At the same time people who offer an advice should have personal knowledge of matter under question, and where one does not know about it, he should not offer any suggestion in the matter. Faculties (the heart, the eye, and the ear) given by the Almighty will be accountable for a particular matter about which one has taken action (17:36). Mutual consultation will be possible only in case when one maintains good relations with others, particularly with those persons who are involved in consultation.

Family Life

Home plays a very important role in the civilized life of man. It is a small world in itself. An individual is born, brought up, and trained in family atmosphere generally, and this naturally leaves an everlasting impression on him. His character and habits are developed at home, and in the family, and these factors are responsible for his future career. This is the reason why the Quran has laid so much emphasis on family life, and has touched (for guidance) even the minute aspects of it in most elaborate form. A good family order serves as a model for the society, and future of a nation is determined by its people.

Within a family, role of its head is very important as the entire responsibility of family management rests on him, particularly at the stage when children are in their tender age. He has to protect himself as well as his family members from all kinds of troubles and difficulties. He has to arrange for their basic needs, health care, and educational requirements. The head of the family has to be very careful while taking decisions in these matters. A wrong decision taken by the head of the family can become the cause of great damage to the entire family. He shall, therefore, prevent himself and his family from the disastrous consequences of choosing a wrong path (66:6). He has to see that his family is engaged in productive activity as well as constructive work. This is possible through correct and far-sighted planning and its effective implementation.

8.1

Husband-Wife Relationship

Husband and wife, particularly as father and mother, are the two significant pillars upon whom the entire edifice of the family rests. It is, therefore, essential that their relationship should be cordial as well as harmonious to achieve happiness and prosperity of the family so that the home may serve as model for others in the society. Such relationship creates an impact on younger members particularly the children. From the beginning itself the relationship between these two life partners should be cordial if not ideal.

The main object of married life is that the husband and wife live together honourably and harmoniously in love and affection, and thereby make home a place of peace and an abode of rest and pleasure --- a heaven on earth. It will serve as a model for others to follow (25:74). This kind of relationship will provide opportunity to both the spouses to make use of their potential and allow their capabilities to grow and develop (30:21). Both should respect and be complementary to each other. The relationship between the two should be most intimate. The type of their homogeneity has been so beautifully described by the Quran when it says that husband and wife are garments for each other (2:187).

It has been often reminded that treatment given to wife by her husband should not be harsh in order to appropriate a part of her dower unless she is found guilty of open indecency, the matter will ofcourse be decided by the appropriate authority. When something from the side of the wife is disliked, one should not get annoyed over it immediately or decide at once to get separated from her. It is quite possible that such thing may bring about abundant good for the husband (4:19).

8.1.1

Nikah (Marriage)

Man and woman agree together to lead married life, and this agreement is called *nikah* (marriage), and the two parties accept the responsibilities and obligations and thus live together as husband and wife. For *nikah* it is necessary that both man and woman have attained the age of puberty - the age of full bloom and strength (4:6, 40:67). *Nikah* is not possible without mutual consent of both the parties in the presence of at least two witnesses, one from the side of the man and the other from the side of woman. Man and woman have free choice to marry each other. [(4:3, 19)-I, pp.179, 184] Men have been forbidden to marry women against their will, they cannot marry without obtaining consent of women and thus become their masters instead of companion. [(4:19)-I, p.184] The criterion for selection of spouse should be the unanimity of ideology and faith in Islam, and this is the reason why a *momin* (Believer-man) is forbidden to marry a *mushrika* (Unbeliever-woman) vice versa, and thus to save home from becoming hell whereas Allah wants it to become heaven (2:221).

Nikah should be performed in a declared manner, and the relationship between the spouses should not be kept a secret. If it is performed secretly it is not legal. [(4:25; 5:5)-VI, pp.185,241] The Quran has not suggested any ceremony for *nikah*, nor it has mentioned about involvement of a (third) person to perform it. Since *nikah* is an agreement between two parties, government can formulate rules and regulations (marriage Act), and it has to be performed accordingly.

For those who are capable of getting married the society has to provide facilities for *nikah*. [(24:32)-VI, pp.802-03] Those who could not get facilities to get married should keep themselves chaste by self-control till they get alliance. [(24:33)-VI, p.803] Prostitution is prohibited.

Married couple is forbidden from sexual intercourse when :

- i) the woman is not in normal physical condition i.e. during menses, and after this period they can have it as per the natural laws (2:222);
- ii) when either of them or both are observing fast (ofcourse from dawn to dusk) (2:187); and
- iii) even from dusk to dawn when one is in retreat in the mosque (for some assignment). {(2:187)-I, p.74}

8.1.2

Forbidden Women for Nikah

Certain women (relationships) are forbidden for *nikah*. They are:

- | | |
|----------------------------|-----------------------------|
| "1) Your mothers | 2) Your daughters |
| 3) Your sisters | 4) Your father's sisters |
| 5) Your mother's sisters | 6) Your brother's daughters |
| 7) Your sister's daughters | 8) Your foster mothers |
| 9) Your foster sisters | 10) Mothers of your wives |
- 11) Your step-daughters, who have been brought up under your guardianship and are born of wives with whom you have had marital relations. If you have not had marital relations then the prohibition does not apply.

- 12) Wives of your real sons.
- 13) It is also prohibited to have in marriage two sisters at the same time.

Also forbidden to you in marriage are those women who are already married except those whom you already possess." [(4:23,24)-XVIII, pp.125-26]

A Muslim man should not marry a *mushrika* (Unbeliever woman) until she accepts Islam; likewise Muslim woman should not marry *mushrik* man until he accepts Islam. [(2:221)-XVIII, p.60]
 A Muslim can marry a chaste woman from amongst the people who believe in scriptures prior to the holy Quran. [(5:5)-XVIII, p.160]
 A Muslim woman cannot marry a man from amongst the people who believe in the earlier scriptures. [(5:5)-X, p.55]

8.2

Monogamy and Polygamy

It is a misunderstanding that Islam has permitted polygamy (to marry and keep four wives at a time). The fundamental principle is to have one wife at a time. The Quranic instruction that if one decides to marry another woman in place of his existing wife he has to divorce (as per the given procedure) and this itself clarifies that no one is allowed to have more than one wife at one time. [(4:20)-X, p.57] This should not lead to think that whenever a person wants to marry another woman in place of his existing wife, he may divorce her and go for another marriage (for sex enjoyment or for other reasons). Second marriage is not permitted until and unless differences between husband and wife have reached the climax, ending up by declaring *talaq* (divorce), and the wife is divorced (details on this subject are given under Section 8.5).

To have more than one wife, upto a maximum of four at a time has been permitted under extra-ordinary circumstances and for valid reasons. For example, as a result of war when a considerable number of women became widows, including those of very young age, and large number of children became orphans, and when their economic, social, ethical, and sexual problems cannot be solved by any other satisfactory means, the Islamic State can allow an exception to the general rule of monogamy. Such an exemption has to fulfil two conditions viz. (i) such a person will have to do justice and give

equal treatment to all his wives, and (ii) he should be economically sound enough to bear the burden of such a large family. Ofcourse consent of the first wife in this matter is necessary. If anyone of these conditions is not fulfilled, permission to go for next marriage is not granted and one should stick to the rule of 'one wife' (4:3); this is the only verse found in the Quran on this subject. Rather at another place the Quran says that despite his strong desire it would not be possible for a husband to be fair and just towards women (wives). One should not be inclined wholly to one wife leaving the other in a state of suspension, like one who remains neither divorced nor undivorced (4:129).

8.3

Mahr (Dower)

Mahr (dower) is that amount which is paid by the husband to his wife at the time of *nikah* (marriage) or agrees to pay afterwards. *Mahr* is the term in usage to express the payment, the Quran has not used this word, instead it has used the word *nehlah* to clarify that this amount is not in lieu of anything else except a specific gift to wife not a remuneration (4:4). Its payment is compulsory. In this regard an example of honey bee has been quoted in the holy Quran so far as payment of *mahr* is concerned, when the honey bee expels honey it does not expect any return for it.

If the amount of *mahr* has not been fixed at the time of *nikah* the payment will be acceptable by mutual consent. Since the payment has to be made necessarily, it has to be fixed as per the husband's capacity to pay it. Therefore, the amount could be anything, even a heap of gold (4:20). The *mahr* is generally paid at the time of *nikah* (marriage) itself. In case *nikah* has been performed but *mahr* has not been fixed, it can be fixed after the *nikah* (2:236). *Mahr* is the property of the woman (wife), she cannot be deprived of her right. If the woman (wife) so desires, she can forego the whole amount or a part of it (4:4; 4:24).

In case divorce has taken place after *nikah*, and the husband has not touched the woman (wife) and (i) if *mahr* has not been fixed, then the husband has to pay as much as he can so that the damage thus caused to the woman's name could be made good to some extent. This kind of treatment is necessary because it exhibits its worth (2:236; 33:49); (ii) if the *mahr* was fixed but the man has not touched the woman (he has married) and divorce has taken place,

then half of the value of *mahr* will be given to the woman unless she, by herself forgoes it or if the husband pays the entire *mahr* it is his righteous act (2:237).

Under a situation when the woman is found guilty of open lewdness (immorality) a portion of the *mahr* could be given to the husband (4:19). (For further details see Section 8.5).

In case the woman demands for divorce and if court feels it necessary, she has to forego a part of the *mahr* and get free from the marriage - the *nikah* (2:229) (for details see Section 8.5).

Giving material goods as *jahez* (dowry) is merely a custom about which there is no mention in the Quran. Demand for such material goods or cash by the man is a gross excess; the Quran has rather instructed men to give to the woman but not to take from her.

8.4

Tense Relationship

The object of *nikah* is to lead a purposeful, peaceful, and harmonious life. For this purpose selection of an alliance has to be done carefully and thoughtfully. In spite of taking all possible care in this matter, certain circumstances arise and result in tense relationship between husband and wife. This situation prevails temporarily and gets normalised by lapse of time. In other situation, a person in anger calls his wife as his 'mother' or talks some rubbish with her; this is called *zihar*. This is a kind of thoughtlessness in oaths, and when the anger subsides, he feels ashamed of it. Such calling does not make his wife the mother, and it is similar to that of calling a person as 'son', and this does not make him a natural son (33:4). Such an attitude towards wife is strongly condemned and punishment has been imposed for it that such a person, before touching his wife should free a slave (since slavery prevailed in the then Arab society). If he is not in position to do so, he should fast for two months consecutively, and if he is unable to observe fast he should feed sixty indigent (poor) persons before they touch each other (58:3-4).

In another case when a man has taken an oath for abstention from his wife that he will not conjugate with her, he is given four months (as waiting) for reconsideration to resume as this situation cannot remain permanently. During this period if they resume

conjugation, they are permitted to do so. If their intention is firm to dissolve the marriage, they can do so as per the provisions of the Divine law (2:226-27;4:35), (details are given in the concerned section). The object is not to leave the woman at the mercy of man under any circumstances, and her rights are fully protected.

In connection with relationship between husband and wife (4:34), it is generally interpreted that the rank of man (husband) is higher than that of woman (wife), and men are rulers over women. An example of such an interpretation is: "As far those women who seem to have gone refractory, (first) admonish them (and then, if necessary) remove them to separate beds, and (if that fails) give them a shaking." [(4:34)-V, p.27] In case if a situation arises when woman (wife) turns rebellious, this will not remain an individual problem but it will become a collective one; the matter of protection and upbringing of the children will get associated with this case. At this stage, the society or the State has to take steps giving them a chance to understand each other and rethink over the matter. If this approach fails, then their husbands will be asked to detach their sexual relations for sometime, so that this treatment may create a psychological effect on their mind. If all these approaches fail, the court of law may give some physical punishment to the party at fault. In case the husbands are given a free hand to punish their wives by beating them, it will create a chaos in the society, and instead of solving a problem, we may create several other problems for the women, their suckling babies, children, homes, hospitals, etc. [X,89-90]

8.5

Talaq (Divorce)

It has been stated earlier that *nikah* is an agreement, with full consent between a man and a woman (fully matured and sane) for leading married life. This aims at a happy family life. When possibility of maintaining married life does not remain, both the parties are permitted to cancel their *nikah* - marital tie; and a relief from this bond is called *talaq* (divorce).

In the matter of *nikah* only two individuals - man and woman are involved, and therefore, it is confined to these two individuals only. The matter of *talaq* is not so confined to two individuals alone; sometimes besides them, their children's interest will be affected, and thus it becomes a common matter of the society. It is worthy of consideration that at the time of formulating *nikah* deed consent of

both the parties viz. man and woman was necessary; when the same agreement is being terminated, how could only one party namely the husband is given all the rights to terminate the same unilaterally, saying in one breath *talaq-talaq-talaq*, and driving away the lady from home. At the same time, she is helpless to face innumerable troubles to settle the matters of divorce.

Rights and responsibilities of husband and wife are equal, and the position of both the parties shall be similar in the matter of *talaq* too. Guidance of the Quran in this respect is that "If you fear a breach between the couple, then appoint an arbiter from the man's family and an arbiter from the woman's family. If the two (husband and wife) desire to reach a settlement, God will effect a reconciliation between them. And assuredly God is knowing, the Apprised of all." [(14:35)-V, p.227] Some of the Islamic scholars say that this is "An excellent plan for settling family disputes, without too much publicity or mud-throwing or resort to the chicaneries of the law. The Latin countries recognise this plan in their legal systems." [I, p.191]

In the matter of *talaq*, irrespective of complaint put forth either by the husband or the wife, it will be the responsibility of the society to appoint a board of arbitration. If the wife feels excesses or negligence from the husband's side, the better course will be that both husband and wife should sort out their differences or appoint a board of arbitration. [(4:128)-X, p.68] The woman (wife) can also take her case to the court that she too has got full right for divorce (as per the law). But the efforts of the board will be to settle the matter between the husband and the wife amicably. The Quran has used the term *talaq* for husband and wife both, it has not used the term *khula* which has been coined later. It is said that 'husband has handed over the right of *talaq* to the wife [X, p.69], but this is not correct. When the wife too has got the same right of *talaq* as that owned by the husband, then handing over the right of *talaq* to the wife by her husband makes no sense.

If a settlement between husband and wife in the matter of *talaq* could not be reached, then the institution or the court, which has appointed the arbiters, will pronounce the dissolution of the *nikah* (marriage). This is called *talaq*. In the matter of *talaq*, the Quran has addressed the Prophet(S), who was a judge or court (65:1). This indicated that the matter of *talaq* is not restricted to the two parties i.e. husband and wife only, it has wider horizons. The Prophet(S), who was assigned by the Almighty the role of court,

was asked to inform the concerned persons that the matter of *iddat* ('waiting period' during which a divorced woman or a widow cannot marry) carries great significance, and this should always be kept in mind (65:1). As the *iddat* is based on menstruation, to account for *iddat* the *talaq* judgement should not come into effect until the concerned woman has completed three menstrual cycles. Those who do not menstruate due to physical disorder or old age, should wait for three months (65:4); only those women whose marriage is not consummated, have no 'waiting period' (33:49). If a woman is pregnant she must declare it, and the 'waiting period' for her is until the delivery (65:4). *Iddat* ('waiting period') for a widow is four months and ten days (2:234).

In case the court sees that the husband does not want to continue with his wife, the *talaq* judgement be given and the (divorced) woman will not give anything to the man. In this respect instructions given are very clear (4:20-21) and that the circumstances have led to the stage of separation. In this case, if a person has given even a whole treasure as *mahr* to his wife, he should not take back even a fraction of it (when *talaq* process has been initiated from his side). A portion from the *mahr* can be taken back when the woman takes initiative for *talaq* (2:229), or when she is found guilty of open indecency (4:19). This will also help to check a situation under which a woman performs *nikah* with a view to get *mahr* and afterwards she takes steps for *talaq*, then she has to surrender a portion of the *mahr*. At the same time man has been warned not to accuse or slander a chaste woman of open indecency with an object of compelling her to forego a part of her *mahr* for the husband. This is such an open sin which does not require any evidence. The instructions are that whatever one has given her how he can take it back when he has enjoyed marital relations with her. Also at the time of *nikah* there was a solemn covenant from the husband for complete protection of her rights, and on the basis of this one should respect the agreement (4:20-21).

On pronouncement of *talaq* by the court, *iddat* commences for the woman; during this period she cannot marry (as stated earlier). She will remain there only where she was living with her husband before the *talaq*, and the cost of her maintenance will be borne by her (previous) husband with a provision to have the same standard of living she was enjoying before the *talaq* (65:6-7). If the woman is pregnant at the time of *talaq*, her expenditure will be borne by her

previous husband till the delivery. After the delivery if she suckles baby, and if the man cannot make any other arrangement for this, she should be paid for the suckling, details for payment have to be settled mutually and under the provisions of the prevailing law. If this arrangement causes hardships to the man, separate arrangement be made for suckling through some other woman. While fixing the amount of expenditure of the divorced woman during the 'waiting period' or for suckling, it has to be done as per the paying capacity of the husband. If a person is financially depressed he should pay whatever he can (65:6-7). Further instructions of the Quran in this respect are : "Reverting to family laws, men should leave a will behind stating that their widows should be given maintenance for a year without requiring them to leave their homes. However, if during this period, the women of their own accord, leave their home and make a decision regarding their future life, you are not to be blamed for it. And remember that these laws are given by Allah who is Almighty Wise". [(2:240)-XVIII, p.66]

When the *iddat* is nearing its end, the husband may either take the (divorced) wife back on equitable terms or part with her on equitable terms (65:2). If termination of *nikah* was initiated by the husband and he desired to resume the marital relationship, with the consent of the woman, he may do so even during the *iddat*.

Two things are very clear in this respect (i) if the wife had initiated dissolution of marriage, it means that she does not want to cohabit with the husband. Therefore the husband cannot take her forcibly; it is altogether a different matter that she makes her mind to join her husband again; (ii) if the husband had initiated *talaq*, though the wife wanted to continue with him and the man corrects himself, then the marital relationship could be resumed. Under such a situation, the Quran warns that resumption of marital relationship should not be with a malign intention to do harm to her or to transgress the limits of Divine law and whosoever harms her harms himself. [(2:231)-X pp.71-72] When both the spouses desire to reunite, they should not be prevented (2:232).

When reunion between the spouses has taken place, a question arises that for stabilisation of the marital relation whether renewal of *nikah* will be necessary or the same old agreement of marriage will be enough. This matter has been left to the society that if it wants it can recognize the previous *nikah* agreement, and if the society

decides otherwise fresh *nikah* agreement has to be made. The State has to consider necessarily that renewal of the union during *iddat* should be done in such a way that this is considered as *nikah*.

If the spouses have decided again to live as husband and wife, the above procedure will be adopted. If they have decided for separation, then two witnesses will be required who should not allow any concession to either of them. These witnesses should stand considering their service as duty to Allah (65:2). And that consideration (for reunion) which was available to the man and the woman during *iddat* will not remain.

For these individuals (husband and wife), whether they reunite or get separated, this step will amount to pronouncing one *talaq*.

If this couple has resolved to continue as husband and wife (whether during the *iddat* or thereafter), and again they have resorted for separation, the same procedure as given above has to be adopted. This will be treated the second *talaq*.

If the spouses have reunited after the second *talaq* but the matter has reached to separation, then this will be the third and final *talaq*.

After the third *talaq*, neither during the *iddat* nor afterwards, they can cohabit as husband and wife (2:229). In case the woman gets married elsewhere and leads regular married life, and there also such a situation develops leading to *talaq*, or she becomes a widow, then the woman can re-marry her previous husband. [(2:229-30)-X, pp.73-74] In the light of the above explanation, it becomes quite clear that pronouncement of *talaq* thrice (at three different times) means final termination of the *nikah* i.e. the married life.

With regard to suckling the infant (baby), it is not necessary for mother to suckle for a specific period of time. The decision in the matter could be taken by the parents depending on the condition of the baby. In this regard the Quran observes that the mother carries the baby in her womb and suckles it after delivery for a period of two years (2:233; 46:15; 31:14). In case of divorce, if the mother has got a suckling baby and if the father desires that she should continue to suckle the baby for complete two years (31:14; 46:15), then expenses

for the maintenance of the mother will have to be borne by the father, and these charges will not be beyond the father's capacity. If both of them agree that the mother be relieved from suckling of the baby, they may do so. If the father desires to arrange another woman for suckling the baby, there is no harm in it, but whatever had been promised to the mother, that should be fulfilled accordingly. If the father dies during this period, the maintenance cost of the baby should be borne by his heirs.

On separation of husband and wife, children should stay with whom is the matter to be decided by the competent court or the State. It is to be kept in view that neither the father nor the mother or the heirs should suffer unnecessarily in this regard. The State could formulate rules for this purpose. [X, pp.81-82]

8.6

Children (Sons and Daughters)

It is the foremost duty of parents to arrange for proper maintenance, right type of education, and good training of their children so that they grow satisfactorily, develop their potential, express their abilities, become virtuous human being, a good citizen, and an ideal member of the society, and thereby should contribute to the society significantly. It is the responsibility of the parents and the State to provide opportunities to children for their development, and these basic requirements should not be denied to them out of fear of want (destitution) (6:152; 17:31). Children should be maintained on lawful earnings. Persons who kill their children foolishly and out of ignorance, they are big losers, and on account of this they have to face a serious disaster (6:141). Becoming careless towards children is as worse as killing them; depriving them of education and training is a grave mistake (17:31). A healthy, well built, and wholesome child is a gift of Allah (7:189-90). A thoughtful, pious, and loving heart contained by him, a follower of Divine laws and broad-minded child is a great blessing of the Almighty (19:12-14).

Children include boys as well as girls, and both are born according to the Divine laws. During the pre-Islamic period (and even today) boys were considered superior to girls receiving better treatment accordingly. Islam has abolished this mentality. This attitude has been very much condemned by the Quran (16:58-59).

Care and welfare of family members should receive due attention; wife and children are made attractive to man (3:13), but for their sake one should not involve himself into such activities which are against the permanent values. One who disregards permanent values becomes envious rather enemy to man (64:14-15). Whenever there is clash between permanent values and interests of the family, the Quranic values should always be upheld (9:24). Total home atmosphere maintained by the parents plays very important role in building up character of children and this creates significant impact on them. Character of children gets moulded under good home-atmosphere and parents have to be very cautious and careful in maintaining it. At no point of time the children should be neglected.

Children's education is a matter of prime importance. Education is of two types - *deeni taleem* (religious education) to get acquainted with the Quranic teachings; and the modern scientific and technological education for economic growth and development. These two types of education imparted make the children a good member of the family as well as an ideal citizen in the society, and thus they contribute significantly to the nation and the country. It is the responsibility of the State not to leave the children at the mercy of their parents, particularly in case of those parents who are not capable to provide proper maintenance, care, and education to their children on account of their poverty.

8.7

Parents

Parents' role in the family is most significant particularly when the children are small; they will be usually under the care, training, and maintenance of their parents for certain period of time, and they have to follow instructions given by them. Children should be good and faithful to parents, but as far obedience is concerned it is only to Allah (4:36). The quality of physical and mental strength gets obscured at the old age, and this is the stage at which parents need help of their children and they have to be well looked after. But possible treatment should be rendered to them, and this kind of treatment makes one's own self to grow and develop (46:15). Parents have taken maximum possible care for rearing their children, and they had given full protection to them at infancy stage. On account of the old age, sometimes the attitude of the parents becomes abnormal. Their temperament becomes childish. At this moment

one should not behave with them indifferently by banging, scolding, or giving erratic treatment. While referring to some of the permanent values and the treatment ordained to be given to the parents the Quran has given beautiful instructions when it says:

“For the betterment of life therefore, Allah has prescribed some permanent values including :

- i) You should obey only Allah’s laws;
- ii) You should make good the deficiencies of your old parents;
- iii) If one or both of them grow old, you should not prod or reproach them but speak to them respectfully (36:68);
- iv) You should give them protection with all the affection and say “O my *Rabb* ! (enable me) to provide them means of nourishment as they had raised me from childhood.

You should do all this, not in a mechanical manner but from the core of your heart keeping always in mind that what you do for your parents helps in the development of your own self. Allah is the Protector of those who revert to Him for His protection.” [(17:23-25)-XVIII, p.410]

It should be remembered that caring for the young ones is done by all living beings which they forget afterwards but caring for the old parents is the quality of man alone. One should not forget that the mother bears pain while carrying as well as giving birth to a baby and showering after-care with utmost love and affection, and sacrificing every thing at least for thirty months (46:15).

It has been stated earlier that obedience is for Allah alone (17:23), and this means following of the Divine laws. On the other hand, as far the parents are concerned, they should be given best possible treatment and respect, and also their deficiencies are removed.

It is the responsibility of the State to see that old parents are not left to lead a miserable and disrespectful life with their children, and this way their (the parents’) self does not get dishonoured.

8.8

Ancestors

People sometimes make reference to the workings and sayings of their ancestors to get support for their stand in day-to-day life. Such workings and sayings could be accepted when these are in conformity with the teachings of the Quran; when these are against the teachings these cannot be accepted. The Divine Book is the supreme authority for reference. Our ancestors had left this world; during their lifetime whatever they had sown they had reaped so. On the Day of Judgement one will be questioned for what he had done, and not about what his ancestors had done (2:134).

It has been the attitude of *kafireen* (Unbelievers, misled people) that they have followed the footsteps of their ancestors without applying knowledge and wisdom; they do not follow the right path shown to them by the Quran (2:170). Such persons argue that what they have been doing was being done since ages. They do not care to think that though it was going on since long whether it had any base provided by knowledge, wisdom, and logic. This kind of blind imitation does not ensure fruitful results. The Quran insists on applying mind (34:46), and says that those, inspite of having given the faculties of thinking, seeing, and hearing, do not utilize them, they are just like brutes - and indeed worse than them. [(7:179)-XVIII,p.252]

8.9

Orphans

In a broader sense, orphans are those persons who are poor, left alone helpless, and struggle for sustenance. But people consider generally such children orphans who lost their father or mother or both, and left with nobody's stewardship. In such cases, it becomes the responsibility of the State to arrange for their maintenance, health care, and education and training. This should be done in such a manner that their self does not get hurt.

Unfortunately the practice is quite reverse. At many orphanages the orphans are kept under very poor conditions of feeding, clothing, and living, and these conditions are below the human level. They often do not get their real basic needs. Hardly any kindness or generosity is extended to them, and they are made to live on alm and charity. This results in miserable and gradual crucification of their 'self'. The potential they are endowed as Godly gift does not get any opportunity to grow, develop, and express itself at any time.

In this respect the Quran observes that one of the causes of disaster and downfall of nations is that of disrespect shown to the orphans in that particular society (89:17). The directive of the Divine laws in this regard is that whatever good has to be done to the orphans in their own interest, that should be done (2:220). With them good and brotherly relations should be maintained, and the treatment given to them should be the same as that given to the members of one's own family. Allah knows very well those who are desirous of improving conditions of orphans and also those who try to exploit them. Unnecessary, undesirable, and unwanted pressure should never be laid on them (89:17). Orphans should not be given any harsh treatment (93:9). Adequate arrangements have to be made for their education, training, and development.

When orphans have their property or assets, these should be protected fully, and whosoever manages their affairs should not take any remuneration in lieu of managerial services rendered to them except when the care-taker is a needy person (4:5-6). When the orphans have grown and fully matured to manage their affairs themselves; their property and assets should be handed over to them in the presence of witnesses. [(6:153)-VI,p.331] Keeping in view that they will grow in near future their property and assets should not be 'swallowed'. While settling their accounts, one should not forget that he is submitting these accounts to Allah who has knowledge of every thing, and people have to be answerable to Him (4:5-6).

Rights and interests of the orphans should be protected in the same way as one does for his own children. Their good articles should not be replaced with worthless articles and this kind of act is a gross injustice to them (4:2).

The Quran warns those who become oppressive towards the orphans, and 'eat' away their property and assets through injustice to them. This is similar to that of filling their own stomach with fire; their greed swells. Such persons run in madness to acquire unlawful assets and their capabilities turn into ashes (4:10). It has been mentioned earlier (Section 8.2) that as a result of war or any other incidents when women and children have turned widows and orphans respectively, exception is given to the rule of monogamy allowing more than one wife (upto a maximum of four at a time) so that proper protection, maintenance, care, education, shelter, etc. are provided to the widows and orphans thereby checking them from involving themselves into unsocial activities.

As far orphonage is concerned, a boy is considered orphan till he is fully mature, whereas in case of a girl she remains orphan till she gets married; widows also come into the category of orphans (4:127). Orphans should be given what they deserve but it is better if they are given more; fairness shown towards them will never go waste.

8.10

Relatives, Friends, and Neighbours

Relatives also deserve the same good treatment which is given to the parents (2:83). They should be helped when they are in need (2:177). Good treatment should be given to friends (4:36). Those who do not believe in the Quran cannot be the friends of a *momin*. [(3:27)-VI-p.123] If one's father or brother is an Unbeliever, he/she should not make them friends (9:23). One should be good to parents, kinsfolk, orphans, needy persons, neighbours who are near or strangers, companions by one's side, and way-farers (4:36).

8.11

Servants, Needy and Poor Persons

On human consideration servants also deserve kind treatment. In fact such a person alone gives good treatment to others whose heart is full of human qualities and who is a symbol of mannerliness, and who feels pleasure in helping others. But those who are self-deceiving and devoid of human considerations talk high of helping mankind but do not give any thing to others; for such ungrateful persons Allah has prepared a humiliating life. [(4:36-37)-XVIII, pp. 130-31]

Needy and poor persons also deserve kind treatment similar to that given to one's own near and dear so that the equilibrium in the society is maintained (2:83). Needy persons have their share in the surplus of our earnings over and above our real needs (51:19,22). A needy person should not be looked down upon as if he is a man of low level. One should not repulse or scorn him unheard (93:10). There are persons who are really needy, they ask for help, and their genuine need and request can be recognised by seeing their gloomy faces (2:273). When such persons come and ask for help, instead of giving them charity with taunt it is better to refuse it in a kind manner if you are not in a position to help (2:263). Feelings of the recipients of charity or donation should not be injured by a rough or unpleasant attitude; such is the behaviour of those who do not believe in Allah

and the Hereafter. This kind of help is similar to such rains which fall on a sheet-rock containing little soil and seed which get washed away and bring about no fruitful results (2:264).

While extending help to poor and needy persons, travellers and way-farers too have their rightful share in one's income. Such persons may also be in need of assistance and therefore they should be helped honourably. When any help is extended to them, one should not feel himself proud and boastful, and Allah does not like such persons (4:36; 17:26).

There are fellows who are professional beggars though they are physically fit enough to earn their living by doing normal work or undertaking jobs, still they are habituated to begging and collecting alm. Such persons are permanent (economic) parasites on others in the society, and helping them is similar to that of not helping the real poor, needy, and crippled persons who deserve all help.

9

Human Rights

Basic human rights are those which, every individual should enjoy by virtue of being a human being irrespective of sex, colour, tribe, religion, nationality, and country. State gives surety for protection of these rights to every individual. If the State fails to fulfil this obligation, every individual has got a right to approach court of law for justice.

9.1

Fundamentals of Human Rights

Some of the fundamentals of human rights are briefly given in the following:

- i) Every human child, by virtue of birth, deserves equal respect. On this account, one human being cannot be differentiated from another; the Almighty has granted honour to every man (17:70).
- ii) The criterion for the degree of respect is his personal qualities, character, conduct, and knowledge (46:19).
- iii) One human being cannot be ruled by another human being. One man should not bow his head before another. A person, who has a Book (code of law) and prophethood, has no right to ask others to be subordinate to him. Divine law will be the governing rule (3:78). When a person cannot be ruled he cannot be made a slave also, thus the doors of slavery have been closed for ever.
- iv) Every soul (human being) will get remuneration for his work or deed (39:70). This kind of remuneration will not be similar to that of wages paid to a labourer; such a concept of labourhood was the product of capitalism which was rooted out by the Quran. In the Quranic order, people will work according to their capacity in the process of production of goods and commodities. Provision will be allowed according to their needs, and the surplus be given to the State whole-heartedly and voluntarily for development and welfare programmes, and also to meet the requirements of persons who cannot earn their living on account of their disability or old age.

v) Justice will be done to everyone, even to an enemy (16:90). Divine instructions are to stand always for justice in the cause of Allah, and enmity should not make anyone to deviate from the path of justice. One has to act always justly under all circumstances adhering to the Divine laws, and this is akin to piety (*taqwa*) (5:8). This kind of attitude will raise one to that level of life to which Allah wants one to reach.

vi) Doing justice only is not the end for helping human beings, one should make good the deficiencies of others irrespective of one's relationship; and this is called *ehsan* (16:90). One should give to those persons also who are in need in one way or the other, and those who are not able to do anything due to certain deficiencies; they will get this from the State as their right and not as charity (70:24-26).

vii) Every one has got a right to get his food and other requirements for fulfilling his basic needs. This is the responsibility of the State which has been established in the name of Allah (51:19,22).

viii) Security should be provided by the State for all things - life, property, and assets which have been in legal possession of an individual (4:29).

ix) Getting security of home and other places of residence is a fundamental right of people and they should not be rendered homeless. Rendering people homeless is a crime according to the Divine law (2:85).

x) Complete protection of women, check and control over sex-offences and other improprieties are the prime responsibilities of the State, and they should get all this as their right and not as mercy (24:2).

xi) It is a fundamental human right to appreciate and enjoy beauty in its different artistic phenomena and phases and the objective associated therewith (ofcourse within the legal limitations) and care should be taken that the boundaries laid by the Quran are not crossed. In this regard, the Quran has addressed the Prophet(S) that: "Say to them! who can declare to be *har'am* the good things and wholesome (*tayyab*) articles of food made available to human beings by Allah? In this world these things are available to both Believers and

Unbelievers but in the Hereafter these will only be for those who 'believe'. Thus we make our guidance clear to a people who understand." [(7:32) - XVIII, p.226; (7:26; 18:31; 76:12-16)] For those who adopt the Divine laws in their daily life, they get a provision of heavenly life which is an ideal one providing all comforts and energising living, beautiful gardens - the shades of trees will fall over them and the bunches of fruits hang low towards them; chairs of authority and power, garments of silk, vessels of silver and gold, and goblets of crystal will be for them. Articles of quality required for an ideal living will be available to them in plenty, they need not bear any hardship to get them. The atmosphere will have most moderate temperatures (76:17-22). In an ideal Quranic State (on earth) heavenly life will be available for all, there will not be categories or grades of rich and poor.

xii) Full freedom to practice their respective religion should be available to all the people (2:256). All places of worship should be fully protected. In this respect the Quran says that if Allah does not protect one set of people through another, surely the monasteries, churches, synagogues, mosques, and places of others' worship in which the name of Allah is commemorated abundantly, would have been demolished by mischievous, tyrant, and mighty cruel persons who suppress the right of worship and prayer (22:40).

xiii) Although an oppressed person has got a right to speak out openly about injustice done to him, Allah does not like to publicise evils of those who had given up the bad and adopted right path (4:148).

xiv) It is a fundamental principle that no one shall be made to bear another's burden, everyone will have to fulfil his own obligation and responsibility (6:165).

Any move designed to curb the human rights referred above will be against the Quranic teachings; any system which does not fulfil these rights could be challenged in the court of law. [X, p.165]

9.2

Respect for Religions

Teachings on morals and ethics should reach all the people. It is a right of the people to know them to understand and to adopt them as permanent values in their practical life. The Quran has

asked to give gentlemanly treatment to the entire mankind, and due respect to other religions. Followers of other religions complain that they are called *kafir*; some persons think that calling a person *kafir* is similar to that of an abuse. But this is not correct. *Kafir* means 'Unbeliever', and therefore he is not a member of this particular (Muslim) society. This is not a word of hatred or abuse. [XI, pp.191-92] The Quran cautions Muslims that they should not revile the deities whom the Unbelievers worship and associate them with Allah: "You should not revile them lest in their ignorance these people revile Allah in retaliation. They adhere to their beliefs because they seem fair to them. The nature of their deeds will become clear to them on the Day of Reckoning." [(6:109)-XVIII, p. 206]

The Quran further states that Allah has sent His *rasool* (apostle) to every people (16:36), names of some of them have been mentioned in the Book, and a mention of some others has been made without referring them by their names (4:164). It is, therefore, necessary for a Muslim to believe in Allah, His revelations (Books), and *anbiya* (apostles) and no distinction should be made amongst them (3:83). By virtue of being the prophet of Allah they must be regarded and respected, and as such the question of disrespecting any *nabi* (apostle) does not arise at all. The foremost thing which should be remembered is that the true *deen* of Allah - Islam is preserved in the Quran only and nowhere else.

10

Woman

10.1

Status of Woman

Woman has been victim of injustice, inequality, and unfair treatment by man since ages. She was considered and treated (even today) inferior to man, and as such assigned dull and inferior jobs, and made to remain contented with all this all time. A number of fictions and stories have been constructed to prove that she is an inferior creation compared to man, and she was treated (and still being treated) accordingly in every walk of life. As a result of this kind of treatment, the gulf of difference between man and woman in several respects became so vast and so deep that she appeared as if she is a member of entirely a different species to which man does not belong to. Such a difference has not been created by Allah but it is the creation of man's own superiority complex. This kind of treatment has resulted in depression and retardation of potentials and capabilities of the women folk, and has affected them so adversely that they have not received advanced education and training even in home management, education (including that of science and technology), care and upbringing of young ones, and other activities of life.

Undoubtedly in certain respects, particularly those of physical strength, man is superior to woman, yet in other respects woman is also endowed with capabilities superior to man particularly in the matter of linguistic talents, upbringing and care of young ones, and home management. In all other respects, including those of intelligence - as psychologists have concluded - woman is equal to man.

For the care of children, woman especially (mother) devotes most of her time, man thinks himself responsible to provide means of subsistence, this is just division of labour and not for any other consideration to claim his superiority over the woman (as often considered). Such a division of labour is in the best interest of the family as a whole (4:34). This enables the woman to pay maximum attention to household activities and to the children. In case a woman

can manage to spare her time to earn her own living, she has been permitted to do so, and whatever she earns belongs to her (4:32). Managing home is a team work of both man and woman; and in this activity one should not try to dominate or exploit the other, and the rights of both should have been protected and respected; and both (husband and wife) are garments of each other (2:187).

Of late woman started asserting herself for her rights of equality with man in the society, and had put forth her demand for equal treatment as that received by man. The claim has now been recognised by the international organizations like the United Nations which had declared and celebrated the year 1975 as The International Women's Year.* As a result of creating awareness among them, certain demands of women have been implemented by various agencies and organisations and yet other provisions are in the process. Let us have a look at the teachings of the Quran on this subject.

“O humanity ! adhere to the laws of your *Sustainer* who initiated your creation with a single life-cell (6:99; 39:6) which split into two parts - one male and the other female - and through them spread so many men and women in the world.

(It is thus clear from this example that the origin of mankind is one and the same and therefore subsequent man-made divisions have no justification. You consider entire humanity as one entity) and follow the laws of *Nizam-e-Rububiyat*, through which all those necessities of yours are fulfilled for which you seek each other's assistance (14:34)...” [(4:1)-XVIII, p.119]

This clarifies that men and women both have to work together to get blissful life on earth, and to make it a paradise. Man and woman both are equally capable of following the right path, or avoiding it and going astray also. Both of them have been so created that one excels the other in certain respects under certain situations (4:34). Woman has been liberated from age-old bondage to man (33:35; 4:124). On account of this equality of man and woman mankind attains the human stature in making of human personality.

10.2

Woman as Mother

On conception foetus starts developing in the womb of woman (mother), and the process of completion (pregnancy) takes nearly nine months till the baby is born. For almost two years (after birth), the baby needs intensive care and suckling by the mother without which it cannot survive. Sometimes, both mother and father participate in upbringing of children at the early stage also. Happiness, peace, and security are ensured by mutual cooperation of the parents, and thus a deep impact is created on children. Their habits are moulded at home, and this creates lifelong impression on the young ones. Mother inspires in children ideals and cultural values of the society. Whenever children fall ill she sacrifices her sleep, comforts, and everything and sees that her young one is not denied of medical treatment, diet, rest, etc. within her means.

In a family in particular and in a society in general, mother's vital role has been fully recognised by the Quran when it calls Muslim community as *ummah* derived from *umm* which means mother who influences the family as well as the community at large. Concord between the parents helps the child in building up an ordered personality, and a discord between them results in a disordered personality. This is the reason why in choosing life companion, man and woman should have commonness in views and ideals (2:221); in the choice itself both man and woman are absolutely free when they enter into *nikah* agreement. Man cannot marry a woman against her will (4:19); the objective seems to make home a place of happiness and harmony for the children.

10.3

Woman in Society

Woman has not been created as a toy in the hands of man. As man has his own 'self', woman also has her own 'self', and both are meant to fulfil the purpose of their creation. But the idea, that woman has been created to satisfy the sexual demand of man, has been 'inserted' into the mind of the woman since ages and it is transferred from one generation to another consequently, this concept has enshrined her sub-conscious mind making her to think that she is an object of amusement for man to satisfy his sex-demand. The desire to exhibit her beauty and elegance, in an unconscious way, has been the creation of the demand that she should remain an appealing

and attractive figure in the sight of males. This is the reason why the Quran has not made reprehensible the appearance of a woman in a beautiful and elegant form before her father or brother or son and other similar relations. While instructing against appearance of woman in an attractive and elegant form, the Book has addressed them that they are in no way lagging behind men, then why they should conceive the idea of becoming toy for men (33:35). She occupies a high and an honourable position in the society, and therefore should remain at par with man.

Fundamental teaching of the Quran is that on account of birth there is no difference or discrimination between one human baby (boy or girl) and another, Allah has honoured the mankind (17:70), and the mankind is comprised of both men and women, and both deserve equal respect.

Prior to revelation of the Quran, when a female baby was born in Arab family the face of the father used to turn gloomy, dark, and full of grief and shy. He used to feel sorry on this account. He even used to feel shy and generally hide himself. Then he used to think whether he should keep that female baby as a symbol of disgrace for him or to burry her in the grave (16:58-59). Such was the position of female children in the society. Girls were deprived of receiving education.

Women were considered inferior in wisdom; neither their opinion carried any weight nor they were considered worthy of offering any advice.

Present position of women in the Indian sub-continent is more or less the same what it was centuries back. The year 1994 was declared by U.N.O. as 'Girl-Child Year' and this is a testimony for her depressed position in the present society. Several cases of abortion and termination of pregnancy are noticeable when the womb of mother contained a female baby. A wrong notion prevailed that:

"She was moulded into being just to serve as an instrument of satisfaction for man and devote herself to his service. The Quran took the lead in opposing this age-long notion. It proclaimed that the human species is composed of the male and female, and that each of the two has distinct individuality with distinct duties to perform in spheres appropriate to each. The one is as essential to human activity as the other; the two complement each other to fulfil the demands of a perfect society". [V, p.226]

It is quite obvious that when woman received this kind of treatment generation after generation, the state of her mind and the way it was built up, could easily be understood. Customs, traditions, and rituals have subscribed to suppressing the potential of woman not to express itself. This kind of attitude towards the softer sex in the society kept growth and development of her mind at stand-still rather it went bad to worse. Such was the woman about whom the Quran stated that the person whose brought up was usually among trinkets and ornaments could not represent her own case clearly and properly (43:18). On account of this deficiency (for which the society is responsible), the Quran has stated that when a woman has to appear as a witness in a court of law another woman can join her to help the former in the event the former is forgetting to depose the facts or she gets into confusion (2:282); the verse of the Quran goes as "If two men are not available, then a man and two women from among such as are deceptable to you as witness should be called so that if the one whose witness is being recorded gets confused or forgets some point, the other might refresh her memory".

[...It is evident that these women would be most liable to becoming confused in a court-room situation. In order to give psychological support to a woman who had to appear as witness, the Quran prescribed the presence of another woman who was known to her. The function of the second woman is not to be a witness but to refresh the memory of the first one in case she forgets something or gets confused. It is wrong to assume that according to the Quran, the evidence of two women is equal to that of one man". -Explanatory Note under: [(2:282)-XVIII,p.78].

The Quran has elevated the woman and made her to stand by the side of man in every walk of life provided she obtains proper education and training. No where in the Book men have been regarded superior to women. The Quran has rather addressed men not to look down upon woman because both men and women are from each other (3:194).

The thinking that husband earns and wife remains a parasite on his earnings, is not true. The Quran has made man responsible to earn and maintain his family. Women, at the same time have not been cast any such obligation. All this is done from the point of view of division of labour in family life. The Book has rather stated very clearly that "Men shall have what they have earned and women

shall have what they have earned". [(4:32)-V,p.225] This verdict of the Quran shows that Allah has permitted women also to work and get their earnings so that they may not have any inferiority complex and to remain totally dependent on men. Usually in family life, men are responsible to meet household expenses, and therefore, as a hereditary right daughter gets half of the son's share in the property of parents. In other matters, position of men and women is exactly the same, and for this similarity the Quran has used a common word *zouj* (spouse) for husband and wife both. In this respect example of two wheels of a cart is worth quoting, and in such case if one wheel is missing or it is weak and unable to work the other one will not be of any use. Man and woman both as human beings, are equally capable of doing things, and there is not a single type of work that women are not capable to do. The Quran has described the equal capabilities of both men and women (33:35; 4:124; 9:71).

On the basis of these facts given by the Quran, any laws framed discriminating women from men based on sex (except those given by the Quran, for example share of woman in ancestral property) be considered not in conformity with the Quran.

10.3.1

Characteristics of Women

All those who follow Divine laws get profound blessing of Allah, and these are shared equally by men and women both without any discrimination. As far the attributes of women in society are concerned, the example of *hur* (women of paradise), described by the Quran, could be quoted that they will possess the qualities (feminine attributes) such that:

- (i) They shall have utmost goodness in them and possess ideal character.
- (ii) They shall be symbol of chastity.
- (iii) They are restrained as to their glances.
- (iv) Their thinking, understanding, and mode of action shall be such that these will not attract towards any misdeed or corruption.
- (v) They shall be after honour and modesty. [(55:70-76)-VI,pp.1263-64; (38:52), p.1061; (37:48), p.1038]

10.3.2

To remain Chaste (Veil)

The Quran has given instructions to men and women both in such a way that the responsibility to remain righteous and chaste rests on both of them and thereby chastity of women is fully secured. The Book has addressed men first and instructed them in such a way that their attitude and behaviour towards women should be full of responsibility and respectability. When *momineen* (Believers) were addressed in this respect they have been instructed to lower their gaze and guard their modesty. They have always to keep in view that their chastity does not get blemished on account of a brazen stare at women (or even at men) and they should also see that there will be no breach of refined manners. With regard to sex, preservation of modesty is not only necessary to guard the weaker sex but also essential to keep their own self protected. This objective is fulfilled by the purity of heart and sight both. This should be observed with utmost sincerety and not just formally or mechanically. Allah has full knowledge of one's intentions (24:30).

While addressing *mominath* (women Believers), they have been ordained to lower their gaze and guard their modesty. From this point of view, it is necessary that they should not display their beauty and ornaments except what must ordinarily appear thereof. They should not strike their feet on ground (floor) in order to draw attention towards their hidden ornaments or as an expression of pride. When they go out, they should put on a veil (wider piece of cloth) over their bosom and shoulders, and should not display their beauty, attractive parts of their body shall always be covered by usual dress and even by extra cloth. These shall not ordinarily be disclosed to near relations except their husband or sons and daughters. The permitted relatives in this respect are their husband, father, husband's father, their sons, their husband's son, brother or brother's son, sister's son, or their women attendants, or male servants free of physical needs, or small children who have no sense of the shame of sex (24:31). The reasons, why women have been restrained from exposition of their beauty or attractive parts of body are : (i) It is obvious that this arouses sexual feelings of men leading to evils, and (ii) another more deep reason is that on account of centuries - old wrong brought up which has made the thinking of women firm that the objective of women's life is to satisfy various types of demand of men, and that their life by itself does not possess any objective. By exposing her beauty and elegance she thinks, consciously or

unconsciously, that she is fulfilling masculine objectives appreciated by men.

It has been pointed out earlier that man and woman both are human beings and their life is related to their own self; woman's life is not meant for fulfilling objectives of men. The Quran, therefore, wants to remove that kind of feeling from the mind of woman of which she had remained a victim for centuries; she should not become a toy in the hands of man. The Book wants to create awareness among women of their high and prestigious position. It wants that when men and women meet they should meet as human beings of equal position. The day the world will realise this reality, it will have entirely a different picture of mankind. [VI-pp.801-02]

Unchaste women adopt the tricks by tinkling their ankle ornaments to draw attention of others towards them and thereby entrap people. Beauty is a Nature's gift for ones own good but not for immoral show. Whenever chaste women have to go outside their houses, they should cast their outer garments - *jalabib* (a long gown covering the whole body) or cloak covering the neck and bosom. The purpose is to protect their skin and hair from sunlight and dust but not to restrict the liberty of women. The veil is to indicate that they belonged to the houses of nobles (33:59). This was never contemplated that they should be confined to their houses like prisoners.

10.3.3

Women and Employment

As mentioned earlier, the Quran never desires that woman shall remain as an economic parasite on man. The Book has clearly stated that "The earning capacity of individuals differs but each person should strive hard to increase his or her capacity to earn. Men shall have what they earn and women shall have whatever they earn. Allah has knowledge of all things". [(4:32)-XVIII,p.128]

Justice and Equality

A court of justice settles disputes as per prevailing laws. Whenever any judgement is given, it is considered that it is based on justice as per the prevailing laws. But in case the law itself is not based on justice the judgement given according to that law will not do justice. The Quran says that law of the State should be based on justice and “ Those who do not decide their affairs according to what Allah has revealed - they are the one who are *kafireen*”. [(5:44) - XVIII, p.169] A State in which Quranic laws are practised in all matters will be a true Islamic State. It should also be remembered that the laws based on Divine Revelation are the laws which are *alhaqq* (the truth), and those who administer justice this way, they guide people to the path of the truth (7:159). Justice according to truth (*alhaqq*) is real justice, and if the law itself is not according to *alhaqq* revealed by the Almighty, then justice cannot be regarded according to the truth. This is how an Islamic State differs from a secular State. When a court delivers judgement according to law beyond emotions, this will be called legal judgement as per justice (38:26), and the judgement should always be based on justice (4:58). It is one of the basic conditions for establishment of Divine order that its organisers should act as protectors of justice.

Settlement of Disputes

When there is a quarrel between two persons or groups their dispute shall be settled according to the Divine laws (49:9). Even if one has enmity against the other this should not come in the way of justice, and this is akin to piety *taqwa* - protection, preservation, and following the Divine laws (5:8). Judgements given should be based on justice irrespective of religious leanings. Prophet Mohammed (S) was addressed by Allah to give judgement justly, and He likes those who judge fairly (5:42) and not according to the desires and wishes of the people, and not to deviate from the truth (5:48).

With regard to judgement given for settling disputes, a very open and clear verdict is given by the Quran when it says:

- (i) Those who do not decide their affairs according to what Allah has revealed-they are the one who infact are the *kafireen* (5:44)*.
- (ii) Those who do not judge according to what Allah has revealed are, infact, the *zalimeen* (5:45).
- (iii) Those who do not decide their affairs by what Allah has revealed are indeed , the *fasiqeen***. [(5:47)-XVIII-p.169]

11.2

Fundamental Directives for Justice

For introducing and practising Divine laws, power and 'balance' of justice are essential. The Quran, like the earlier Heavenly books, desires to establish a State wherein actions of every member bring about the desired and exact results, and thereby the community lives in peace and harmony. For achieving this objective, Allah has gifted the mankind with three things namely the Book (Divine revelation as a code of laws) which favours Good and forbids Evils; the Balance (justice for every one) that helps man to judge between right and wrong; and the Iron (power for enforcement of the laws and decisions) which helps to curb evil. Following of the Divine laws will make things clear, and single out people who are the faithful and who come forward to help and support the Divine order established by the prophets. Such persons are so firm in belief and strong in conviction that they are prepared to do any kind of sacrifice for the establishment and strengthening of the Divine order which contains tremendous force and power in itself for its establishment (57:25).

While doing justice one should not discriminate between his own relatives and non-relatives, rich and poor, and even one's own interest and gains. Judgement should be given based on proven facts and the truth no matter it goes against one's ownself. Justice should be extended even to an enemy, and one has to see that one's (personal) feelings and emotions do not come in the way of justice (4:135).

* *Kafireen: They are Non-believers.*

** *Fasiqeen : They are the persons who give up the right path and take up the wrong one. [(5:47)-VI, p.256] This is an open and deliberate violation of Divine laws.*

Emphasis has been laid on *adl* (justice) and *ehsan* (making good the deficiencies of others). *Adl* is also that in which a person who has committed an offense should be punished according to the law, and *ehsan* is that in which a person who has suffered on account of a particular crime of others, should be given a justifiable compensation. This is the foremost responsibility of State (16:90). Enforcement of any laws will not be with retrospective effect (4:23; 2:275; 5:95).

If a person is compelled to do anything wrong, he will not be an accused (16:106). Persons who avoid major sins and shameless acts and commit minor mistakes unknowingly should be forgiven (42:37; 53:32). Good acts will efface the ill effects of faltering ones. An atmosphere should be created in the society by which people will keep themselves away from the evils (11:114; 23:96; 28:54). The Quran gives a universal fundamental principle that the evils in the society shall be removed through good deeds and well behaving, and a pleasant and over all revolution could be brought about in the world. Therefore even while enforcing punishments general conditions of the society have to be kept in view.

The objective of justice is not confined to punish the culprit only but it has to be kept in view that the sufferer has to be compensated justifiably for the loss done to him due to the oppression. In this connection, the Quran quotes the example of murder. The murdered will be no more in this world but the loss or damage caused to his heirs and dependents has to be compensated. When an innocent person is murdered, the Divine order on account of its ruling power, stands to support the heirs and dependents (17:33). If the State cannot compensate the loss of such persons, it cannot claim that it is standing by his side. Besides compensating the loss, the State has to see that there will not be any such recurrences in future. Such a concrete example leads to deduce that in case of such similar events, this guideline will be adopted. As far compensating the oppressed persons is concerned they will be the claimant and the State will be the respondent, because it is the responsibility of the State to provide security to life, property, honour, and everything of its people who live therein. Compensation also includes for the damage caused to their heart and mind. [(2:38)-X,p.34]

The respective government will have to fulfil all its responsibilities and in the event of failure it will be answerable to

the court of justice. The Prophet (S) himself was asked to tell them: "If I revolted against Allah's laws, I too would be fearful of chastisement on the Day of Reckoning". [(6:14-15)-XVIII,p.189].

A judicial system should be such that under this no one will be able to provide benefits to the accused, nor anybody's recommendation will be accepted, nor anyone will help him that he escapes punishment. Under Divine system all this will be done in the worldly life; in Hereafter also all judgements will be given according to the law of *mukafat* (2:38).

In case of theft, such restrictions have to be imposed on the accused (man or woman) that render them incapable of committing such crimes. If they express regretfulness and make a promise that they will not repeat the mistakes, and the concerned authorities are also satisfied that those people will not commit the crimes again, the Divine order shall take steps to protect them and make provision for their nourishment till they become capable of earning for themselves; they could be forgiven. [(5:38-39)- "The literal meaning of the text is "cutting of the hands".] When the Divine order of *rububiyat* envisaged by Islam is established, every person will be guaranteed means of livelihood. If anyone commits theft, under such circumstances he deserves the severe punishment. Those who commit crime due to psychological abnormality will be treated medically instead of being punished. [(12:31)-XVIII,p.167]

11.3

Crime and Punishment

Punishment is necessary when law is violated; a law does not remain law when its violation does not impose punishment. If there is no force behind the law to punish the violators such law becomes a sermon. In a Divine order therefore, punishment is also prescribed for its violation and the State will enforce it. Crime and punishment are interrelated, and two types of order are found in the Quran in this respect. About those which are moral or ethical in nature and the other ones are those which are about punishments. Ethical orders are those which are not to be taken as a crime in the society, for example, the Book says that one should not walk proudly on earth (17:37); if anyone does against it, this will not be regarded as crime. On the other hand when it says that one should not go near adultery, and if one does against this, it will be clearly a crime in the society, and certainly punishable. The object of every Quranic order is to

inculcate good moral character, and this means the development of the 'self', and a developed self is an asset for human society also.

Quranic orders in respect of crimes are of two types: (i) Those through which punishment has been fixed for certain crimes, for example, in case of *zina* (adultery) whipping hundred times is fixed (24:2); and (ii) those crimes for which punishment has not been fixed specifically, for example, use of intoxicants which have been prohibited but no punishment is fixed in the event of its violation and the matter has been left to the discretion of the State to decide according to circumstances. Such decisions are subject to changes which take place time to time according to the situation . [X,p.167]

Inspite of all the efforts put in to create peaceful and harmonious atmosphere in the society, there might be individuals (psychiatric persons) whose 'madness' hampers peace and harmony of the society. Under such situation it becomes necessary to treat such persons effectively, and until and unless they get fully cured from the 'disease', it becomes essential to provide safety to the people against the evils of the madness of such persons. Such a treatment involves 'wash' of their brain and heart. Sometimes, as a last resort, it becomes necessary to guide such persons and also to create fear in them; there are many psychological diseases which can be cured by creating fear in patients and the kind of treatment can well be named as punishment. [X,p.168] Through such an approach the accused gets himself corrected; such an approach corrects those persons also in whom 'germs' of crime are growing sub-consciously. Punishment as a revenge is against the Quranic teachings. [X,p.168]

The other object of making penal provisions for crimes is to compensate the loss or damage caused to the person by the accused, for example a thief has been sentenced for a certain period of time but such a punishment does not compensate the loss or damage caused to the affected person (the owner). Justice demands that the stolen articles should be returned to its owner in case these are recovered; if these are not recovered then the system or the government should arrange compensation for the stolen articles or its cost. It has been mentioned earlier that according to the Quranic concept, a complainant is not a claimant against the accused, he will be claimant against the State. The State has promised that it will provide security for every thing; if anyone has caused damage to any other person, it means that the State has not fulfilled its

responsibility. Therefore, to a sufferer, the State is responsible and not the individual who is accused or culprit. The State has to see that the loss is compensated, whether it is through the accused or the system of administration itself, the affected person has no concern with it (subject to condition that the loss has not occurred due to carelessness of the affected person).

Another purpose of punishment for crime is that the psychiatric accused should be treated (psychologically / medically), and the first condition for the success is that the 'patient' should become conscious about his 'disease'. He should confess from core of his heart that he has committed the mistake. In this respect the Quran says that if the conscience of the accused repents then there is hope of correction. In such a case instead of punishment he is to be forgiven, but an eye is kept on him in order to correct him, and in doing so the State has to provide him possible assistance. This is the reason why the Quran keeps the provision of forgiveness and providing chance to the accused to come back to right path before punishment. It directs for punishment in case when the accused has lost the possibility of self-correction.

The Quran directs for corporal punishment. It does not suggest to send the thief to jail where he gets food, clothing, and shelter, and his family members get into distress; that somebody commits a crime and someone else faces the punishment. In reality, that kind of fear which could correct the usual criminals or the possibility of abstaining them from committing crime could be only through corporal punishment. [X,p.169]

For fulfilling the ideal aims of justice, certain fundamental directives of the Quran are given:

(i) Chasing the criminal and punishing him/her as per the law is the prime responsibility of the State, and this is called retribution. This is necessary to check oppression, and for the protection of human rights pertaining to life. Whenever a crime is committed against an individual, it will theoretically be a crime against the entire society. Punishment, given to wrong-doers, murderers, and the like is necessary to make human life safe and respectable, and such punishment will serve as a valuable safeguard for the people (5:32; 2:178).

(ii) While according punishment, fundamental principle of justice and equality must always be kept in view, irrespective of status or position of a person in society, for example, a murdered or the murderer, whether he is rich or poor, man or woman. Punishment based on Divine laws shall have to be accorded depending on the nature of the crime and the purpose for which it is committed (2:178).

(iii) A person who commits a crime shall be responsible for what he has done as established by evidence, and punishment will be accorded to the culprit. No one else will be made accountable or responsible to bear his burden. Nor an innocent person will be accused or punished for crime of somebody else (6:165).

(iv) It will be in accordance with natural justice that punishment accorded to the culprit shall be commensurate with the nature and severity of his crime, and the compensation will not be greater than the injury suffered (42:40). If it is possible for the accused to correct himself, he can also be forgiven. Whosoever forgives and provides the offender an opportunity for self correction, Allah will reward the forgiver (42:40).

(v) A person will be considered innocent until and unless the charge against him is proved, use of duress, coercion, or pressure in any form during the enquiry will be against the Quranic laws; during the period of enquiry or trial his position will be that of an innocent person; the society should not form a bad opinion till the judgement is delivered by competent court (24:12,16).

(vi) Anything done wrong intentionally will be regarded a crime. If anyone commits wrong unknowingly, it will not amount to crime (33:5). If anyone takes a wrong step due to lack of knowledge or by mistake and later he realises and repents of it; he can be forgiven (since to err is human) (6:54). But it does not mean that people may become careless of the rules of law; carelessness should be dealt with separately.

(vii) Persons who induce others to follow a wrong path, they will have to bear not only full weight and responsibility of their sins but also part of the burden of those ignorant persons whom they had misled (16:25; 29:13).

Similarly a person who attempts to throw the burden of his unlawful act on an innocent person, he will be considered responsible for two crimes (4:112).

While according punishment, factors like environments, brought up, family background, and psychological conditions of the guilty have also to be taken into consideration. This is the reason why punishment of a captive woman guilty of adultery, after she had entered into a wedlock, is one-half that of free *mominath* (women Believers in Islam). (4:25; 24:2); the reason being that the captive woman had a different background than that of those who were brought up under free environments, and this might have been responsible for a low morality level. On the other hand, women from the Prophet's (S) home have been addressed that for any mistake committed by them, they would be accorded punishment double than that given normally to other free women (33:30). Those were the days when the system of captive men and women prevailed in the Arab society, and Islam closed door of this disgraceful status forever.

It could be mentioned that the Quran establishes such type of society under which people are educated and trained in such a manner that they are expected to admit themselves of their own accord voluntarily, if they have committed any mistake, and speak out truth no matter it goes against them (4:135). This is such a lofty principle of evidence that there will not be any difficulty in giving appropriate judgement.

Regarding crime, the philosophy of the Quran is that:

(i) Every crime has got an effect on the self of the person who has committed it, and therefore a person commits against his own self (4:111), and this cannot get effaced by the punishment meted out by the court of law (external mean). The fundamental aim the Quran holds is correction of the accused. With this objective it adopts all such methods of approach which awaken the feeling in the mind of the guilty that the guilt is heinous. The Quranic principle in this regard is wonderful when it says that if a person does cruelty and excesses to somebody, he thinks that he is doing harm to others, whereas he is indeed cruel to himself and he is doing harm to himself; his own self is damaged beyond repairs through some external means. It also means that if the guilty escapes punishment by

adopting certain tricks, he cannot escape the damage caused to his own self because Allah's law of *mukafaat* is operative here; deceiving through eyes and planning evil in mind are not hidden from Allah's notice (40:19). This is the type of instruction and education which makes the guilty to feel himself about his guilt; this way instead of punishing the guilty it provides opportunities for correcting oneself.

A question arises that when a guilty person is awarded court-punishment, whether he will be exempted from any further punishment in the life Hereafter. It is to be noted that every act of human being creates an impact on his own self, and on the basis of cumulative effects his life in the Hereafter is determined. The act of a guilty person adversely affects the society as well as his ownself. Punishment accorded by the court of justice can compensate the adverse effect of the crime on society but it does not compensate for the effect caused on the self of the guilty. The person himself has to compensate this. The first step in this direction is the prick of conscience raising a strong sense of repentance which results into *tawbah* (return of a person from wrong path to the right path on realizing his error, and that he will not take the wrong once again). [XVIII, p.84(G)] The next step is that of *islah* (reform), and this involves doing such constructive works which will 'heal' the injury caused to his self by his wrong and unlawful action. This is based on the law of *mukafaat* (11:114; 40:19). This is how the guilty is freed from the impeachment of Hereafter. In reality a person who has faith in the law of *mukafaat* cannot generally think of committing a crime. [X, p.169-72] The concept of *tawbah* and *islah* (correction and reform) given by the Quran, is revolutionary in nature (5:39). This objective is achieved by following Divine teachings.

(ii) There are certain crimes which are limited or restricted (in effect) to one's own self; for example deceiving with eyes, or one sees things which he should not have seen, and by doing so a sin is committed by his eyes. As a result of this certain bad intentions arise in the mind and these give rise to evil motives - these are in the knowledge of Allah (40:19). Such sins cannot be prohibited by law. A court of justice tries a cognizable offence or a committed crime, whereas an intention to commit a sin will not be a crime in the eyes of law but such an intention affects one's own morals. The law of *mukafaat* alone serves as a check or brake on ill intentions, therefore, emphasis has to be laid on keeping away evil ideas and bad intentions from one's mind. The duty of the society should be to

educate people about the philosophy of crime thereby helping to keep themselves away from all kinds of wrong and law-breaking activities. This will rather eradicate evil from the society or it will not allow it to establish. Instructions of the Quran in this direction are very much thought-provoking and give testimony for eradication of crimes from the society, and these are regarded as an effective plan of action to achieve this objective. It is a fact that conviction in the law of *mukafaat*, and strong faith in the life Hereafter, and reasoning and rational thinking, contain in themselves strong force for reforming a society (4:107-12).

As far a punishment is concerned, it has to be kept in view that those punishments which the Quran itself has provided are the maximum punishments, and those have been fixed based on the social and economic conditions prevailed during the revelation period of the Quran. Those punishments will be given when similar conditions prevail. If such conditions do not prevail, the State can give other punishments depending upon the circumstances. [(5:33)-VI,p.251]

Punishments fixed by the Quran will remain as they are, and no one has any authority to change, modify or replace them. But these are to be applied with due consideration to the existing conditions of a society. Courts are endowed with discretionary powers in this respect. Offences for which punishments are not specified in the Quranic text, the Islamic State will have to fix them with due consideration of justice. [(5:33)-VI,p.251]

11.3.1

Murder

Human life is regarded respectable, therefore it should not be destroyed, and security to life should be given (6:152). *Momineen* have been ordered to abstain from killing each other (4:29). If a man has killed an innocent person it means as if he has killed the entire mankind (theoritically), and if a person has saved one life, it means as if he has saved the entire mankind (5:32).

In case of murder, the State has been made responsible to punish the accused as per the Divine law because it is not the crime affair between the murderer and the heirs of the murdered, but it is an offence between the accused and the society or the State. In view

of this, justice should always be upheld and punishment be given according to the Quranic laws. This does not mean just punishing for a specific crime. This is to follow the accused in such a way that he is not left uncaught; and the crime is not left untraced. Under the law of retribution there is protection for the individuals as well as for the collective life i.e. society (2:178-79).

There could be two types of murder - the one which is a deliberate killing, and the other is killing by mistake or by chance. In case of deliberate or intentional killing, the punishment given according to the Quran is ... "death (not ransom money) or, depending upon the nature of the crime, a punishment less than the maximum penalty (4:93). In other words, the punishment should be commensurate with the crime (42:40; 17:33). "[2:178)-XVIII, p.47] In case of a murder by mistake (unintentional), punishment will be given according to the Quranic law (4:92). The heirs can reduce the amount due and payable to them (17:33). In prescribing lesser punishment for inadvertent murder, the Creator has been lenient so that one's potentialities may continue to grow. But any person who acts high-handedly or unfairly, once agreement has been reached, the person should be punished severely irrespective of his position or status in the best interest of justice and equality (2:178). This verdict of the Quran indicates that compromise is done only in case of unintentional murder, and not in case of an intentional murder. In case of intentional murder, the murderer will be punished (executed); in this law (of retribution) there is secret protection of life individually as well as collectively (2:179), and this will safeguard against the dangers of lawlessness. [VI, pp. 65-66] In case if a *momin* has killed another (innocent) *momin*, the murderer will be executed undoubtedly (4:93), but after death also he will be placed in *jehannam* (Hell); and in this case no *kaffara* (compensation) is allowed.

Killing the children (progeny) is strictly prohibited. Killing of progeny also means that of not making arrangements for providing basic needs and right type of education and training which make them an honourable member of the family and a right type of citizen (6:152).

Whenever crimes are committed, it is not just sufficient to punish the culprits, it is the prime responsibility of the State to pay justified (adequate) compensation to the heirs of the persons who were killed and their properties destroyed. For such claims

government will be responsible for payment of compensation as it is its responsibility to protect life, property, chaste, honour, etc. of the people against destruction.

11.4

Sex Perversion

Throughout the history of mankind sex has been a problem in one way or other. This happens when man does not control his emotions for sex. When the sex gets perverted and the person does not follow the Divine instructions given in this respect it results in sex anarchy. The Quran has given clear instructions in this regard. When these are followed the problem of sex perversion will not arise and the existing problem will be solved in the most satisfactory manner (23:5-7; 24:2).

11.4.1

Sex Abuse

Lawful and natural exercise of sex potential is restricted to the woman through *nikah* (wife); sex relation with woman other than wife is *zina* (adultery) which is a crime according to the Divine laws. Man and woman, both, who have committed crime of illegal and unlawful cohabitation are liable for punishment of whipping each one hundred times (24:2); and not stoning. The punishment should be given in presence of *momin* (Believer) witnesses. The Quran has not stated to get four eye-witnesses as an evidence for this criminal act. [X, p.100]. If a maid servant has committed this crime, her punishment will be half of what is given to a free woman under such situation (4:25; 24:2).

In case of girl - maid-servants or captive-slaves - who desire to get married, they should not be prevented from marriage just for one's personal advantage that they may get compelled for shameless act of adultery. If anyone, under whose care such girls are, forces them to do such a kind of act (prostitution), the Divine laws have such capability to protect these victims of oppression, and to provide means for their growth and development (in the society) (24:33). In case women commit any shameless act or indecency (that leads to adultery), four witnesses from amongst the people be taken, and if proved guilty, their movement should be restricted to their homes for lifetime or until Allah opens a way out for them (4:15), for example if they are not married and their marriages get performed. [VI, p.181] "If two men from amongst you are found guilty of something similar,

punish them. But if they repent and make amends, then leave them alone. The Divine system makes room for repentance and thereafter the restoration of the means of development." [(4:16)-XVIII, p.124]

11.4.2

Homo Sexuality

Homo sexuality is that act which is committed by two men (*livatat or aghlam*) (4:16; 7:81; 27:55) or two women (*sihaqat*), and those who commit this should be punished suitably by the State. The Quran has not fixed punishment for this act but has directed that if they feel ashamed of their act and give it up, and correct themselves, the Divine law has provision to forgive them. [(4:16)-X, p.101]

11.4.3

Indecencies

The Quran warns not to get closer to indecency of any kind anywhere. Those declared *haraam* (non-permissible) include :

i) Indecencies - in action or in thought; (ii) all those things which debilitate human capabilities; (iii) unjust rebellion; (iv) associating anyone with Allah; and (v) attributing to Allah that of which one has no knowledge. [(6:152; 7:33)-VI, pp.344-45]

Indecencies, besides action, include all those causes and means which help in getting them spread in the society. The Quran states that those persons who spread shameless talks, they will be punished severely in this world and in the life Hereafter; Allah knows all this very well about which others do not know (24:19). When *momineen* commit any act of indecency or when they do any excesses on themselves, they do not insist on that rather they bring forth the Divine laws, correct themselves accordingly, and ask for protection against their (past) mistakes. In fact, such a protection they can get only through the Divine laws and from nowhere else (3:134).

11.4.4

Eve Teasing

Girls and women belonging to respectable families should be given adequate protection against eve-teasing whenever they go outside their homes. In this regard, the Prophet(S) has been asked to tell his wives and daughters, and the ladies of *momineen* (Believers) that they should cast their outer garments over their clothes with such a wide cloth sheet that their modesty is well guarded, and their beauty and ornaments are veiled (24:31). This is done with a view

that they are identified that they belong to respectable families, and the roudies may not tease them. This will provide them protection (33:59). After taking so much precautions, if the hypocrites or the persons whose hearts are full of evils do not change their attitude, then force has to be used against such unsocial elements of the society. They should be given severe warning to give up such an immoral activity; if they do not abstain themselves, then they should be banished and deprived of the privileges they enjoyed as citizen. In spite of these steps to correct them, if they do not change their attitude and behaviour, they shall be seized and slain (without mercy). [(33:60, 61, 62)-I, p.1127] Ofcourse they will be tried in the court of law to punish them accordingly.

11.4.5

Charges against Chaste Women

For persons who launch baseless charges against chaste women, it is necessary that they should produce four witnesses to support their allegation. If they fail to prove it, they should be beaten by stripes eighty times (24:4), and also they will be deprived of appearing as witness in all matters throughout their life. [(24:23)-X,pp.104-05] If they do not give up this kind of activities, they should be punished more severely because they have left the right path and moved towards wrong direction. In case they repent and give up their habit of wicked transgressing, and correct themselves in their future life, they will be excused as the Divine law has got a provision of forgiveness and it provides opportunity to correct oneself (24:4-5).

When a person charges against his own wife for her chastity and produces no witness except his own self (as a solitary evidence), he has to bear himself as witness four times (i.e. taking oath in the name of Allah four times) that he is swearing and telling the truth; the fifth oath should be that he solemnly involves the wrath of Allah on himself if he is telling lie. Then the woman would be taken as an accused by this deposition of her husband. But the punishment would get averted by his wife if she bears herself as a witness four times on her own behalf taking oath of Allah that her husband was telling lie; the fifth oath should be that she solemnly involves the wrath of Allah on herself if her husband was telling the truth (24:6-9), then she will be freed from the accusation. [X,pp.105-06]

The above situations lead to indicate that chastity is a highly regarded honour for womanhood, and bears a great fundamental

permanent value. This should, therefore, be protected fully, and adequate measures be adopted for its preservation.

11.5

Evidence

To stand witness is an important responsibility an individual carries, and this helps in administration of justice. One should not escape from standing witness. While standing as witness for the cause of justice one should stand firmly and not for any personal benefit but for the sake of honesty and justice in the name of Allah (5:8). The Quran observes that one of the qualities of *momineen* (Believers) is that they stand firm in their testimonies (70:33). While giving the deposition one should not talk in a twisted manner. The Divine law of *mukafaat* keeps an eye on all activities (4:135). Further guidelines given in this respect are :

- i) That one should always speak truth upholding justice even if it goes against himself or his parents or relatives. He should not differentiate between the rich and the poor while standing as witness. One should not allow his emotions to cover the truth. He should not go as a witness for the plaintiff or for the respondent, he should only stand as a witness for truth in the name of Allah. For the establishment of Divine order, administration of justice is necessary, and true witness provides foundation for justice. Justice should always be kept in view and truthful evidence be deposed. Justice should be done even with one's own enemy; the law of *mukafaat* is fully aware of what one does (4:135).
- ii) One should not conceal his knowledge (2:283). Truth should not be mixed with falsehood while standing as witness to fulfil one's interest thus making the false to appear as true (2:42). One of the outstanding qualities of *momineen* (Believers) is that they never give false evidence (25:72).
- iii) One should stand witness only for a case about which he has personal knowledge. Allah has gifted man with mind, memory, and five senses, and all these have to be utilized to acquire correct information to arrive at a right conclusion. Amongst these facets if a single link is lost one's knowledge may remain defective when a great responsibility of providing true evidence lies on the witness (17:36).

- iv) If a witness has become a suspicious one and it was later found that his deposition was not true, the court can call other witnesses for evidence from amongst the other persons and they would swear by Allah and say "We affirm that what we will say is more correct than what the previous witnesses have said, and we will not transgress the limits imposed by Allah. If we do this we will be reckoned amongst the *zalimeen*." (those who upset balance of anything) [(5:107)-XVIII, p.183] In the Divine laws, provision has been made to take evidence over the evidence so that the witnesses will give their deposition truthfully since they will be afraid that they might be contradicted by others under an equally solemn oath. It is to be remembered that those who disobey Divine laws cannot follow the right path (5:108).
- v) Witnesses should be from amongst known persons (to the respective parties). While on journey and if known persons are not available, and if chance of death befalls, outsiders can be taken as witness. When such persons are required for deposition, the competent authority may detain them after *salath* (in mosque which also serves as court of justice). Both the witnesses swear by Allah and say: 'We have not sold our evidence for any price to anyone, even though he may be a kindred, and we will not conceal the truth and will give evidence only for Allah's sake. If we tell a lie we will certainly commit an offence.' [(5:106)-XVIII, p.183]
- vi) In case of loans, the matter should be in a written form, and two men should stand as witness. If two men are not available, one man and two women will be sufficient (2:282).
- vii) While writing a will, there should be atleast two men to stand witness, and if they are not available, one man and two women be called (2:282). The Quran has used the term *zouj* (spouse) for husband and wife both (58:1; 4:20)*.

* In matters of life, except for inheritance, status of woman is on par with that of man, and the equality is such that the Quran has used the term *zouj* (spouse) for husband and wife both (58:1;4:20). When an object is comprised of two such parts that in the absence of one the other does not remain complete, then each one of the two is called *zouj*. Each one is therefore essential for completion of the other, e.g. each wheel of a two - wheeler vehicle. [X,p.49] In this context: " It is wrong to assume that according to the Quran, the evidence of two women is equal to that of one man." [XVIII,p.78]

- viii) In matters of indecencies of common nature (*fahisha*), there should be four witnesses to be called for evidence (4:15). This matter does not pertain to that of unlawful sexual intercourse. [X,p.102]
- ix) In matters related to charge against chaste women, the evidence should be comprised of (at least) four witnesses (24:4), details are given under Section 11.4.5.
- x) At the final stage of *talaq*, the direction is to appoint two witnesses from amongst yourselves. The witnesses should depose truthfully with due consideration that this responsibility has been entrusted to them by Allah (65:2).
- xi) Sometimes circumstances lead to draw conclusion, and evidence produced in such case is called circumstantial evidence; as it has been mentioned in case of a charge made falsely against Prophet Joseph(P), wherein the witness was not an eye-witness. [(12:26-28)-X, p.44]

12

Economic Matters

12.1

Nizam-e- Rububiyath (Quranic System of Sustenance)

Momineen (Believers) have been asked to strive continuously to establish the *Nizam-e-Rububiyath* - the Divine system of sustenance - which guarantees peace on earth and provides material required for growth and development of entire mankind. The Almighty has chosen Muslim Ummah [nation of like minded people with common code or ideology-XVIII,p.91(G)] for this graceful position and entrusted this society of *momineen* (Believers) with the great responsibility of world leadership (2:143). Striving to establish such a Divine order is the right of *momineen*. This system is not new rather it is the same which was established by their great grandfather prophet Ibrahim (Abraham). The general name 'Muslim' given to the followers of the prophet Mohammed (S) is not a new name; such a name was given to all those who had followed this order earlier (22:78).

Action plan for establishment of this Divine system of sustenance comprises of the activities of the participants who were guided and controlled by the Prophet (S), and the State authority after his passing away. The *momineen* will watch and have a check and control over the activities of the entire mankind. They should first establish the system - *Nizam-e-Salath* (including the Discipline of collective prayers) and then arrange material for growth and development of humanity as a whole. Believers have to hold fast the Divine revelation (the Quran); Allah alone is the Watchful, and Supreme Ruler (22:78).

The Quran has given fundamental guidelines for the duties of State to fulfil its responsibility of providing basic needs of its people who should not be made to go under any hardship to fulfil their requirements. This is possible only in a State where Divine code of law is followed. The main step in this direction is that of establishment of the *salaath* and the *zakaath* systems which are the two central pillars upon which the edifice of a Islamic State rests;

therefore the *momineen* have been advised to adopt these systems for establishment of such a State (22:41). These systems guarantee the material required for growth and development of mankind. Therefore, the prime duty of a Islamic State is to provide material for growth and development of all the people - such a system is called *Nizam-e-Rububiyath* (Quranic system of sustenance (1:1). Under this system whatever is required for sustenance of His creations Allah bears for himself and this is fulfilled by the State. [X,p.155]

In view of the above, the prime responsibility of the State is to see that the living beings under its control are not deprived of their right to get adequate material of desired quality for their sustenance, growth, and development (11:6). Such a guarantee the State provides to the people and their children (6:152; 17:31).

12.2

Human Needs

It is the responsibility of State to provide to its people their basic needs viz. food, clothing, shelter, health services, education, etc. This facilitates them to express their capabilities and potentials gifted by Providence, and thereby enabling them to perform their duties using their talents fully. This is possible in a harmonious atmosphere free from hardships.

12.2.1

Agreement between People and State

An Islamic State is established in such a way that the Believers enter into an agreement with Allah through the Divine order that He 'purchases' persons (lives) and their worldly belongings in turn for the blissful life of *jannath*. [(9:111)-XVIII,p.293-94] It is a life under which one need not bother or face any hardships to get food, water, clothing, and shelter; such a living has been described as that of paradise for man (20:118-19), and such a quality of life will be available only in a State established on the basis of Divine laws revealed through the Quran.

12.2.2

Concept of Surplus

According to the economic concept of the Quran, wealth cannot be accumulated, stored, and kept idle. In this respect, a severe warning is given that the monks, priests, and other religious leaders devour others' property and turn the people away from the Divine

path. Some persons hoard wealth and hide it from others; for all such persons chastisement awaits in *jehannam* (Hell) where their foreheads, sides, and backs will be branded with their accumulated wealth-gold, silver, etc. (9:34-35). Some persons accumulate wealth and keep it in such a way that it revolves only around affluent classes (59:7), and such accumulation is also one of the most undesirable acts.

12.2.3

Take only the Needful

In a society which follows the Divine laws fully, everyone will take from his earnings only that much required to fulfil his needs, and the remaining part will be left to meet the requirements of other needy persons. In this respect the Quran addresses the Prophet Mohammed (S), that people ask him as to how much they should spare for others, and the reply was all that was surplus (*al-afwa*) (2:219). This way the Divine laws are made clear in respect of our worldly life and that in the Hereafter. Such persons whose basic requirements are not fulfilled by their earnings, or those who are physically handicapped and unable to earn their living have a rightful share in the surpluses of other (normal) members of the society; they do not get their share as charity (51:19; 70:24).

The Quranic system of sustenance - *Nizam-e-Rububiyath* is based on the principle that everyone who is a physically fit individual in the society should work as per his capacity (physical and mental) and the surplus earnings, after fulfilling his needs, should be spared for the needs of the society. Such a system takes its practical shape with the family itself. An earning member in a family does not restrict his earnings to meet his requirements alone, but keeps them open for all the members of the family. While doing so, neither he considers that he is obliging his family members nor the members too get the help as charity which otherwise may hurt their self. As per this system of distribution, all the individuals keep themselves engaged in performing their duties. Thus the spirit of mutual help and cooperation emerges from within, and a harmonious atmosphere develops. This results in a texture of lively relationship among the members of the family throughout.

With regard to the distribution of products of one's labour, the Quran quotes the example of plants when it says that man has been created from earth on the pattern of plants (71:17). This explains

that when seed germinates in soil and develops into a plant, its roots spread under the ground, its parts above the ground grow and develop as stem, branches, and leaves. When roots extract water and nutrients from the soil these do not accumulate the extracted material (food) for themselves but distribute it uniformly and justifiably to the entire plant system and thereby help its uniform growth and development. The leaves manufacture food (under the process of photosynthesis) and distribute the photosynthates (carbohydrates, proteins, etc.) uniformly to all the parts of the plant; the plant products provide food to man as well as animals. Similarly, man is also expected to exploit natural and other resources (through science and technology) and keep the products, thus obtained, open for the needs and benefits of the entire mankind, irrespective of tribe, caste, community or nationality.

12.2.4

Share to the Extent of Contributed Labour

Under the sustenance system of the Quranic order, that individual alone (except the handicapped persons) has the right to take who works and contributes his labour, and this is the fundamental principle (53:39). In fact, under the Divine system people can earn income and wealth and give away surplus, they will not accumulate wealth over and above their needs. Therefore the question of having surplus will not arise.

12.2.5

Emergency Needs

Under conditions of emergency it becomes imperative for people to donate the material stocked for their future needs, for fulfilment of basic requirements of other needy persons. This is called *sadaqaat* (voluntary contribution other than obligatory one which the individuals in the society must give to the government for common welfare). Such contributions shall also be under the control of the State and not under the control of private individuals (9:103). For such emergency needs, categories have been detailed by the Quran itself when it says that the *sadaqaat* will be distributed not for the emotional satisfaction of any individual; these are the rights of the people as per the following:

- (i) Those who are not able to earn themselves due to certain reason and depend upon others for their living.

- (ii) Those whose running business or mobility got stopped due to certain reason.
- (iii) For maintenance expenses of those persons who are appointed to collect *sadaqaat*.
- (iv) For encouragement of those who are attracted towards the Divine system but certain financial obstacles restrain them to do so; such persons should be helped to remove the obstacles.
- (v) For relief of those persons who were under the grip of the then slavery chain.
- (vi) For those persons who are indebted to the enemy in such a way that it is not possible for them to pay off the debts.
- (vii) And also for such incoming people (immigrants) who are in need of financial help.
- (viii) Besides the above categories, this amount will be utilised for such programmes which are beneficial for the Divine system and are helpful for the welfare of mankind.

This is the manual of rules prescribed by Allah, and it is based on knowledge and wisdom. *Sadaqaat* should not be mistaken with *zakaath* the meaning of which given by the Quran is different from what is considered at present. [(9:60)-X,pp.157-59]

12.2.6

Land --- State Property

Basically land is one of the major means of production which are meant to fulfil the responsibility of the State to provide material for people's growth and development -- the main obligation of government. Therefore, this basic source of production (land) cannot be under the ownership of individuals under the Quranic system; land shall be under the charge of the State so that it could be utilized to meet the requirements of all members of the society - *ummah* including the needy persons, and for the welfare of the people justifiably. [(41:10, 39:67; 56:63-73; 55:10)-X,p.159] The Divine instructions are to keep food resources within reach of the people. Almighty has made arrangements for growth and development of man through land which is one of the most important sources of

food production. One should not be misled to think that man as an individual is the sole owner of food resources, and that he may use it and its products as per his likes and dislikes. If these resources are in one's custody, he will be responsible for their justifiable use which will be as per Divine instructions, and he is accountable to Allah for this (67:15).

12.2.7

Surplus Property-Trust of Islamic State

It has been mentioned earlier that under Quranic system no one will have surplus money or assets (over and above one's real needs), therefore, the question of owning private property does not generally arise. Under this system, land, capital, industries, trade, etc. will be the property of *ummah* (the nation) under the custody of the State. [X,p.159] This kind of propriety will enable the State to meet at least the basic requirements of all the people, and to provide mankind a reasonably good quality of life thereby making the world a real welfare State.

When the Quranic system of sustenance gets established, its economic approaches will fulfil the demands of *rububiyath* by providing all means and facilities for growth and development of the people. Simultaneously it will also see that such provisions will not be given in the form of charity which hurts the self and other human values. The Quranic verdict of charity - *kairaath*, etc. is the kind of financial assistance provided to the needy or handicapped persons during the transitionary period of establishment of the Islamic State at Medina. It is worthwhile to mention that the Divine order is established by those individuals who have full faith in the system, and to work for its establishment is a demand from the core of their heart. This alone is regarded as a driving force for establishment and strengthening of the system; without such a spirit neither the system can be established nor it can survive.

12.3

Safeguards for Assets

Safeguarding of assets is an important economic activity. A person can help himself as well as others financially provided he is in a sound financial position to do so. This is the reason why one has to safeguard his assets. In this regard instructions are given that people adopt lawful means to protect their assets; they should stay away from unlawful means to accumulate wealth and build up assets.

12.3.1

Devouring of Property or Wealth

Strict warning is given against devouring property, wealth, and other assets (2:188; 4:29). This is a very important directive to be followed in all spheres of life. This fundamental guidance is also applicable to situations wherein people bribe officials to get others' property to which they are attracted. This kind of attitude results in disaster instead of providing safety to the property and making beneficial use of the assets. The Quran has made a specific mention about bribing officials to get the matter disposed off in one's favour though the property and assets belong to others about which one knows the consequences (2:188). With regard to property and assets of orphans, the directives of the Quran are given under Section 8.9.

In respect of devouring others' property and wealth, the Quran, while addressing the *momineen* (Believers) specifically refers to certain categories of people who involve themselves in activities of this kind says:

"O Jamaat-ul-Momineen, a good many of the monks and priests devour others' property and turn them away from Allah's path. There are others who hoard gold and silver and do not keep it open for use in the way of Allah. For both are tidings of grievous chastisement. On the Day of Reckoning, the gold and silver will be heated in the fire of jahannam (Hell) and their foreheads, sides, and backs will be branded therewith, and it will be said to them: "This is what you had treasured up for your exclusive use and deprived the needy of it. Taste then your treasures which you had amassed" (70:18; 104:6-7)." [(9:34-35)-XVIII,p.277]

To be proud of wealth should not be the aim of life; if the aim is that of physical gains, it is against the lofty ideals the Quran has set. Aiming at wealth and children alone, though useful in one's life, should not be sole objective of life, and the sole objective of physical gains becomes a play and an amusement before the ideals set forth by the Quran. Such an attitude is similar to that situation under which a farmer gets delighted when few drops of rain help in the vegetation to grow, but subsequently heat and dry spell burn the crop. One can protect himself from such disaster when he follows the Divine laws (57:20).

Under some situation the demands of wife and children may conflict with one's convictions and duties. In this regard the Quran

says that your wives and children (some) are enemies to yourselves. So beware of them. It is also possible that one's riches and children may be but trial. If you forgive and overlook (their faults), Allah is Oft-Forgiving and Most Merciful. [(64:14-15)-I,pp.1558-59] In such cases one must not treat them harshly, but shall make reasonable provisions for them.

In respect of desire for accumulation of wealth, it has been stated that:

(i) Acquisitiveness makes one unmindful of human destination. It is a race to supersede one another in accumulation of wealth. If the demands are restricted to the extent of needs, such an attitude will be regarded as observing the limits. If the motive is to surpass these limits by racing with others in respect of wealth accumulation, grave is the terminal point for such persons (102:1-2).

(ii) Spending wealth for Allah's cause decorates worldly life and also the life Hereafter. The wealth bestowed on one could be utilised to the advantage of decorating worldly life; at the same time sole aim of life should not be just to enjoy this worldly life by accumulating wealth. When the deficiencies have been made good through the endowed wealth, he should also make up others' deficiencies. This way imbalances in the society can be removed. It is dissension or mischief when the rich become richer and the poor become poorer in a society. Such an attitude is not approved by the Divine law. It results in disaster (28:77).

(iii) Covetousness to man creates unevenness in the society. Those who are covetous and gather everything for themselves, though in this process certain resources are involved which are not their creations, such an attitude results in imbalances among people. In order to see that this kind of attitude may not be objectionable in the eyes of the people, they create an atmosphere and introduce such laws which make their attitude to appear non-reprehensible. Such persons do not violate Divine laws openly (as they do not have the courage to do so); they try to find ways to escape (57:24). People who try to gather for themselves as much wealth as possible, try to keep hidden the bounty Allah has given them, and bid others to do likewise; they are ungrateful, and Allah has prepared a humiliating punishment for them (4:37).

12.3.2

Business and Trade

With regard to transacting business, a clear and comprehensive guideline is given when the Quran says that measuring and weighing should be with equality and justice; quantities should be exact and the quality should be in accordance with what was mutually agreed (by the seller and the purchaser). Certain persons receive from others by exact and full measure but when they give to others they give less than what should have been given. When attitude of such persons towards weights and measures is such, how they face the Day of Judgement and pray for love and mercy of Allah. Such an undesirable business attitude and trade mentality bring disaster and destruction for them. Tendency of such persons is to take more for themselves and give less towards what is due to others. Their treatment towards workers and labourers is such that the entrepreneur gets more and pays less. As a result of their attempts the capacities and potentials of workers remain suppressed to the lowest level (6:153; 83:1-3). Such persons do not consider that on the Day of Judgement they are accountable for their acts, and they will be rewarded or punished accordingly as He is the Best and Supreme Judge.

Fraudulent and capitalistic system results in destruction and disaster for mankind. In commercial dealings particularly, the spirit of injustice is exhibited by some persons -they give too little to others and ask too much for themselves. Besides their personal gains, the motive behind this is that others should not be given any opportunity to grow and develop. Their aim is that other persons should be allowed to grow only to that extent which is beneficial for the former (entrepreneur). Such persons do not think that they will be called to account for before Allah on a Mighty Day of Reckoning (83:1-3).

In case of trade it has been stated that abstaining from crimes and forbidding oneself to commit them will be in the best interest of the individuals; the society will thus save itself from chaos, and the people will lead an honourable and respectable life (4:31). In this regard mention has been made to conduct transactions in the proper way for exchange of wealth by mutual agreement. On the other hand people have been asked to refrain from *riba* (2:275), which is discussed under Section 12.3.5. Allah desires that the entire mankind should grow and develop. There should not be exploitation of human beings or self centred use of resources; if this objective gets defeated in a

particular man-made economic order, that order will not be treated as beneficial and lawful. In the presence of such open and clear warning if people adopt practice of reducing share of others and transgressing the Divine limits, they are sure to face disaster and destruction soon. An order established contrary to the common interests of the people, the causes for its destruction are found within itself, and subsequently these express themselves (4:29-30). In trade, if transactions are made hand-to-hand, there is no need to put them in writing (2:282). Profits accrued on capital should be proportionate to the labour contributed by the trader (53:39). In business or trade, measuring and weighing should be done correctly and honestly. Scales and balances should be even (17:35). Profit should be determined with the consent of the purchaser. [(4:29)-X,p.124]

12.3.3

Trusts

In respect of trusts, people have been instructed not to betray the Divine order - the trusts are reposed in the hands of the Believers, and they have to guard themselves against the results of any betrayal (8:27; 4:58). Trusts could be of various kinds such as those of property, goods, credits, plans, confidences, secrets, knowledge, talents, opportunities, government duties, responsibilities, etc. Responsibilities entrusted to an individual should be fulfilled in a most justifiable manner; if one does not adhere to this, he betrays it.

The Quran has given detailed directives stating that Allah has given the Book (Divine laws) so that one may dispose off controversial matters in the light of these laws upholding justice. Those who cheat and betray trusts should not be supported nor anyone should plead on behalf of such persons. In government (administration) and the courts sometimes certain delicate matters are observed that personal inclinations influence decisions and judgements. One can prevent himself from incorrect action only when one keeps the Divine laws before oneself under such delicate situations; if one is law-abiding he can keep himself away from committing mistakes. The Quranic laws have such qualities in them that they give protection and safeguard to persons and properties through justice.

It is worth understanding that when a person betrays trusts and thinks that he got something by doing so; it is a gross misunderstanding on his part. With such a betrayal, his personality

(self) gets so much weakened that his own capacities and capabilities get adversely affected. This is called betraying with his own-self. Such persons become disrespected in the eyes of the Divine laws and even the society. They think that they can hide their crimes from others, and therefore they are not accountable. But they cannot escape from the sight of the Divine law of *mukafaat* which always keeps a vigilant eye upon them.

It should be remembered that 'self' does not come to an end with the death of man but it continues thereafter. On the Day of Judgement when the record of his acts will be disclosed to him before the Almighty, nobody will come to the rescue of such persons who have violated the Divine law (4:105-109).

About *momineen* (Believers) it is said that they are the people who faithfully observe their trusts and their covenants (33:8; 70:32). In one's own life, talents, wealth, and other possessions are all the trusts of Allah, and one should not betray them by misusing them.

12.3.4

Loans and Contracts

Usually loan is taken to meet the requirements and to fulfil the needs of persons living in human society. If something is given free with an intention of not to take it back, it is called *ehsan*. Whenever loan transaction takes place, its particulars have to be brought in a written form and kept as record for which detailed instructions are given as to how the document has to be prepared in writing. The procedure for writing the agreement is as follows:

- (i) A scribe (who knows proper writing) should not refuse to write the transaction involving future obligations, and he should write justly.
- (ii) The person who incurs the liability should dictate and the scribe should write down faithfully duly observing Allah's laws; if the debtor is mentally deficient or unable to dictate himself, let his guardian dictate the matter with all fairness.
- (iii) From among men of the debtor's side, there shall be two male witnesses; if two men are not available, then one man and two women should be called so that if one woman commits

an error, the other might remind her.* The witnesses should not refuse to give evidence whenever they are called.

- (iv) No harm be done to the scribe or the witnesses; Allah knows what all a person does (2:282).

When a person is on journey, and if no scribe is available then something as a token of pledge has to be taken from the debtor or other party. If both the parties trust one another, the token article is not required, and the debtor has to return the loan or fulfil its obligation honestly and sincerely by following the Divine directions (2:283). The debtor has to be given time for repayment. If he is too poor to return the loan, then one should forego and if he does so it will be still better for him if he could understand what invisible rewards one will get from Allah for this act (2:280).

12.3.5

Riba (Ra-ba-wao) (usury)

The Quran wants to establish such an economic order in which no one can exploit the other, and all the members of the society are assured satisfaction of their basic needs. Under such system there are people who reduce their own needs and cut down their personal expenditure so that they could help the needy persons (59:9). On the other hand, there are people who exploit needy persons in several ways, adopting different methods such as giving less and taking more from the same person (or from his heirs in case of his death). One such method is that of *riba* (usury) which is a charge or profit taken on capital including money, in whatever form it may be. Following are the directives given by the Quran throwing light on this subject.

- (i) Disasterous impact that *riba* creates on its receivers is similar to that when a person had snake-bite, he runs here and there in a state of madness. Such persons argue that *riba* is similar to trade wherein a merchant collects more than what he had paid for the

* "The Quran points out that in Arab society women were generally brought up in such a way that they could not represent their own case clearly even in domestic disputes (43:18). It is evident that these women would be most liable to get confused in a court-room situation. In order to give psychological support to a woman who had to appear as witness, the Quran prescribed presence of another woman who was known to her. The function of second woman is not to be a witness but to refresh the memory of the first one in case she forgets something or gets confused. It is wrong to infer that according to the Quran, the evidence of two women is equal to that of one man. [XVIII,p.78]"

goods he is dealing with; similarly under *riba*, the person who lends money takes more (on the money or capital) than what he has lent. They forget that in trade the merchant's labour is also involved, and what he is collecting over the amount he has paid is the remuneration of his labour; this is not a profit on money lent and hence permissible. On the contrary in case of *riba*, no labour is involved and whatever profit is taken it is on the money lent previously and this is not permissible. The principle involved here is that remuneration for labour is allowed (53:39), but not simply investing money on others' labour - and this is *riba*. [X,p.120] In this regard the Quran directs that whosoever had come to know about this, he should discontinue it, and whatever he had collected in the past unknowingly in this regard, he will not be questioned. But those who continue after having knowledge of the Divine instructions, fruits of their activities will be destroyed, and they will not have any route to get out of the disaster (2:275).

(ii) The Quran has given a comparison between *riba* and *sadaqaat*. One thinks that *riba* increases the amount of capital but in fact it destroys that particular individual who takes it and that nation also which adopts this practice. On the other hand, whatever is given for the growth and development of others, even though apparently the amount of capital gets reduced, the individual who has adopted this practice of sparing his wealth for others not only provides growth and development for himself but also for his society (provided the society as a whole adopts it). *Riba* paralyses the capacity of man to work, and severely affects his progress. Therefore the nation which adopts and practises *riba* meets disaster and destruction (in one form or the other) ultimately (2:276). When something more than what was lent previously is collected, one thinks that he is getting more, but the Divine law says that due to such practice, there will not be any overall increase in the property and welfare of the society or the mankind as a whole. On the contrary, if a person spares for growth and development of others, his life will be in line with the Divine laws; such persons are those whose assets get increased when they give away to needy persons (30:39; 2:275-76; 3:129; 74:6).

(iii) Divine instructions further say "O *Jama'at-ul-Momineen*, abide by Allah's laws and forego whatever portion of *Riba* remains owing. This will show that you are true believers. If you do not do this, be prepared for war with the Divine order. If you will forego *Riba* and claim only the principal amount this will be fair both to

you and to the debtor; neither will be wronged. If the debtor is in straitened circumstances, give him respite until it becomes convenient for him to repay your loan. But if you forego the loan, it will be still better for you, if you could only understand". [(2:278-280)-XVIII,p.77-78] The Quranic verses 3:129-30 are generally interpreted that only the compound interest is not permitted. This is against the cardinal principle of the Book. [X,p.122] *Momineen* have been directed not to adopt capitalistic system but to follow the Divine order which ensures success and prosperity. If one earns profit on capital through the labour contributed by others without involving himself to work and to share his labour, a society of such persons will turn into Hell.

(iv) While talking about the causes of downfall and disaster of the Jews, the Quran has attributed it to the *riba* system widely adopted by that nation. As a result of excesses and wrong doings of the Jews, they were deprived of things which were lawful for them. [(6:147)-XVIII,p.216] List of their wrong -doings is quite lengthy precisely they used to create obstacles in the path of Allah; instead of helping the needy they used to exploit them by taking more money than what they used to pay even though they were prohibited to do so. They also used to devour others' property. On account of all this, they had invited miseries and sufferings (4:160-61).

12.4

Will and Inheritance

12.4.1

Will

It is the duty fixed by Allah that when an individual apprehends his death he must prepare a will for distribution of his bequeathed property and other assets. He may give it to whomsoever he desires, irrespective of his heirs and non-heirs. With this objective a will, as per law, has to be made for his parents and others who are close to him. [(2:180)-X,p.91] Preparation of will has been made compulsory and minute details of it have been described in the Quran. When a person is approaching death and making a legally valid will, there should be two witnesses from amongst the persons concerned. If he is on journey and when near persons may not be available, two persons be taken as witnesses from among others. They are bound to appear as witness whenever required by the competent authority. If the party suspects them of deposition of

untruthful statements they may swear by Allah saying: " We have not sold our evidence for any price to anyone, even though he may be a kindred, and we will not conceal the truth and will give evidence only for Allah's sake. If we tell a lie we will certainly be committing offence". If it is discovered later that the evidence given by them was not true, the party against whom they have testified may bring two witnesses from amongst them who would swear by Allah and say: "We affirm that what we will say is more correct than what the previous witnesses have said and we will not transgress the limits imposed by Allah. If we do this we will be reckoned amongst the *Zalimeen*". [(5:106-107)-XVIII,pp.182-83]

On hearing an oral will, if a person (the witness) makes changes in it, he (the witness) becomes an accused in the eyes of law, and he should remember that Allah hears and knows everything (2:181). If any person feels that the testator is not doing justice and unduly favouring someone, or committing a mistake, then he should convince the testator and try for a compromise between all concerned, so that they are saved from injustice as there is nothing unlawful in it. Allah, who is Protector and Nourisher of all, has kept such a provision in it (2:182). But it is quite obvious that this will be a compromising attempt, the testator's decision will be the final one in any case.

Man should leave a will behind him stating that his widow should get her maintenance for one year (ofcourse besides her legal share in the property of the deceased), and she will not be removed from her house (for one year). However, if the widow herself takes a free decision to leave the house for her future life, no one will be blamed for it. It should be remembered that Allah has given these laws and He is Almighty and Wise (2:240).

12.4.2

Inheritance

With regard to inheritance and distribution of property among heirs, one should see that no deserving individuals in the family - among relatives and even other concerned persons are deprived of their pertinent share. The will of the deceased should receive first consideration, then his debts and other dues will be settled, and then the property will be distributed as per the Divine laws (4:11-12).

Legally, men and women, both have separate shares in inheritance - not men alone (4:7; 4:32). Separate shares have been fixed, and extended to contractual or marriage relations (husband and wife), besides the blood-relatives. Rather the principle is that share of marriage relations will be allocated first, and then the property and assets will be distributed to blood relations; thus, a widow will be the first person to receive the share in the property of her deceased husband. [(4:33)-VI,p.188] Heirs will get their share as per the following:

- “(i) The share of a son is equal to the shares of two daughters.
- (ii) If there are two or more daughters, they shall share together $\frac{2}{3}$ rds of the inheritance.
- (iii) If there is only one daughter, her share shall be one half of the inheritance.
- (iv) The father and mother of the deceased shall each have one-sixth share in the inherited property, if he had left children.
- (v) If the deceased left no children and his parents alone are the heirs, his mother shall have one-third (and his father two thirds) of the inheritance, but if he left brothers or sisters alongwith his parents, his mother shall have one-sixth of the inheritance. (The shares of his brothers and sisters are determined under item (iii) below.

The distribution of inheritance, in all cases, is after fulfilling the provisions of the deceased's will and settlement of his debts. Allah has fixed these shares because people generally do not know who amongst the inheritors of the deceased are deserving and to what extent. Certainly Allah is all Knowing and Wise.

Under the following situations, distribution of inheritance will take place as per the details given below:

- (i) You (men) shall have one-half of what your wives leave behind if they bear no child; but if they leave a child, you shall have one-fourth of what they have left behind. This is after fulfilling the provisions of the deceased's will and payment of all her debts.

- (ii) Your wives shall have one-fourth of what you have left behind, if you have no child; but if you have a child, they shall have one-eighth of what you leave behind, after fulfilling the provisions of will and settlement of debts.
- (iii) If the deceased leaves no children and his heirs are parents and brothers and sisters, the directive regarding the distribution of inheritance says when a deceased leaves behind neither any children nor parents, and his heirs are only his brothers or sisters.**
 - (a) In case there is one brother and one sister, each of them gets one-sixth (1/6th) of the inheritance;
 - (b) In case there are more than two (brothers and sisters) then together they will get one-third of the inheritance.

This is after satisfying the provisions of the deceased's will and his debts have been paid." [(4:7-13)-XVIII,pp.121-123; X,pp.94-98]

12.4.3

Inheritance of Orphan-grandchildren

Scholars, who have made an in-depth study of the Quran have discussed this issue at length, and have come to a conclusion that orphan-grandchildren can get inheritance in the property left by their grand-parents according to the Quran. [(4:7,11)-VI,pp.177,179]

** "The directive regarding the distribution of inheritance when a deceased leaves behind neither any children nor parents, and his heirs are only his brothers or sisters, is given in the Quranic text (4:177). ... in case the deceased leaves behind no heirs or if something is left over after the distribution of inheritance, it will go to the State." [XVIII,p.123]

Islamic State

For the entire mankind, Allah has selected (given) only one code of life - Islam (3:19). His prophets preached this code alone throughout all the time, and established States based on this Divine constitution only. Therefore in an Islamic State all the matters are settled within the limits set by the Divine Book-the Quran; no one has any right to cross these limits anywhere at anytime.

13.1

Sovereignty

Deen is that code of life under which man will obey Allah and His prophets. In this respect the Quranic instructions are: "*O Jama'at-ul-Momineen* you should obey the system established by the *Rasool* in accordance with Allah's laws, and obey the local authorities appointed by this order. In case of a dispute with the local officers, an appeal can be made to the order (central government). This will constitute evidence that you believe in Allah and the Hereafter. This is the best and fairest way to reach a settlement." [(4:59)-XVIII,p.134] This makes it clear that Allah has the absolute right and power to rule and exercise authority. He does not share His command (sovereignty) with anyone (18:26). Considering others' authority equal to that of Allah's authority will amount to *shirk*. Man-made laws can never be regarded as equal to those laws given by Allah. At another place the Quran says; "The fundamental principle of *deen* is that no human being even though Allah has given him a code of laws or the power to enforce it or even *Nubuwwath* (prophethood) - has the right to say to the others: "you should obey me rather than Allah." What he should say is: "You should be amongst those who belong to Allah by following His Book which you study and teach to others." He should also not tell the others to worship *mal'aika* or their *anbiya*. A *momin* will never do so. Do you think that after he has himself believed he would bid others to resort to *kufr*? " [(3:78-79)-XVIII,p.96] (*Kufr* means denial of *Deen-e-Islam*)

13.2

Constitution

Islamic State functions within the framework of the Quranic instructions; such a State is an agency to enforce and implement the Divine laws (5:44). The doctrines of constitution for an Islamic State are given in the Quran and these call upon people to follow them. This will enable mankind to obey the Divine laws and thereby get real freedom from man-made laws enforced by men themselves mostly to satisfy their interests. But there are very few people who keep this reality in view (7:3).

The characteristic of the Divine code of guidance is that it is complete and based on truth and justice, and no person is authorised to make any change or amendment in it. This code of life is revealed by Allah Who hears and knows every thing (6:116). The Divine laws are definite and serve as guiding principles. These are enforced exactly as they are; by-laws and sub-laws can be framed within the framework of the basic Quranic laws depending upon the circumstantial demands from time to time. Such a principle of formulating by-laws and a provision given for this formulation have made the Quranic order practical forever and adoptable for all time. The Quran has explained this point in a very explicit manner saying that: "*O Jama'at-ul-Momineen* (What is necessary for the guidance of mankind has been given through the revelation and prescribed in the Quran). Do not probe into what has not been revealed. If you probe into it while the Quran is being revealed and your question is answered, it may cause you embarrassment- (so it is better for you to avoid such discussion and if you do something which is wrong and there is no revelation) Allah will overlook that as Allah has in past, overlooked such failings for He is Forbearing and Protective." [(5:101-02)-XVIII,p.181] Allah has given this warning to Muslims because earlier to them a nation (the Jews) started asking such questions about the workable details of the injunctions and orders. As a result, numerous restrictions they had imposed on them that they were unable to cope up with such minute details, and became fearful and turned away from the actual *deen* itself. At this point, it may not be misunderstood that people could select some orders from the Quran and mix them up with some non-Quranic orders given by priests, clergy or self-made Ulema and call such a 'mixture' as Islamic code of law. This is also *kufr* (non - believing). The Jews used to adopt this practice on which they were warned not to act this way, otherwise they will lead a disgraceful life in this world, and on the Day of Reckoning they will have to face still more severe punishment (2:85).

Under the Divine system, the Quranic laws alone will be followed, and people will restrain themselves from the matters which are prohibited by the Quran, or those for which the Holy Book does not permit (22:41). It will be the responsibility of the entire *ummah* to run the State (3:109), and this means that governance of the State will not be restricted to a specific group of individuals, the entire nation will be involved in it. Formation of the machinery to run the government will be left to the discretion of the *ummah* (the nation or group with common ideology); those who do not have faith in the Divine laws to which they have to be introduced, will not be included in the government, but they will have every right to live and enjoy as a respectable citizen. [X.p.4]

A system of government in which all the people are involved the Quran calls it an 'Advisory System' that is under which matters will be settled by mutual consultations. This system is different from that of the Western democracy under which people have the right of electing their representatives for framing laws and Acts. Here people have sovereignty; and world's majority is just after assumptions and imaginations, and they act presumptively. [(6:117)-X,pp.5-6]

13.3

System of Government

For running the government of Islamic State the supreme authority for obedience is Allah and His *Rasool*, and the officials charged with authority by the Quran as *Ulil-Amr*. The citizens can prefer an appeal against decisions and judgements to the supreme authority whose verdict will be the final. Such a practice will be excellent to bring about perfect equilibrium in the society. Functioning of such a system will be according to the Quranic laws, as put into practice by the Prophet Mohammed (S). [(4:59)-I,p.198]

13.4

Deciding Authority

Islamic State is an agency through which Divine laws are enforced for adoption, and decisions of the government are based on the Quranic laws. If a person has turned his eyes from the Divine laws, he should not be followed. He has crossed the limits and has developed interest to fulfil his personal desires. [(18:28)-VI pp.664-65] During the time of the Prophet Mohammed (S), he himself was the central authority and his verdict has been final. Under the present circumstances such a position could be held by the judiciary, and in

matters against the government the final word will be that of court of law. In matters where final authority gives any judgement as per the Divine law, the *momineen* (Believers) will not have any other choice except acceptance of the verdict (33:36). Whosoever violates he will be leaving the right path and will be following a wrong one (4:65). In controversial matters, court will also explain and satisfy that the judgement is based on the Quranic laws.

13.5

Party System

The Quran has regarded all the Believers (Muslims) as one *ummah* (one party), and rest of the people as another group which can be named as non-Believers. Within the *ummah* if parties are formed, whether political or religious, such a formation will be *shirk* (putting a person or authority on par with Allah). A true Believer (*momin*) cannot commit the sin of *shirk* creating split in *deen* (30:31-32), the Prophet (S) has been asked to dissociate himself from those who do so (6:160; 30:32; 42:13; 3:104).

It has been made very clear that when the *ummah* splits into several parties, neither the *deen* remains in tact nor an Islamic State can be established. (In an Islamic State there will be only one *ummah* following only one God, one Prophet, one Book, and one *deen* around which the entire *ummah* as one party will function). The biggest charge against Pharaoh was that he used to split the *ummah* into parties (28:4), and consequently the entire *ummah* was totally affected and at last got destroyed.

13.6

Components of Islamic State

Basic components of Islamic State are : (i) Divine Book- the Quran which is the constitution of the Islamic State. The Head of State, elected by the *ummah*, will be empowered to appoint a Body of capable and well-versed persons for making laws within the Divine guidance of the Quran for running the State; (ii) the executive for implementation of the laws, rules, and regulations, and (iii) the judiciary to perform the most sacred duty of imparting justice as per the Divine principles, and having a watchful eye over the activities of the law-giving Body and the executive to keep them within the constitutional limits of the holy Quran. To call it a true Islamic (Quranic) State, it is a must to have all the above three components, if any one of them is lacking it will not be called a Islamic (Quranic) State.

Fundamental objective of *deen* has been elaborated by the Quran when it says that Allah used to send His prophets to different nations time to time with scripture. They used to establish such society in which actions of every individual yielded specific result, and thus people could stand forth for justice and equality. For stability and strength of such an order the material of might- 'iron' was given, and this should provide benefits rather than causing harm to human beings. This was also to test persons whether they had really been faithful to the prophet in establishing the Divine State. These men used to strive and fight for the cause, and the results of this struggle remained invisible (at the initial stage). Based on conviction they did all kinds of sacrifices for the system. This is how the Divine State, which contained power and strength, got established at the hand of the Believers. [(57:25)-X,pp.10-11]

The Quran further says that persons who have conviction in Divine laws and act accordingly, Allah has promised them to give ruling authority and thus the land becomes a heaven on earth. Such is the characteristic of the Divine laws and the nations who have followed them, had established an ideal State and government. The Quran assures that whenever and wherever the Divine laws are adopted honestly and sincerely the results that come out will be the same, and the life becomes orderly and strong. Under a Divine State, the fear of the people turns into peace and the people live in perfect peace and harmony, and no one could force them to mix up man-made laws with the Divine laws. [(24:55; 33:27; 39:74; 28:6)-X,pp.11-12]

With regard to the duties of a Islamic State it is not just to enforce the Divine laws, but to bring about such a psychological change which will create among the people an urge to mould their life style within the framework of the Divine values and respect for the law. This objective will be fulfilled through right type of educational and training systems that mould character of persons who will shoulder responsibilities to run government satisfactorily. The Quran presents a fundamental principle of change when it says that until and unless a particular nation brings about psychological change in itself, condition of that nation will never change - "Allah does not alter the condition of a people until they bring about a change in their inner-selves (8:53), and this change obviously takes place in accordance with their intentions, desires and action." [(13:11)-XVIII,p.359] And this is an eternal truth stated by the Quran.

13.7

Treaties and Agreements

Ultimate aim of the Quran is to remove differences existing among mankind and to establish a universal brotherhood. This objective is fulfilled through establishment of a State by the consensus of the society where the Divine laws are introduced and implemented effectively. In this context establishment of such a Divine State will serve as a model laboratory. It will cooperate with other nations in matters beneficial to mankind, but not with those whose programme is to bring disaster for humanity (5:2). A universal principle enunciated for this purpose is that eternity is for that system which is universally beneficial for the entire mankind (13:17). This principle should be the foundation stone for policy planning of State. Removing disorderliness and bringing peace and harmony to the world, and promotion of human respect will be its basis for existence. [(2:60;17:70)-X,p.17] Its fundamental principle is that "...certainly We have honoured man-We have given superiority to man over most of Our creations!" [(17:70)-XVIII,p.418]

A State which always upholds high ideals and respect for mankind, its freedom and sovereignty have to be preserved. Preservation of its solidarity and security is one of the primary duties, and efficient defence organisation is a must for the system. For this purpose huge funds will be required. If a citizen gives his share for this purpose he will be paid back by Allah, without reducing a fraction from the return (8:60).

From the point of view of establishing peace and providing security to the people living within the State limits, the State has to enter into agreements with other States, and such agreements should be respected (5:1). If there is a fear of breach of agreement from the other side with whom the agreement has been made it should not be broken unilaterally. The other party to the agreement will have to be informed so that both the sides are kept on par with each other. By doing so, if any loss is incurred to other party, it should be made good and a justified treatment is given to the other side; Allah does not like treacherousness (8:58). If one does not wish to renew the agreement after expiry of its period a prior announcement has to be made to enable affected persons to make necessary arrangements for themselves. [After the conquer of Makkah (*Fateh-e- Makkah*), this kind of attitude was adopted by the Prophet (S) against the opponents. [(9:1-4,12-13)-X,p.18] In case if the enemy

joins that party with whom there is already an agreement of peace war will be stopped against the former. War will not be waged against those who want to remain neutral (4:90). The State will not help those Believers (Muslims) who live in the territory of the nation with whom the State has an agreement standing (8:72).

13.8

Rebellion against Divine State

It is a serious crime to rebel against the Divine system (a State established on the basis of the Quranic laws), and bring about disorder and lawlessness. In such cases punishment suggested by the Quran is that of execution, crucifixion (hanging till death), physical restraint,* and banishment from the country. This is the punishment and disgrace for them in this world, and in the Hereafter they will get even greater punishment (5:33-34). Such crimes affect the system and the society, and for the check and eradication of crimes punishment is necessary. The other effect of such crime will be on the self of the individual himself who has committed it; his self becomes weak and disintegrated, and this will be disastrous for him in the life Hereafter. If such persons surrender themselves before they are subdued by force , they may get Allah's protection. When truth and falsehood are opposite and contradictory to each other, a question arises as to how is it possible that those who believe in Divine laws and the Hereafter will have friendly relations with those who are against the system, no matter they are their father and mother, kith and kin, sons and daughters, and other members of their family (58:22).

The Quran warns against betrayal of the Divine order and the responsibilities entrusted to the people, and they know what would be the results of such betrayal (8:27). One should not plead on behalf of the persons who betray their trust (4:105-07).

13.9

Government Officials

Government officials are like other citizens, therefore, they are also governed by normal rules and code of law. In view of their assigned duties and responsibilities , they have to be particularly careful in certain matters as given below:

- (i) They should always keep in mind the law of *mukafaat*. While performing their duties if they show any slackness, carelessness, irresponsible attitude or misappropriation, and

* The literal meaning of the text is "to cut their hands and feet." [(5:33-34)-XVIII,p.166]

if they escape from the law in force, they should remember that they cannot escape from the grip of the law of *mukafaat* which states that Allah has full knowledge of everything including that of trickish and deceiving eyes, and the evil motives and thoughts concealed in the hearts (40:19).

- (ii) The officials have to see that in all matters their decision should not be against the Divine instructions and that in which permission is given, and those by which one has to restrain himself (22:41); all matters should be decided with justice (4:58;16:90).
- (iii) Though it is a general instruction, it is applicable to the officials too that whatever they talk about, they themselves should first put the same into practice. One should not promise what he will not do. It is grievously hateful that one makes such promises of what he will not do (61:2-3).
- (iv) Every property and asset of the State, even its secrets are the trusts reposed in the officials and they should not betray them, though the ultimate result of betrayal is in the knowledge of the person concerned (8:27).
- (v) Every individual should get whatever he deserves and whatever is due to him. It is necessary to select such persons who are capable of efficiently discharging duties entrusted to them, realising themselves their responsibilities (4:58).
- (vi) When an official is trusted he should fulfil his trust, and Allah knows whatever one does (2:283).
- (vii) In matters related to human welfare officials will have to cooperate with each other and should make all efforts to uphold the trust (9:119; 5:2).
- (ix) If they find that any other official is giving wrong judgement on account of non-availability of correct information, they should arrange to supply right type of information. Do not recommend for anything which is wrong or unlawful. Whosoever tries to uphold matters of equality and justice, he will also share fruitful results, and whosoever supports injustice and oppression, he will share the evil consequences that follow (4:85). One should not devour other's property; when such matter reaches the court, one should not get the judgement in his favour by bribing the officials and thereby getting property which does not belong to him although he

knows what would be the result of devouring such a property. [(2:188)-I,p.74]

- (x) Before taking a stand on a particular issue, one should personally inquire about it using all means and then come to a conclusion. Then on the basis of personal information and analysis he should take his own decision and thus arrive at a right conclusion. If a single link is missing in the chain of inquiry, then it remains incomplete or defective. One can imagine himself what a great responsibility rests on him in this matter. Allah has given the ear, the eye, and the heart and mind to make use of them for personal inquiry to find out truth. One will be questioned whether these were utilized honestly for the purpose. Allah has given man authority and discretion. He is not helpless like a machine. A person who does not use them shirks his responsibility (17:36).
- (xi) Evils should not be repelled with evil but with that which is good rather the best (23:96).
- (xii) If a person commits an error and then repents on realization and corrects himself for future, then he should be treated with mercy and protection be given by the authority (6:54). If justice demands punishment in a particular case, that punishment should not exceed the limits of the mistake or the crime (42:40).
- (xiii) One should not lose balance while he is angry on wrongdoings of others. Violent passions are to be diverted and utilized towards some constructive purpose, and he should not care how others behave with him (3:134). This way a balance is maintained between the individual and the society. While walking one should be moderate in pace; while talking he should keep his tone modest, the harshest of sounds undoubtedly is the braying of a donkey (31:19). Slow and gentle voice, and moderate attitude are the signs of decency and refined culture, and create a harmonious atmosphere. In case of arguments, one should not get his point accepted by others through force or pressure but with logic, wisdom, and beautiful preaching, and through gracious and best methods (16:125).
- (xiv) Commitments and promises must always be fulfilled; a person is accountable to Allah in this regard (17:34).
- (xv) One should not throw his responsibility upon others; none can bear the burden of another (53:38).

- (xvi) One should never wish that he shall be praised for what he has not done. Flatterers do this way, and therefore they are the most dangerous enemies rather than friends and companions; this is the characteristic of *munafiqeen* (3:187), their religious leaders and priests rejoice over what they say. They love to be applauded for what they preach but do not practise. [X,p.25]

13.9.1

Criteria for Selection

Position in society or for handling State matters by government officials will be determined, besides knowledge, by individual's capability, behaviour, and character (46:19). State matters are entrusted to those who are worthy of administering them, as these are like trusts of the people and should be entrusted to those who are capable of handling them efficiently, effectively, sincerely, and honestly. [(4:58)-XVIII,p.134] So also the head of the State (or government) will be a person who bears the above qualities at the most. [(49:13)-X,p.6] The system of government will be of advisory type, therefore, the head of State will be appointed by peoples' opinion or advice. He will continue in office as long he will have support of the *ummah*. [X,p.6]

14

Miscellaneous

Certain subjects which were not taken in the earlier discussions or those which could not be covered previously in detail are given hereunder.

14.1

Hal'al and Har'am (Permissibles and Non-permissibles)

From the time immemorial the matter of *hal'al* (permissible) and *har'am* (non-permissible) remained controversial. Certain things which some people consider *hal'al* others take them as *har'am* and vice-versa. The Quran declared clearly what is *hal'al* and what is *har'am*. Things which have been declared as *hal'al* by Allah, no one else has got any authority to call them *har'am*, similarly those which have been declared *har'am* by the Almighty no one else can declare them *hal'al*. [(5:87-88; 10:59-XVIII,p.178)]. Details of such items (*hal'al* and *har'am*) are given here.

14.1.1

Food Articles

The following are declared as *har'am* (non-permissible) (VI,pp.238-39).

1. Carrion i.e. meat of an animal that dies of itself (2:173);
2. Flowing blood (6:146);
3. Flesh of swine (pig) (2:173; 5:3; 6:146);
4. Meat of the following animals:
 - (a) that which has been dedicated to someone other than Allah (2:173; 5:3; 6:146; 16:115);
 - (b) that which has been sacrificed on altars (meat offered to idols) (5:3);
 - (c) that which has been killed by strangling or by violent blow or by a headlong fall or by being gored to death (5:3);
 - (d) that which has been partly eaten by a wild beast unless one has slaughtered it properly before its death (5:3); and

- (e) that which has been apportioned by means of divining arrows. At the time of revelation of the Quran, this was superstitious custom amongst the *mushrikeen* (non-Believers) (5:3).

However, if a situation is encountered when a person does not find anything else to eat and this threatens his very existence, he can take the above mentioned articles provided his action is not out of greed nor the intention is to violate the Divine laws (2:173). An adverse effect created on one's self by taking such articles of food under helpless conditions will get neutralised and the consciousness of respecting the Divine laws will protect him from such effects, and his capabilities will continue to grow and develop (5:3). A decision whether to take such food under starved condition cannot be taken by any law but by the individual on his own responsibility keeping in mind the fear of Allah that he is answerable to the Almighty for what all he has done and with what intentions it was done. A person who has conviction and faith in Divine laws can easily take such decision.

Excepting the food articles declared as *har'am*, all the other pleasant things are *hal'al*, and these can be taken. Flesh of animals seized by beasts and birds of prey (dog, cheeta, hawk, etc.) whom one has trained, can also be taken if slaughtered properly; over such animals the name of Allah must be pronounced (5:4). It has been clarified that one should eat that meat on which Allah's name has been pronounced at the time of the animal's slaughter if one is a true Believer. When the *hal'al* and *har'am* have been made clear (5:3), with the exception of a starving situation (5:3; 6:146), no one can declare that article as *har'am* which Allah has made *hal'al* and over which His name has been pronounced. Many people try to mislead in this respect (6:119-20). It could be seen from the Divine guidance that : (i) Among the *hal'al* animals their meat is *hal'al* provided Allah's name has been pronounced upon them at the time of slaughter; (ii) though the animal as it is *hal'al* but at the time of its slaughter if Allah's name is not pronounced or any other name is pronounced or no name is pronounced, meat from such slaughtered animals is *har'am*.

Food prepared by *ahle-kitab* i.e. Jews, Christians, etc. those who were given the scriptures is *hal'al* for the Muslims provided that no such item declared *har'am* has been included in such food; and they also can have food prepared by the Muslims (5:5).

14.1.2

Hunting in Premises of Holy Mosque at Makkah

Hunting is prohibited within the boundries (premises) of Holy Mosque at Makkah as this is a place of peace, where the safeguard for life is not only for human beings but also for animals when they enter the premises of the *Masjid-al-Haram*. If anyone intentionally kills any animal in the Holy premises, he should, as compensation, offer an animal of same value which will be determined by two just persons. If he is not in a position to do so, he will feed ten poor persons to the extent of the value of that animal or he should himself observe fast for a prescribed period; three days fasting is considered equivalent to feeding ten poor persons. [(5:95)-VI,p.273]

Hunting of sea-animals - whether these are in water or have been thrown upon the land - during the state of pilgrimage or for you or for those who are on a journey there is no prohibition. [(5:95-96)-X,p.130]

14.1.3

Lawful Things not to be declared Unlawful

While talking about *hal'al*, it has been stated that it should be useful and pleasant. One should not treat as unlawful the pleasant things which Allah has made lawful for mankind. Otherwise treating them as unlawful tantamounts to overstepping the boundaries of Divine laws; Allah does not like those who do this (5:87-88). Among food articles, people for themselves declare some of them as *hal'al* and some of them as *har'am* according to their wishful thinking, whereas Allah has not vested in them any authority to do so. Such declarations are made by the people of their own accord sometimes attributed them to Allah, and this way one foists a lie upon him (10:59); and those who do so never prosper (16:116).

Yet at another place the Quran has gently addressed Prophet Mohammed (S) not to impose restrictions upon himself of certain things (food articles) which are *hal'al*. Such restrictions were due to some personal reasons and that to please his esteemed consorts (66:1). This was due to the fact that whatever Allah has created for growth, development, and welfare of human beings should not get reduced by such self-imposed restrictions. And also that the action of the Prophet (S) in such matters does not remain restricted to himself but it sets an example for his followers to adopt subsequently. Prior to Prophet Mohammed (S) such a thing has happened when

Prophet Jacob (Israel) (P) had imposed on himself restriction of certain food articles, and his followers (*Bani Israel*) thought that those food articles were *har'am*, and they were not correct in their thinking. [X,p.134]

The above explanation makes the matter very clear. Such kind of declarations by human beings tantamount to imposing permanent restrictions on human freedom, and except Allah no one else has any authority to do so. Similarly if a rule is formulated by man on the basis of his needs to treat a thing *hal'al* which has been declared by Allah as *har'am*, it is a grave mistake on his part. Life protection under special circumstances by using certain prohibited food articles is a different matter.

14.2

Wine, Intoxicants, and Addictives

Wine, intoxicants, and other additives are not food articles, and therefore these are not mentioned in the list of *har'am* articles, but these are strictly forbidden. As it is hard for man to wean away from the addicted habits, the Quran has given gradual instructions when it had said to the *momineen* not to approach (attend) the *sal'ath* (prayer assembly) with a befogged mind (due to intoxication) when one is not in a position to understand what he is saying - the purpose of *sal'ath* is fulfilled only when one understands what he says (4:43).

This verdict of the Quran has imposed prohibition on intoxicants, and it is a known fact that these are causing disaster in the society (2:219; 5:3,90-91). The Quran has not fixed the extent of punishment for cases in which persons take liquor, other intoxicants, additives and things of similar nature, gambling, etc. The matter of punishment in such cases has been left to the Islamic State to accord. [X,p.117]

Drug-abuse and drug-addictedness have become a global problem now a days. Several measures are being taken to remove these disasterous habits. Measures for checking the drug-abuse and curbing drug-trafficking are being taken up by several countries as well as by the U.N.O. to save the world from this menace.

Other declarations by the Quran as *har'am* are : "(1) indecencies in action or in thought; (2) all those things which debilitate human capabilities; (3) unjust rebellion; (4) associating other authorities with

Allah; Allah has in no way sanctioned it, and (5) attributing to Allah that of which you have no knowledge." [(7:33)-XVIII,p.226]

14.3

Exploitation of Religion

It has been pointed out earlier (Section 12.3.1) that devouring money and property through religious leadership keeps the people away from the Quranic path. In a society established on Quranic principles there will not be any concept of religious leadership. Under the Quranic order, State laws and their enactment (codes called *shariat*) will be implemented by the executive wing of the Islamic State whom the Quran calls *ulil amr-e-minkum* (i.e. State officials). These officials will be responsible for enforcing *amar-bil-ma'ruf* (enjoining right) and eradication of *nahi-un-il-munkar* (forbidding wrong). The former is beneficial for individual as well as for the mankind and the latter being harmful for both. [(22:41)-X,p.10]

Differentiation between religion and worldly life, or *deen* and *dunya* is absolutely a non-Quranic concept. The difference between personal laws and public laws is the creation of Western jurisprudence. Quranic laws and the values govern all facets of human life whether personal or public. These will, individually or collectively, form an integral part of the curriculum of education alongwith modern social and physical sciences in schools and colleges under the government (in an Islamic State). Literature on this subject published and supplied to the people will be based on the Divine laws. Therefore in a Quranic State religious schools or *Daar-ul-uloom* will not exist separately to impart education of specific type in isolation with the modern science and technology. The product of such schools will serve on one hand requirements of the mosque, and on the other fulfil the demand of the society significantly. There will not be any separate group of religious *ulema* without having knowledge of modern social or physical sciences or technology. [IX,pp.33-41; X,p.10]

The Quran has addressed *Bani Israel* and reminded them that as long as they led their lives according to the scripture they were happy, successful, and eminent. When they left the right path, heavenly blessings were withdrawn from them (7:96). Their scriptures contained the Divine promises which could have been fulfilled provided they would have fulfilled the promises they made to Allah; but their activities were totally against the Divine laws.

The Quran has reaffirmed that those promises will be fulfilled if they follow the guidance and adhere to the Divine laws. Instead of accepting the Quran with due reasoning and respect they have opted for opposing it. This is because there are certain advantages shown by their religious leadership even though such benefits are mere temporary gains (2:41).

The situation at present with our religious leadership, all over is similar to that of *Bani Israel* described above. Such leadership, for its personal benefits and temporary gains, either conceals the truth (2:159), or mixes up Divine revelation with their self-made traditions confounding pure truth with traditions including falsehood in such a manner that these appear like truth. All this is done deliberately to satisfy vested interests and material motives to which the Quran calls as "selling the *aayat* (Quranic verses) for petty gains." [(2:41-46)-I, pp.27-28]

The Quran claims that real development of human potential is possible under the *Nizam-e-Salaath* (say prayer system) given by the Almighty (2:151-53). When the entire society adopts this system sincerely, adheres to it steadfastly, and makes true sacrifices, the system brings about fruitful results. Following the path of *deen-e-Islam* guarantees a 'heaven' on earth (2:122), and 'heaven' in the Hereafter. [(2:45-48)-XVIII, pp.12-13]

Regarding *fatwa* (juristic opinion expressed by a religious leader or a group of religious leaders), the Holy Quran observes:

" These people practise deception not only on others but also amongst themselves. The illiterate ones amongst them do not know what Allah has revealed and refer their questions about the *shari'at* to their religious leaders. The latter frame the laws of the *shari'at* themselves but tell the former that these laws are Divine. Thus they deceive others just to secure a paltry price for it, not realising that their fabrication of the *shari'at* and their use of it as means of livelihood will bring about their ruin (56:82)." [(2:78-79)-XVIII, p.20]

14.4

Conservatism - Blind Imitation of Ancestors

While talking about the disastrous end of previous nations as a result of their violation of Divine laws, the Quran says that successors of those people follow their ancestors blindly. They do not keep in view that their conservatism (misdeeds) will bring

about the same fate what their ancestors had. In spite of so much and so clear evidence they do not think on this matter that such an attitude - blind imitation of ancestors and satisfying vested interests - will produce same results. Such a behaviour of disobeying Allah's laws has suppressed their capacity to think. [(7:100) VI,p.364]

The attitude of such conservatives existed since time immemorial. Prophets of Allah always advised people to think first and to act upon subsequently. All the time the reply of the people was that they had seen their ancestors doing it so they have also adopted the same and they did not require anything more than that, though the ancestors lacked knowledge and wisdom. [(5:107; 43:22-24)-I,p.275,pp.1328-29]

Blind following ancestors takes away power of thinking from human beings. It is the law of nature that if any living being stops using one of its organs for a long period of time that particular organ loses its power of action (vestigial organ) or the organ itself disappears from the body. This is true of the nations also. When a particular nation stops use of its faculty of thinking and gets habituated to imitating its ancestors without applying logical reasoning and propriety, its thinking power fades and disappears. Despite seeing things it cannot analyse and decide. Ultimately this leads it to Hell - a disastrous life in this world and still a worse life in the Hereafter. [(36:7,9,10; 37:68-69)-XV,p.171]

14.5

Protection against Evils

Evil habits such as telling lies, cheating, malpractising trusts, oppression, violence, etc. should not be repelled by retaliation by practising evil against evil. Such form of retaliation will not eradicate evils and immorality from individuals or the society. The best approach will, therefore, be to establish a society under the Quranic guidance exhibiting truthfulness, courage, and justice. The impact will be positive checking the head-spearing evils. When such a programme of establishing an ideal society with the above moral attributes is launched, one should not care what others comment on him (23:96). To protect oneself against the evils of the opponents and mischief-makers who try to split such a society and sabotage the programme, one should adhere to the Divine laws scrupulously (23:97); and this will make the opponents not to dare face the workers (23:98). The Prophet (S) was advised to repel evil with the 'best'.

14.6

Overcoming Enemy

The Quran addresses the Prophet (S) and says that the Divine law is sufficient for him as well as his followers (*momineen*) who were striving to introduce Quranic Law on earth practically (8:64). Weaknesses of the followers could be removed through implementation of the action plan of the Prophet (S) so that they will be able enough to fight battle of life courageously and thus become successful. Such an attitude will infuse in them so much strength and energy that twenty of them who are firm and steadfast, should be able to overcome two hundred-strong enemy; and if there be a strength of one hundred *momineen* (Believers) they should be able to overcome a thousand personnel of the enemy. This is due to the fact that the enemies, instead of applying their mind and reasoning, come to the battlefield with the feelings of hatred and revenge. And the first condition to win the battle is that the participants should be sincere and apply their wisdom and thinking. [(8:65)-XVIII,p.268]

The above ratio of strength between the *momineen* and their enemy as one to ten should work if the rest of the other things are equal except the number of persons. Fourteen hundred years ago, when the Quran was being revealed and the Islamic State was in the stage of its formation, there was inequality in respect of personnel, arms, and equipments; the ratio between the Muslims and their enemy was one to two respectively instead of one to ten (under the given condition). This was meant to explain that a troop of one hundred *sabireen* (steadfast persons) should overcome two hundred persons of their enemy. Such a phenomena will be governed by the Divine law which supports persons who have stability, rectitude, and firmness in their attitude towards life matters. [(8:66)-XVIII,pp.268-69]

The Quran has further instructed that the object of waging war should not be to gather wealth (to collect worldly gains) rather it should be to accomplish the Divine order with the Divine purpose. The idea of making more persons prisoners of war to get more ransom, should not come to the mind of *momineen* at all. People usually keep immediate material gains in their mind whereas the Divine law keeps in its 'mind' a better future of the people - Allah is Mighty and Wise (8:67).

14.7

Permanency of a System

Permanence is for that system (political, economic, etc.) which is beneficial for the entire mankind. Such a system takes care of the entire humanity which gets benefit from functioning of the system irrespective of religion, colour, creed, language, nationality, or country (13:17). The Quran wants establishment of such a society in which every individual will be actively working for growth and development of his self as well as that of the society at large. It is held with conviction that if one prefers other's interest over his own interest, his self will grow and develop (22:77), and this should be the ultimate objective of one's life. [(59:9; 13:17)-XIV,p.118]

14.8

Struggle in Life - Secret of Success

Struggle in one's life is the most important and an open secret of success. Whatever man gets in this world and what one expects in the Hereafter are associated with the right type of struggle he makes in his life - it is his fate. People (fatalists) often think that whatever they have in fate they will automatically get it without any struggle and strive. Man can have nothing except what he strives for [(53:39)-I,p.1449], and fruit of his striving appears before him undoubtedly. He will reap the results of his efforts in full measure without any reduction (53:40-41). Whatever one gets, whether in this world or in the Hereafter, is an intermediary achievement, that to Allah is the final Goal. [(53:42)-I,p.1449] This means that the establishment of Divine order, attainment of prescribed qualities within human limits, and settlement of every matter of life in accordance with the Divine laws should be the ultimate aim of life of a *momin* - true Believer (53:42). Only those people will be successful in life (in the real sense) who will struggle, strive in the right manner, and achieve the objective. Allah does not alter the condition of the people until and unless they themselves bring about change in themselves (with their own souls) [(13:11)-I,p.606]; this also means that Allah will never change the Grace which He has bestowed on a people until they change what is in their (own) souls (8:53). Therefore, the 'fate' of an individual or the people is determined by the struggle in life to meet success. In the words of the Quran:

وَأَنْ لَّيْسَ لِلْإِنْسَانِ إِلَّا مَا سَعَى ^{٥٣}/_{٣٩}

"That man can have nothing but what he strives for". [(53:39)-I,p.1449]

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