

ISLAMIC STUDIES

For

SENIOR SECONDARY SCHOOL

BOOK 2

by

B. AISHA LEMU

© B. AISHA LEMU

ISBN 978-30722-1-8

First Printed - 1989

Reprinted - 1991

Reprinted - 1993

Reprinted - 2001

Reprinted - 2003

Reprinted - 2005

Reprinted - 2006

Reprinted - 2008

Reprinted - 2009

Reprinted - 2010

Revised - 2013

Published by

DEDICATION

I dedicate this book to SHEIKH AHMED LEMU, my husband, without whose encouragement it would not have been completed.

ACKNOWLEDGEMENTS

Praise be to Allah the Guide to His path, to whom all service is due, and may His bounties and blessings be on His Messenger and on his household, his companions and on all who follow the Guidance until the Day of Judgment.

My gratitude also goes to the following who helped to make this book ready for publications:

My husband, for his corrections and many valuable suggestions;

My typist, Mallam Aliyu Muhammad, for his endless patience;

My son, Nuruddeen, and daughter, Maryam, who helped with the proof reading.

PREFACE

It will be noted that the Senior Secondary Curriculum is divided into the following sections:

Paper 1 Hidayah (Guidance)

Section A: The Our'an

Section A: The Qur'an

Section C: Tahdhib (Moral Education based on the Qur' and
and Sunnah)

Section A: Tawhid (Faith)

Section C: Mu'amalat (Human Transactions)

Section A: Sirah (The Life of the Prophet and the Leadership of the Four Orthodox Caliphs)

Section C: Contributions of Muslims to World Civilization.

The ERCD during that time set up a panel of scholars to prepare the new curricula for all the school subjects, including Islamic Studies. Among these scholars were the late Justice Bashir Sambo, the late Professor Doi, the late Professor Ismail Balogun, Professor Daud Shittu Noibi, Justice Abdulkadir Orire, Justice Sheikh Ahmed Lemu, Professor Bidmos and Dr. Rahimson. I was

In order to speed up the work the members were divided into sub-groups. Work began in the early morning and continued until night, while the scholars passed over their work for the other members to comment or amend.

Thanks to the harmony and good rapport among members, the panel finished the work and submitted it to the ERDC in record time. The curriculum was published and circulated to schools.

However this was not the end of the challenges to the new curriculum. Some of the new topics were not familiar to the Islamic Studies teachers. For example, some had no prior knowledge of the spread of Islam to West Africa. Some were not aware of the great achievements of Muslims in the arts, sciences, medicine, sociology, philosophy and so on. There was concern that some teachers might ignore these aspects of the new curriculum. It was this situation that prompted me to embark on writing a series of books for Junior and Senior Secondary students. These books could not have been written without the selfless inputs of the scholars on the panel. Thanks to their wide knowledge, the books have remained in circulation over the decades.

At the end of each chapter is a section entitled "EXERCISES". Some of these are questions designed to test whether students have remembered and understood the contents of the chapter. Other questions however are intended to make the student think and relate what is in the chapter to his daily life or to the situation of our society today. In this case the answer is to be found not in the text but in thought and discussion between teacher and students on the implications of the text for our way of life.

Over the past years the books have been published by the Islamic Education Trust, alongside my New Junior Islamic Studies Series. We have however, for reasons of easier access, decided to choose Oxford University Press as our publisher with effect from the current year, 2013.

I have taken this opportunity to make one or two additions including an Appendix providing extra resources for teachers of Islamic Studies.

B. Aisha Lemu, *MON, FNAE*
Minna

January 2013 / Safar, 1434 A.H

Table of Contents

	Page
Preface.....	v
SECTION 1	
HIDAYAH (GUIDANCE)	
Part A: Qur'an	
1. Surat Al-Shams (Surah 91).....	2
2. Surat Al-Balad (Surah 90).....	5
3. Surat Al-Fajr (Surah 89).....	8
4. Surat Al-Ghashiyah (Surah 88).....	12
5. Surat Al-A'la (Surah 87).....	15
6. The Revelation of the Qur'an.....	18
7. The Preservation of the Qur'an.....	22
8. The Order and Arrangement of the Qur'an.....	27
9. The Qur'an: Its Importance and Authenticity.....	30
10. Tafsir of the Qur'an.....	35
Part B: Hadith	
11. An-Nawawi: Hadith No.5.....	40
12. Bukhari 78, Hadith No.2.....	42
13. Bukhari 79, Hadith No.4.....	44
14. Tirmidhi 20.....	46
15. An-Nawawi: Hadith No. 12.....	48
16. The Relationship between Hadith and Sunnah.....	50
17. The Importance of Hadith.....	52
18. The Form of the Hadith.....	54
19. Criteria of Authenticity of Hadith.....	56
20. The Six Sound Collections.....	59

Part C: Tahdhib (Moral Education)

21. Honesty in words and deeds.....	64
22. Bribery and Corruption.....	67
23. The Dignity of Labour.....	70
24. Gambling.....	72
25. Alcohol and other Intoxicants.....	74
26. Arrogance and Extravagance.....	78
27. Modesty of dress and behaviour.....	81
28. Adultery and Fornication.....	84
29. Obscenity, Pornography.....	87
30. Cigarette-smoking.....	90
31. Stealing and Fraud.....	92

SECTION II FIQH**Part A: Tawhid**

32. The Unity of God.....	96
33. Concept and Implications of Belief in Angels.....	100
34. Concept and Implications of Belief in Revelation.....	102
35. Concept and Implications of Belief in Prophets.....	105
36. Concept and Implications of Belief in Hereafter.....	108
37. Concept and Implications of Belief in Qada'	111

Part B: 'Ibadah

38. Proper Manner of performing the Pillars of Islam.....	116
39; The Concept of Jihad.....	121

Part C: Mu'amalat (Human Transactions)

40. Shari'ah: Definition and Importance.....	126
41. The Sources of the Shari'ah.....	128
42. The Scope of the Shari'ah.....	130
43. The Shari'ah and other Legal Systems.....	132
44. The Four Sunni Schools of Fiqh.....	136
45. The Islamic Concept of Marriage.....	141
46. The Prohibited Degrees of Marriage.....	145
47. Betrothal, Validity of Marriage and Wedding.....	148
48. Duties and Rights of Husband and Wife.....	153
49. Laws prohibiting Ill-treatment of a Wife (Idrar).....	157
50. Polygamy.....	160
51. The Status of Women.....	163
52. Islamic Attitude to Divorce.....	168
53. Kinds of Divorce.....	171
54. 'Iddah and Kind Treatment of Divorced Women.....	175
55. Other Kinds of Dissolution of Marriage.....	178
56. Custody of Children after Divorce.....	181
57. General Principles of Inheritance.....	184

SECTION III HISTORICAL DEVELOPMENT OF ISLAM**Part A: Administration of the Prophet and His Legacy**

58. Administration of the affairs of the Ummah.....	188
59. The Defensive nature of the Battles between the Prophet and the Makkans.....	193
60. The Prophet's Farewell Pilgrimage.....	204
61. Qualities of the Prophet.....	210
Appendix: Extra Resources for Teachers of Islamic Studies.....	223
Recommended Website.....	245

SECTION I
HIDAYAH (GUIDANCE)
PART A:QUR'AN



CHAPTER 1

Ash-Shams — the Sun

(Surah 91)

In the Name of Allah, the Most
Gracious, the Most Merciful



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

1. By the Sun and his brightness. ١- وَالشَّمْسِ وَضُحَاهَا ۝
2. And the moon as she follows him. ٢- وَالْقَمَرِ إِذَا تَلَّهَا ۝
3. By the day as it reveals its splendour, ٣- وَالنَّهَارِ إِذَا جَلَّهَا ۝
4. And the night which veils it darkly! ٤- وَاللَّيْلِ إِذَا يَغْشَاهَا ۝
5. By the sky and Him who constructed it, ٥- وَالسَّمَاءِ وَمَا بَنَاهَا ۝
6. And the earth and Him who spread it! ٦- وَالْأَرْضِ وَمَا طَرَاهَا ۝
7. By the soul and how it is formed in
accordance with what it is meant to be. ٧- وَالنَّفْسِ وَمَا سَوَّاهَا ۝
8. And inspired (with conscience of) what is
wrong for it and (what is) right for it. ٨- مَا لَهَا تَحْوِيزًا ۝
وَتَقْوَاهَا ۝
9. He shall succeed (to a happy state) who
causes this (soul) to grow in purity, ٩- قَدْ أَفْلَحَ مَنْ زَكَّاهَا ۝
10. And truly he is lost who buries it (in
darkness). ١٠- وَقَدْ خَابَ مَنْ دَسَّاهَا ۝
11. In their insolence, the people of Thamud
denied the truth, ١١- كَذَّبَتْ ثَمُودُ
بَطْعُوهُمْ ۝

12. When that most wicked of them rushed
forward (to commit his evil deed).

١٢- إِذِ اتَّبَعَتْ أَشْقَاهَا ۝

13. Although Allah's Messenger had told
them, "It is a she-camel belonging to God,
so let her drink (and do her no harm)!"

١٣- فَقَالَ لَهُمْ رَسُولُ اللَّهِ
نَاقَةُ اللَّهِ
وَسُقِيهَا ۝

14. But they cried lies to him, and
hamstrung her-for their sin their Lord let
loose His utter destruction on them,
destroying them all alike.

١٤- فَكَذَّبُوهُ
فَعَصَوْا وَهَمَّوْهُ
فَدَمَدَ عَلَيْهِمْ رَبُّهُمْ يَدْخُلُهُم
نَارُهَا ۝

15. He fears not what may follow.

١٥- وَلَا يَخَافُ عُقْبَاهَا ۝

Lessons of Surat Ash-Shams

The Surah opens with eight things by which Allah swears and thus draws our attention to His greatness and power: the brightness of the sun; the reflective light of the moon which follows it; the day and the night; the heavens and the earth and their Maker (Himself); and the human soul and how it is formed with a purpose and given knowledge of right and wrong.

These "signs" of Allah lead to the substantive statement of the Surah, that the human being is responsible for the purification of his own soul and will be happy or lost according to whether he does so or neglects to do so.

The Surah then refers to the consequences of persistent, deliberate evil-doing such as the case of the people of Thamud.

The Thamud were a people of Northern Arabia who were notorious for their wickedness, corruption and persecution of the weak (see Qur'an 7:74-75).

The Prophet Salih, who was sent to them, was not listened to. He then gave them a warning of a sign from Allah in the shape of a she-camel. He warned them that Allah willed that this camel should not be killed but allowed to drink from their water supply.

As a sign of their own utter rejection of Allah's guidance, the Thamud hamstrung and killed the animal, whereupon they were overtaken by an earthquake (Qur'an 7:78) and totally destroyed.

The Surah therefore stresses that for every person the most important things in his life are to accept Allah's message and to purify his own soul (which could be done by worship, repentance, good deeds and striving in Allah's cause).

We should understand also from the Surah that worldly prosperity (such as enjoyed by the Thamud) and pride in strength and corruption are no guarantees of survival. Allah is capable of destroying such civilizations, if He sees fit. In this are lessons for nations of all time.

EXERCISES

1. List the things by which Allah swears in the first 8 verses of the Surah, and explain the significance of swearing by them.
2. What is the substantive statement of the Surah which follows the swearing?
3. What is the significance of the reference to the Thamud?
4. Mention two of the lessons of the Surah.

CHAPTER 2

Al-Balad — the City

(Surah 90)



In the Name of Allah, the Most
Gracious, the Most Merciful.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

1. Nay! I swear by this City — ۞ نَّارًا أَلْقَيْنَا بِالْبَلَدِ ۞
2. This City in which you yourself are a dweller — ۞ وَأَنْتَ جِلِّيُّهَا ۞
3. And I swear by parent and offspring, ۞ وَوَالِدٍ وَمَا وَلَدَ ۞
4. Indeed, We have created man to (a life of) pain, toil and trial. ۞ لَقَدْ خَلَقْنَا الْإِنْسَانَ فِي كَبَدٍ ۞
5. Does he, then, think that no one has power over him? ۞ أَمْ يَحْسَبُ أَنْ لَنْ يَقْدِرَ عَلَيْهِ أَحَدٌ ۞
6. He boasts: "I have squandered great riches!" ۞ يَتَّبِعُونَ أَهْلَكَ مَا لَهُ يُجَدِّ ۞
7. Does he, then, think that no one sees him? ۞ أَمْ يَحْسَبُ أَنْ لَمْ يَرَهُ أَحَدٌ ۞
8. Have We not given him two eyes, ۞ أَلَمْ نَجْعَلْ لَهُ عَيْنَيْنِ ۞
9. And a tongue, and a pair of lips, ۞ وَلِسَانًا وَشَفَتَيْنِ ۞
10. And shown him the two highways (of good and evil)? ۞ وَهَدَيْنَاهُ السَّبِيلَيْنِ ۞
11. But he would not try to ascend the steep uphill road ... ۞ فَلَا اقْتَحَمَ الْعَقَبَةَ ۞
12. And what would convey to you what it is, the steep uphill road? ۞ وَمَا أَدْرَاكَ مَا الْعَقَبَةُ ۞
13. (It is) the freeing of a slave, ۞ فَتَكُ رَقَبَةً ۞

14. or the feeding on a day of hunger ۱۳- أَوْ إِطْعَمٌ فِي يَوْمٍ ذِي مَسْغَبَةٍ ۝
15. of an orphan near of kin, ۱۵- يَتِيمًا ذَا مَقْرَبَةٍ ۝
16. or of a (needy) person lying in the dust- ۱۴- أَوْ مِنْكِينَا ذَا مَقْرَبَةٍ ۝
17. Moreover, it is to be of those who believe and counsel one another to be steadfast, and enjoin mercy on one another. ۱۴- ثُمَّ كَانَ مِنَ الَّذِينَ آمَنُوا وَتَوَاصَوْا بِالصَّبْرِ وَتَوَاصَوْا بِالرَّحْمَةِ ۝
18. Their place will be on the right hand. ۱۸- أُولَٰئِكَ أَصْحَابُ الْمَيْمَنَةِ ۝
19. But those who are bent on denying the truth of Our messages will be on the left hand, ۱۹- وَالَّذِينَ كَفَرُوا بِآيَاتِنَا هُمْ أَصْحَابُ الشِّمَالَةِ ۝
20. (With) fire closing in upon them. ۲۰- عَلَيْهِمْ نَارٌ مُّؤَصَّدَةٌ ۝

Lessons of Surat Al-Balad

Allah opens this Surah by swearing by the Prophet's own city of Makkah and the parent and offspring. One of the famous Qur'anic commentators Al-Tabari explains this to refer to "every parent and all their offspring", i.e. the human race from beginning to end.

The statement which follows this "swearing" is that Allah has created man into a life of pain, toil and trial. He will be tested by adversity.

Yet some people do not understand that they are being tested and watched. They do not realise that any power is above them. They are boastful, arrogant, proud of their extravagance and wastefulness.

Allah then questions whether He has not provided them with all the human faculties they needed to perceive the Truth or at least to ask for guidance (eyes, tongue, lips) and also given them the knowledge of right and wrong.

Yet man is mostly reluctant to take the more difficult path of striving to do right. Examples are then given of right actions, all of which involve helping and encouraging one's fellow-men when they are in difficulties (verses 13- 17).

These people will on the Day of Judgement be "on the right hand", that is the people of Paradise, while those who deny the truth of Allah's messages will be "on the left hand", that is in Hell.

EXERCISES

1. Which city is referred to in verse 1?
2. Who is addressed as "you" in verse 2?
3. What sort of behaviour is referred to in verses 5-7?
4. What is meant by "the two highways" and "the steep uphill road"? (Verses 10-12)
5. Which acts of charity are praised in verses 13-17?
6. Discuss the main lessons of the Surah.

CHAPTER 3

Al-Fajr — Dawn

(Surah 89)

In the Name of Allah, the
Most Gracious, the Most Merciful.



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

1. By the dawn, ١- وَالْفَجْرِ
2. And the ten nights! ٢- وَالْأَيَّامِ عَشْرٍ
3. By the even and the odd! ٣- وَالشَّعْءِ وَالْوَتْرِ
4. By the night as it runs its course! - ٤- وَاللَّيْلِ إِذَا يَسْرِ
5. Considering all this-could there be to anyone endowed with reason, a (more) solemn evidence of the truth? ٥- هَلْ فِي ذَلِكَ قَسَمٌ لِّذِي حَبْرِ
6. Have you not heard how your Lord dealt with (the tribe of) 'Ad ٦- أَلَمْ تَرَ كَيْفَ فَعَلَ رَبُّكَ بِعَادٍ
7. (The people of) 'Iram the many-pillared, ٧- إِرَامَ ذَاتِ الْاُيُمَادِ
8. The like of which has never been reared in all the land? ٨- الَّتِي لَمْ يُخْلَقْ مِثْلُهَا فِي الْبِلَادِ
9. And with (the tribe of) Thamud, who hollowed out the rocks in the valley? ٩- وَتَمُودَ الَّذِينَ جَابُوا الصَّخْرَ بِالْوَادِ
10. And with Pharaoh of the (many) tent-poles? ١٠- وَفِرْعَوْنَ ذِي الْأَوْتَادِ
11. (It was they) who transgressed All bounds of justice all over their lands, ١١- الَّذِينَ طَغَوْا فِي الْاِلَادِ

12. And brought about great corruption therein: ١٢- فَالْتَرَوْا فِيهَا الْفَسَادَ
13. And therefore your Lord let loose on them a scourge of suffering: ١٣- فَصَبَّ عَلَيْهِمْ رَبُّكَ سَوْطَ عَذَابٍ
14. For your Lord is surely ever watchful ١٤- إِنَّ رَبَّكَ لَبَازِلٌ مُّصَادٍ
15. But as for man, whenever his Lord tries him by His generosity and by letting him enjoy a life of ease, he says: "My Lord has (justly) honoured me". ١٥- فَأَمَّا الْإِنْسَانُ إِذَا مَا ابْتَلَاهُ رَبُّهُ فَأَكْرَمَهُ وَنَعَّمَهُ فَيَقُولُ رَبِّي أَكْرَمَنِ
16. But whenever, He tries him by reducing his means of livelihood, he says: "My Lord has disgraced me". ١٦- وَأَمَّا إِذَا مَا ابْتَلَاهُ فَقَدَرَ عَلَيْهِ رِزْقَهُ فَيَقُولُ رَبِّي أَهَانَنِ
17. But nay, nay, (O men, consider all that you do and fail to do) you are not generous towards the orphan, ١٧- كَلَّا بَلْ لَا تَكْرُمُونَ الْيَتِيمَ
18. And you do not urge one another to feed the needy, ١٨- وَلَا تَحْضُونَ عَلَى طَعَامِ الْيَتِيمِ
19. And you devour the inheritance (of others) with devouring greed ١٩- وَتَأْكُلُونَ الثَّرَاثَ أَكْلًا لَّمًّا
20. And you love wealth with boundless love! ٢٠- وَتُحِبُّونَ الْمَالَ حُبًّا جَمًّا
21. Nay, but (how will you fare on Judgment Day), when the earth is crushed with crushing upon crushing, ٢١- كَلَّا إِذَا دُكَّتِ الْأَرْضُ دَكًّا دَكًّا
22. And your Lord comes, with the angels, rank on rank? ٢٢- وَجَاءَ رَبُّكَ وَالْمَلَكُ صَفًّا صَفًّا

23. And on that Day hell will be brought (within sight); on that Day man will remember (all that he did and failed to do): but how will that remembrance then help him? ٢٣ وَحَآئِ يَوْمٍ يُجَهَّضُ
يَوْمِيذٍ يَنْذَكُرُ الْإِنْسَانُ وَأَنَّى
لَهُ الذِّكْرَى
24. He will say, "Oh, would that I had prepared beforehand for my life (to come)!" ٢٤ يَقُولُ بَلَيْتَنِي مَدْمَتُ لِحَيَاتِي
25. For none can make suffer as He will make suffer (the sinners) on that day, ٢٥ فَيَوْمِيذٍ لَا يَعْدِرُ عَذَابُهُ أَحَدٌ
26. And none can bind with bonds like His. ٢٦ وَلَا يُوثِقُ وَثَاقُهُ أَحَدٌ
27. (But to the righteous Allah will say), "O soul at peace, ٢٧ سَأَيْنَهَا النَّفْسَ الْمُطْمَئِنَّةَ
28. Return to your Lord, well pleased (and) pleasing (Him): ٢٨ أَرْجِعِي إِلَىٰ بِكِ أَصِيبَةُ مَرْهِيَّةٌ
- 29 Enter, then, together with My (other true) servants— ٢٩ فَادْخُلِي فِي عِبْدِي
30. Enter My paradise!" ٣٠ وَأَدْخُلِي جَنَّتِي

Lessons of Surat Al-Fajr

This Surah opens with Allah's swearing by four things:

1. The Dawn (*Fajr*)— considered by some commentators to symbolising also man's spiritual awakening.
2. The Ten Nights — understood to refer to the last ten nights of Ramadan, in which period the Qur'an was first revealed, bringing spiritual enlightenment to humanity. It is always a period of more intense spiritual devotion for Muslims.
3. The Even and the Odd—Commentators have put forward several possible interpretations of this phrase. Some consider it to refer to the even and odd numbers, i.e. 2,4, 6, 8, 10 ... and 1, 3, 5, 7, 9 ... Others think it might refer to "the many and the One", i.e. the multiplicity of creation and the Oneness of Allah.

4. The Night as it runs its course — considered by some commentators to refer also to spiritual darkness coming to its end as man becomes truly conscious of Allah.

The substantive question which follows then asks whether all these things do not lead to the conclusion of the existence and one-ness of Allah.

Allah then reminds us of how he dealt with powerful and corrupt nations and tribes in the past — ‘Ad, Thamud and the people of Pharaoh.

Man is then reminded of his wrong understanding of good and bad fortune. He regards good fortune as his rightful due, and bad fortune as evidence of Allah's being "unfair" to him. He does not see clearly that both the good and bad fortune are a test for him.

Allah then draws our attention to some of the things we do or neglect to do:

- we do not treat orphans generously
- we do not ensure that the needy are fed and cared for
- we cheat other people out of their rightful inheritance
- we love wealth too much.

Allah asks us, in the light of these failures and sins, how we think we shall find ourselves on the Last Day when the earth is crushed to pieces and we stand alone before Allah and the angels; Hell will be in sight but it will be too late to reform. Man will then wish that he had done something good with his life.

This is contrasted with the fate of the righteous servants of Allah who will be at peace, pleased with what they find, and pleasing to Allah. who will welcome them into His paradise.

EXERCISES

1. What are the things by which Allah swears in the first 4 verses of the Surah?
2. Describe in general terms the crimes for which ‘Ad, Thamud and Pharaoh were destroyed.
3. Mention three of the widespread vices of our present society which constitute transgression of Allah's bounds.
4. Recall from the example given in the Surah the manner in which man misunderstands good and bad fortune
5. Which sins is man accused of in verses 17-20?
6. How will a sinner feel on the Day of Judgment as described in the Surah?
7. How will the righteous servants of Allah feel on the Day of Judgment as described in the Surah?

CHAPTER 4

Al-Ghashiyah — The Overshadowing Event

(Surah 88)

In the Name of Allah, the Most
Gracious, the Most Merciful.



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

1. Has there come to you the news of the
Overshadowing Event? ١- هَلْ أَتَاكَ حَدِيثُ الْغَاشِيَةِ ۝
2. Some faces on that day will be downcast, ٢- وَجُوهٌ يَوْمَئِذٍ خَاشِعَةٌ ۝
3. Toiling (under burdens of sin), worn out (by fear), ٣- عَامِلَةٌ تِائِبَةٌ ۝
4. About to enter a glowing fire, ٤- تَصِلُ نَارًا حَامِيَةً ۝
5. Given to drink from a boiling spring. ٥- تُشْقَى مِنْ عَيْنٍ أُثِيمَةٍ ۝
6. No food for them save bitter thorn fruit, ٦- لَيْسَ لَهُمْ طَعَامٌ إِلَّا مِنْ صَدْرٍ ۝
7. Which gives no strength nor satisfies hunger. ٧- لَا يُسْبِغُ وَلَا يُغْنِي عَنْ جُوعٍ ۝
8. (And) some faces on that day will shine with bliss, ٨- وَجُوهٌ يَوْمَئِذٍ نَاعِمَةٌ ۝
9. Well pleased with (the reward of) their striving ٩- لَسَعِيْمًا رَاضِيَةً ۝
10. In a garden sublime ١٠- فِي جَنَّاتٍ عَالِيَةٍ ۝
11. Where you will hear no empty talk. ١١- لَا تَسْمَعُ فِيهَا لَاغِيَةً ۝
12. A gushing spring shall flow there, ١٢- فِيهَا عَيْنٌ جَارِيَةٌ ۝
13. (And) raised couches ١٣- فِيهَا نَضْرٌ مُرْفُوعَةٌ ۝

14. And goblets placed ready ١٤- وَأَكْوَابٌ مُرْفُوعَةٌ ۝
15. And cushions arranged, ١٥- وَنُفَارٌ مَضْفُوفَةٌ ۝
16. And carpets laid out ... ١٦- وَذُرَابُ مَنْثُورَةٌ ۝
17. Do they not look at the camels,
how they are made? ١٧- أَفَلَا يَنْظُرُونَ
إِلَى الْإِبِلِ كَيْفَ خُلِقَتْ ۝
18. And the sky, how it is raised
aloft, ١٨- وَإِلَى السَّمَاءِ كَيْفَ رُفِعَتْ ۝
19. And the mountains, how they
Are fixed firm? ١٩- وَإِلَى الْجِبَالِ كَيْفَ نُصِبَتْ ۝
20. And the earth, how it is spread
out? ٢٠- وَإِلَى الْأَرْضِ كَيْفَ سُطِحَتْ ۝
21. And so (O Prophet), exhort ٢١- فَذَكِّرْ ۝
22. them — your task is only to exhort:
You cannot compel them (to
believe). ٢٢- لَسْتَ عَلَيْهِمْ بِمُضْطِطِرٍّ ۝
23. But as for him who turns away
and rejects the truth, ٢٣- إِلَّا مَنْ تَوَلَّى وَكَفَرَ ۝
24. Allah will cause him to suffer
the greatest suffering: ٢٤- فَيُعَذِّبُهُ اللَّهُ الْعَذَابَ الْأَكْبَرَ ۝
25. For to Us they shall surely
return ٢٥- إِنَّ إِلَيْنَا إِيَابَهُمْ ۝
26. And verily it is for Us to call
them to account: ٢٦- ثُمَّ إِنَّ عَلَيْنَا جِسْمَهُمْ ۝

Lessons of Surat Al-Ghashiyah

Verses 1-16 of the Surah give a vivid contrast between the condition of the sinners on Judgment Day and that of the righteous. The downcast, tired and fearful faces of the sinners are contrasted with the shining joy radiating from the faces of those who will enter paradise. The horrible conditions of hell are contrasted with the beauty and welcoming comfort of paradise.

Verses 17-20 urge man, if he doubts Allah's existence and the truth of the revelation, to consider the way Allah has created things, and to reflect on His power and wisdom. The things referred to are:

- the Camels (one may for example consider their shape, their broad feet suited to walking on sand, their nostrils which can close to keep out sand during sandstorms, and their ability to store water and go without drinking for many days in a waterless environment)
- The sky (for example the clouds floating above giving shade and rain, and the infinity of space beyond);
- The mountains (for example their strength, height, weight, majesty and beauty);
- the earth (for example its wide expanse, spreading in all directions with its infinite variety of hills, plains, forests, vegetation, deserts, rivers and seas).

These things are all evidence, to those who reflect, of the existence, creative power and wisdom of Allah. The Prophet is told to urge people to accept the truth; he cannot force them to believe. However, due warning is given of the consequences of denial of the truth, when man returns to Allah and is called to account.

EXERCISES

1. Consider the descriptions of hell and heaven in verses 1-16 and explain what you would feel if you were to experience either of these conditions.
2. Explain how the things mentioned in verse 17-20 are valid evidence of Allah's power and wisdom.
3. What is the Prophet's task, as mentioned in verses 21-22? Explain the lesson this conveys to all those who wish to spread the message of Islam.
4. What are the consequences of denial of the truth mentioned in verses 23-26?

CHAPTER 5

Al-A'lā — The Most High

(Surah 87)



In the Name of Allah, the Most
Gracious, the Most Merciful.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

1. Glorify the Name of your Lord, the Most High, سَبِّحْ اسْمَ رَبِّكَ الْأَعْلَى ﴿١﴾
2. Who creates (everything) and forms it in accordance with what it is meant to be, الَّذِي خَلَقَ فَسَوَّى ﴿٢﴾
3. And who determines the nature (of all that exists) and then guides it, وَالَّذِي قَدَّرَ فَهَدَى ﴿٣﴾
4. And who brings forth herbage, وَالَّذِي أَخْرَجَ الْمَرْعَى ﴿٤﴾
5. And then turns it into rust-brown stubble! فَجَعَلَهُ غُثَاءً أَحْوَى ﴿٥﴾
6. We shall teach you, and you Will not forget (any of what you are taught), سَنُقَرِّئُكَ فَلَا تَنْسَى ﴿٦﴾
7. Save what Allah may will, for He (alone) knows all that is open to (man's) perception as well as all that is hidden (from it): إِلَّا مَا شَاءَ اللَّهُ إِنَّهُ يَعْلَمُ الْجَهْرَ وَمَا يَخْفَى ﴿٧﴾
8. And (thus) shall We make easy you the path towards (ultimate) ease. وَنُيَسِّرُكَ لِلْيُسْرَى ﴿٨﴾
9. Remind (then) others of the truth (regardless of) whether this reminder (would seem to) be of use (or not): فَذَكِّرْ إِن نَّفَعَتِ الذِّكْرَى ﴿٩﴾

10. He who stands in awe of Allah will heed it, ١٠- سَيَذَكِّرُ مَنْ يَخْشَى ۝
11. But the most wretched will turn aside from it — ١١- وَيَتَّخِذُهَا الزَّشَقَى ۝
12. He who (in the life to come) Shall enter the great fire ١٢- الَّذِي يَصَلُّ الْكَاكِبَرَى ۝
13. In which he will neither die nor remain alive. ١٣- ثَلَا يَمُوتُ فِيهَا وَلَا يَحْيَى ۝
14. But he will be successful who purifies himself ١٤- فَذَلِكَ مَنْ كَفَّلَى ۝
15. And remembers his Lord's name and prays (to him). ١٥- وَذَكَرَ اسْمَ رَبِّهِ
١٥- نَصَلَى ۝
16. But nay, (O men) you prefer the life of this world ١٦- بَلْ تُؤَفِّرُونَ الصِّوَةَ الدُّنْيَا ۝
17. Although the life to come is better and more lasting. ١٧- وَالْآخِرَةُ خَيْرٌ وَأَبْقَى ۝
18. (All) this is (contained) in the earlier revelations — ١٨- إِنَّ هَذَا لَفِي الصُّفُوفِ الْأُولَى ۝
19. The revelations to Ibrahim and Musa. ١٩- صُفُوفِ إِبْرَاهِيمَ وَمُوسَى ۝

Lessons of Surah al-A'lā

The Surah opens with an instruction to glorify Allah as the One Who creates and shapes all things and gives them their nature, way of behaviour, and instincts, and guides them according to their needs.

Verses 6-7 are considered by the classical commentators to refer to the Qur'an, meaning that Allah assures the Prophet that He will teach him the revelation in a way that he will not forget it. This leaves some problems with the meaning of verse 7: "save what Allah may will" — implying the possibility that some verses were "abrogated" (cancelled by other revelations). Some other commentators who refute the idea of abrogation of any verses by the Qur'an, have therefore concluded that the verses do not refer to the Qur'an itself and the Prophet, but to knowledge in general and mankind in general. The meaning would then be that Allah teaches man not only knowledge, but the means to record it (see Surat al-Alaq (96) verses 4-5, "who taught man the use of the pen, taught man what he knew not"). Mankind would then "forget" or "abandon" some redundant parts of what he had learned as a result of new experience and knowledge.

The verse continues that Allah alone has access to all knowledge, therefore divine revelation is essential to guide man through life.

The Prophet is then urged (verse 9) to remind other people of the truth, whether or not they seem likely to accept it. (It should be recalled that sometimes people who were previously prejudiced against Islam changed their minds once they came to know its true teachings; Umar ibn al-Khattab is an example of this). Those who fear Allah will accept it, while the ungrateful will turn aside and end in the fire.

The ones to attain happiness are those who purify themselves, remember Allah and pray to Him. Most people, however, only think 'of their happiness in this world, which is short and temporary, forgetting to make provision for their happiness in the Hereafter which is not only of a higher order but lasts forever.

Lastly Allah reminds us that the contents of the revelation are not new information to man. They are the eternal message as given to the earlier Prophets — Ibrahim and Musa.

EXERCISES

1. Describe the aspects of Allah's role or attributes referred to in verses 1-5.
2. What guidance does Allah give in the Surah with regard to the communication of the message of Islam to people who show signs of prejudice against it?
3. What is the relationship of the Qur'an with the earlier revelations (verses 18-19)?

CHAPTER 6

The Revelation of the Qur'an

1. Revelation

Revelation means communication from Allah to man. From earliest times man has been preoccupied with the idea and experience of communication with God. This communication is confirmed in the Holy Qur'an where Allah relates that at the time man began his life on earth, He affirmed the establishment of such communication:

"We said: Get you down all from here; and if, as is sure, there comes to you guidance from Me, whosoever follows My guidance, on them shall be no fear, nor shall they grieve." (Qur'an 2:38)

This promise was addressed to all the children of Adam and restated in another Surah:

"O ye children of Adam! Whenever there come to you Apostles from among you, rehearsing My signs unto you-, those who are righteous and mend (their lives) - on them shall be no fear nor shall they grieve." (Qur'an 7:35)

The fulfilment of this promise was mentioned in another verse:

"And verily we have raised in every nation a messenger, (proclaiming): Serve Allah and shun false gods ..." (Qur'an 16:36)

Some of the revelations were recorded in writing, including the *Taurat* of Prophet Musa, the *Zabur* of Prophet Dawud, the *Injil* of Prophet Isa and the Qur'an of Prophet Muhammad.

The basic message of all these revelations was the same. In the Qur'an however, they were given in their complete and final form, and recorded and preserved as guidance for all times to come and all places.

2. The word "Qur'an"

The word "Qur'an" is derived from the Arabic root "qara'a", which means to read, to recite etc. *Al-Qur'an* as a noun therefore means "the reading" or "the recitation". It is understood however as a title of the revelation to Prophet Muhammad.

3. Other Names of the Qur'an

Apart from the title "the Qur'an" the revelation to Muhammad is referred to by several other names in the Qur'an itself, such as:

Furqān (the criterion, or standard of judging right and wrong, true and false - Qur'an 25:1)
Kitab (scripture - Qur'an 21:10)
Dhikr (reminder - Qur'an 15:9)
tanzil (sent down - Qur'an 26:192)
hudan (guidance - Qur'an 6: 157)

It is also referred to as *nur* (light) and *rahmah* (mercy) and described as *majid* (glorious), *mubarak* (blessed).

These names and descriptions indicate the many aspects of the message of the Qur'an.

4. The Start of the Revelations

The Prophet was in his thirties a man in search of the truth. He could not find the truth in the religions amongst which he grew up, and was apparently repulsed by their gross materialism, moral emptiness and cruel superstitions and customs.

It became his practice to withdraw from time to time for periods of silence and meditation. The well-known place he chose for this was a cave called the Cave of Hira, in the rocky hills near Makkah.

It was on one of the last ten nights of the month of Ramadan in about the year 609 C.E. (subsequently referred to in the Qur'an as Laylat ul-Qadr, the Night of Destiny) that the Revelation began. The Prophet, who was then 40 years old was sitting in meditation when suddenly the truth descended upon him.

According to the account by Aisha, quoted in Sahih Bukhari:

*"The angel came to him and asked him to read.
The Prophet replied, 'I do not know how to read'.
The Prophet added, 'The angel caught me and pressed me so hard that I could not bear it any more. He then released me and again asked me to read and I replied, 'I do not know how to read'. Thereupon he caught me again and pressed me a second time till I could not bear it any more. Then he released me and again asked me to read, but again I replied, 'I do not know how to read' (or what shall I read?)*

Thereupon he caught me for the third time and pressed me, and then released me and said: "Read, in the name of your Lord, Who created, created man from something that hangs. Read! And your Lord is the most bounteous, who taught man the use of the pen, taught man what he knew not." (i.e. Surat Al-Alaq 96:1-5)

It is worthy of note that those first 5 revealed verses of the Qur'an show at once the Islamic emphasis on knowledge, particularly with reference to the use of the pen, as the means of recording and transmitting knowledge from one place to another and from one age to another.

The Hadith then relates that after the experience with the angel the Prophet went home and told Khadijah of his frightening experience. She comforted him and expressed her confidence in him and they consulted Waraqa, Khadijah's cousin, who was a learned Christian, about the matter. Waraqa replied that what Muhammad had encountered was the being "that had been sent by Allah to Prophet Moses" and that he would be driven out by his people. The whole episode related above marked the beginning of the revelation of the Qur'an and the mission of Prophet Muhammad as Messenger of God.

5. Different modes of revelation

Revelation (*wahi* in Arabic) is guidance from Allah to man through His Prophets. The ways in which the messages of guidance are transmitted to a Prophet are several, as mentioned in the Qur'an:

"It is not fitting for a man that Allah should speak to him except by inspiration, or from behind a veil, or by sending of a messenger to reveal with Allah's permission what Allah wills: for He is Most High, Most Wise." (Qur'an 42:51)

These modes of revelation are:

- (a) Inspiration (for example, in a dream, as when Prophet Ibrahim received the instruction to sacrifice his son: Qur'an 37: 102)
- (b) Speech from a hidden source (as when Prophet Musa received revelation from Allah from the fire: Qur'an 27:8)
- (c) Speech sent through an Angel (as when Prophet Muhammad received revelations through the Angel Jibril: Qur'an 2:97).

6. The Last Revelation to Prophet Muhammad

Some Muslim scholars believe that the last revelation was Surah 5:4:

"This day I have perfected your religion for you, completed my favour upon you and have chosen for you Islam as your religion."

The scholars concerned maintain that the meaning of the verse, revealed during the Final Pilgrimage, implies the completion of the revelation. However, other scholars explain that that verse marked only the end of the verses with legal significance (i.e. pronouncing something to be *halal* or *haram*), while revelation on other topics such as reminders of the Day of Judgment continued until nine days before the Prophet's death. In their opinion the last revelation may be Qur'an 2:282, 2:278 or 2:281:

"And fear the day when you shall be brought back to Allah, Then shall every soul be paid what it earned and none shall be dealt with unjustly."

Some suggest all three verses may have been revealed on that occasion. Allah knows best.

EXERCISES

1. What is revelation?
2. On what occasion did Allah promise to send prophets with guidance to mankind?
3. What is the meaning of the word "Al-Qur'an"?
4. By what other names is the Qur'an called in the Qur'an, and what do these names mean?
5. Why was the Prophet in the habit of withdrawing to the Cave of Hira?
6. Describe the events of the first revelation.
7. Recite the first 5 verses revealed to the Prophet, and explain how they emphasise the importance of knowledge and the written word.
8. What was the response to the Prophet's experience of:
 - (a) his wife Khadijah
 - (b) Khadijah's cousin Waraqa?
9. Mention 3 modes of revelation indicated in the Qur'an?
10. By which mode did Prophet Muhammad most commonly receive the revelations?
11. Which verses are considered by scholars to be the last ones revealed to the Prophet?

The Preservation of the Qur'an

1. Allah's promise to guard the Qur'an

The Qur'an is the only revelation that was recorded and preserved, word for word, as it was revealed. No change, no omission, and no addition has crept into it since it was received by Prophet Muhammad (p.b.u.h).

This fact, which is acknowledged even by hostile orientalist non-Muslim writers, is a fulfilment of Allah's promise in the Qur'an itself:

"Behold, it is We ourselves who have bestowed from on high, step by step, this reminder and, behold, it is We who shall truly guard it (from all corruption)". (Qur'an 15:9)

2. The Prophet's memorization of the Qur'an

When the angel brought a revelation to the Prophet, he would ensure that the Prophet memorized it perfectly. Moreover, according to a Hadith the Prophet told his daughter Fatima that every year during the last ten nights of Ramadan, Jibril would come to him to ensure that he had forgotten nothing of the Qur'an. He told her "Jibril recites the Qur'an to me and I to him once every year..." In the final year of his life, this was done twice. (Bukhari 61 :25)

3. The Companions' memorization of the Qur'an

Whenever a new portion of the Qur'an was revealed, the Prophet at once taught it to his companions. They also memorized it and it was used for recitation in the prayers and also for public recitation. 'Abdullah bin Mas'ud, for example, recited it publicly near the Ka'abah and continued doing so even when the idol worshippers beat him in the face. It is also reported that Abubakr used to recite the Qur'an publicly in Makkah.

This practice was encouraged by the Prophet according to a Hadith in which 'Uthman bin' Affan reported that he said: "The best among you (Muslims) are those who learn the Qur'an and teach it." (Bukhari).

Teachers who had memorized the Qur'an were also sent to other communities to instruct them about Islam.

Many well-known companions were known to have memorized the Qur'an, among them Abubakr, 'Umar, 'Ali, Ibn Mas'ud, Abu Hurairah, Mu'adh ibn Jabal, Zaid ibn Thabit, 'Aisha, Hafsa and Umm Salamah.

The practice of memorization of the whole Qur'an was therefore well established during the Prophet's lifetime and was continued after his death by numerous Muslims in every generation up till the present time.

4. Transmission of the written text of the Qur'an

The written text of the Qur'an passed through three stages:

- (a) In the Prophet's life-time.
- (b) At the time of Abubakr's caliphate.
- (c) At the time of Uthman's caliphate.

(a) In the Prophet's lifetime

During the Prophet's lifetime the Qur'an was not only memorized but also written down. It will be recalled that Umar's conversion to Islam took place after hearing his sister reading the Qur'an from a written record. This shows that large portions of the Qur'an were written even in the very early days in Makkah.

Not only did some of the companions write down the Qur'an on their own initiative but the Prophet actually instructed some of them to take it down from him by dictation immediately after it was revealed. Of these scribes in Madinah, Zaid ibn Thabit was the most prominent.

The Prophet did not write the Qur'an himself because he was unlettered (see Qur'an 29:48; 8: 157).

The Qur'an was written down on any available material such as pieces of leather, shoulder bones of animals and palm leaf stalks. The materials on which the Qur'an was written on the instructions of the Prophet were kept in his house. Zaid is reported to have said: "We used to compile the Qur'an from small scraps in the presence of the Prophet."

The materials were not however assembled into a single book during his life-time apparently for the following reasons:

- (I) The revelation, which came piece-meal, was still being revealed until close to the time of the Prophet's death.

- (ii) Sometimes Surahs which were partly revealed in Makkah would be completed with a few verses revealed in Madinah. Some Surahs therefore could not be regarded as completed until the completion of the revelation close to the time of the Prophet's death. However, the correct order of the whole Qur'an was revealed to the Prophet and communicated to his companions who thus memorized it all in its correct order, which has been retained up to today.
- (iii) The people surrounding the Prophet in Madinah apparently did not see the need for compiling the whole Qur'an as a book at that time because of presence of the Prophet who was constantly engaged in teaching it.

(b) At the time of Abubakr's Caliphate

After the death of the Prophet, the various materials on which the Qur'an was written and kept in his house were gathered and tied together so that nothing was lost.

After the battle of Yamama (11 A.H./633 C.E.) 'Umar urged Caliph Abubakr to compile the Qur'an into a continuous single volume (Mushaf).

This was because many of the Muslims who had memorized the whole Qur'an were killed in that battle and he feared further deaths in the wars of the time. Abubakr was convinced of the need, and instructed Zaid ibn Thabit, the most prominent of the Prophet's secretaries, to undertake the task of compilation. Zaid reported:

"... So I started collecting the Qur'anic material and assembling it from parchments, scapula, leafstalks of date-palms and from the memories of men (who knew it by heart) ... The manuscript on which the Qur'an was collected remained with Abubakr till Allah took him unto Him, and finally it remained with Hafsah, 'Umar's daughter."

(Bukhari VI, No.210)

(c) At the time of 'Uthman's Caliphate

During the time of Uthman's Caliphate, differences arose among Muslims over the correct recitation of the Qur'an. This was because Islam had now spread to many distant places, and the peoples of these areas adopted variant pronunciations of some of the words of the Qur'an, particularly in the areas of Syria and Iraq.

'Uthman perceived the danger of divisions growing up on the basis of different readings of the Qur'an. He therefore requested Hafsah to send him the manuscript of the Qur'an compiled at the time of Abubakr (1 or 2 years after the Prophet's death) so that perfect copies could be made of it. Hafsah sent it to 'Uthman, who ordered Zaid ibn Thabit and three other capable writers to carry out the task of making copies. If there were possible alternative pronunciations they should follow the dialect of the Quraysh (the Prophet's own tribe). This process is called the standardization of the Qur'an.

The original was then returned to Hafsah, while 'Uthman sent a copy to every Muslim province. He instructed that all further copies should be made from these copies, and any other Qur'anic materials or copies, should be burnt. This move effectively corrected the dangerous trend towards differing readings of the Qur'an, and helped to preserve the pure standard text of the Holy Book from any doubt as to its authenticity.

The Qur'anic text of today is therefore without doubt the same as the one compiled by Zaid ibn Thabit and confirmed by the consensus (ijma) of the Sahaba (Companions of the Prophet) as being what they had memorized and written during the life-time of the Prophet.

EXERCISE

1. Allah promised in the Qur'an to guard it (the Qur'an). Against what did it need be guarded, in the light of what had happened to earlier scriptures?
2. How did the Angel Jibril ensure that the Prophet continued to memorize the Qur'an perfectly?
3. What did the Prophet say to encourage others to memorize and teach the Qur'an?
4. Name some of the prominent companions who were known to have memorized the Qur'an.
5. What evidence do we have that the Qur'an was written down during the Prophet's lifetime?
6. Why was the Qur'an not compiled into a single book during the Prophet's lifetime?
7. Why did Abubakr order the compilation of the Qur'an after the Battle of Yamāma?

8. What is the source and authority for the order of the verses and Surahs in the Qur'an?
9. From what materials and sources did Zaid ibn Thabit compile the Qur'an?
10. Who took care of the copy of the Qur'an compiled by Zaid ibn Thabit?
11. Why did 'Uthman find it necessary to order the standardization of the Qur'an?
12. How was the standardization of the Qur'an carried out?
13. What is the distinction between the compilation and standardization of the Qur'an?

CHAPTER 8

The Order and Arrangement of the Qur'an

1. Piecemeal Revelation

As stated in the last chapter, the Qur'an was not revealed as a continuous document starting with page 1, Chapter 1, like books composed by human authors. The order of the Qur'an does not follow the chronological order of revelation. We have seen, for example, that the first revelation (the first 5 verses of Al-'Alaq) is not in Surah 1 but Surah 96. Most of the Surahs at the end of the Qur'an were revealed in Makkah, before the longer Surahs revealed in Madinah such as Al-Baqarah, which is Surah 2.

Moreover, many Surahs were not revealed complete on a single occasion. Some parts were revealed on one occasion while others were revealed sometimes years later.

The revelations were given piecemeal over a period of 23 years. The benefits of this piecemeal revelation were that:

- (a) it could be memorized correctly in short passages and recorded without error;
- (b) revelations came sometimes with reference to specific questions or events in the development of Islam and the affairs of the Muslims, as well as having a general meaning for all time.
- (c) it allowed for the gradual spiritual and moral development of the Muslim community. An example is the series of revelations warning against, then restricting and finally prohibiting alcohol. If such prohibitions had been introduced at one time without preparatory warnings and restrictions it might have been more difficult for the Muslims to accept and obey the legislation.
- (d) It allowed for revelations appropriate to the needs of the Muslim Ummah and its development. Thus the type of revelations given in the Makkan period did not concern themselves with law and administration because the Muslims at that period were not politically independent. This type of revelation was given later however in Madinah, when the need for it arose.

2. The Order of the Qur'an

The order of the Qur'an was revealed by Allah through the Angel Jibril to the Prophet. Therefore whenever a new revelation came, the Prophet would instruct his Companions where it belonged, i.e. "after such-and-such a verse in such-and-such a Surah" and it would accordingly be memorized in that place, and henceforth be recited in that order.

Any new revelation was slotted into place in this manner until the last revelation a short time before the Prophet's death. Moreover, according to a Hadith on the authority of the Prophet's daughter Fatima, transmitted in Bukhari, in the last year of his life in the month of Ramadan the Angel Jibril guided the Prophet in recitation of the whole Qur'an twice, thus confirming its order. The order of the Qur'an was therefore well-known and it was this divinely revealed order which the Companions followed when the Qur'an was compiled into a single volume.

3. Makkan and Madinan Surabs

The development of the Muslim community over the period of 23 years of Muhammad's Prophethood was in two important stages:

- (a) the period in Makkah (13 years)
- (b) the period in Madinah (10 years)

The revelations reflect to some extent the different circumstances of the Muslims before and after the Hijrah, and the guidance is appropriate to the situations in which the Muslims found themselves.

(a) The Makkan Period

During this period the Prophet's main task was to call people to Islam. The Makkan revelations centre on:

- (i) the unity of Allah (tawhid) and apostleship of Prophet Muhammad.
- (ii) good conduct
- (iii) resurrection and accountability on the Day of Judgment
- (iv) lessons from the lives of the earlier Prophets and their people.

(b) The Madinan Period

In the Surahs of the Madinan period the themes of the Makkan period are still present, but in addition there are passages that reflect the growing of the Muslim community into a state. Guidance is found on social, legal, political,

economic and military matters, as well as relations with non-Muslims (Jews and Christians in particular).

A Surah is said to be Makkan if its beginning was revealed in the Makkan period, even if it contains also verses revealed later in the Madinan period.

A Surah is said to be Madinan if its beginning was revealed in the Madinan period, even if it contains also verses revealed earlier in the Makkan period.

Other ways of distinguishing between the Makkan and Madinan Surahs, apart from the themes mentioned above, are:

- (i) length (Madinan Surahs are generally longer)
- (ii) direct references to battles are Madinan.
- (iii) the form of address ("O mankind" is usually Makkan, "O you who believe" and "O people of the book" are usually Madinan)
- (iv) almost all references to the hypocrites are Madinan.
- (v) of the 19 Surahs that begin with letters of the alphabet (e.g. alif, lam, mim, etc.) 17 are Makkan (only Al-Baqara (2) and Al-Imran (3) are Madinan).

To know when and where the Surahs were revealed is important to the understanding of the Qur'an. This is partly because if there is more than one verse on one topic, it is the later ruling which elaborates and explains the earlier one.

Also if one understands the occasion for a revelation it is easier to grasp its original meaning because the background of historical events makes it clearer. This makes it easier to relate the guidance therein to the present day context.

EXERCISES

1. What are some of the benefits of the Qur'an being revealed piecemeal over a period of 23 years?
2. What is the authority for the order of Surahs and verses in the Qur'an?
3. What is meant by Makkan and Madinan Surahs?
4. What are the common themes in the Makkan Surahs?
5. What are the common themes in the Madinan Surahs?
6. Which other features help in identifying whether a Surah is Makkan or Madinan?
7. What is the importance of knowing the circumstances under which a Surah was revealed?

CHAPTER 9

The Qur'an: Its Importance and Authenticity

1. The Importance of the Qur'an

It will be recalled that the Qur'an has a number of other titles such as *Furqan* (Criterion) *Dhikr* (Reminder) *Huda* (Guidance) and so on; (See Chapter 6). These names give an indication of the importance of the Qur'an.

The Qur'an helps us to understand our situation and role on earth. It tells us about the unseen (Al-Ghayb) — that is, what is beyond human perception. It tells us about Allah, about the angels, about the creation and vice-gerency of man, about man's accountability to Allah on the Day of Judgment and about reward and punishment in Paradise and Hell. Without this revelation, man could have no certainty or guidance about his situation and role on earth.

The Qur'an tells us how to worship Allah and how to do good and thus please Allah. It makes clear the distinction between good and evil. It also establishes some basic principles of law which reinforce the moral teachings.

The Qur'an is also important in that its verses are used as part of the daily worship in the prayers.

The Qur'an is therefore central to the Islamic faith, to be read, pondered, understood, applied, obeyed and used in worship.

2. The Authenticity of the Qur'an

The authenticity of the Qur'an means that it really is what it claims to be -- i.e. the final revelation from our Creator and Sustainer. What is the evidence for this?

(a) Historical evidence for authenticity of the text

We have seen in Chapters 6, 7 and 8 above that the Qur'an which Muslims use today is unchanged from the words revealed to the Prophet and recorded and memorized by his companions. The text itself is the authentic text which the Prophet said was revealed by Allah and taught to him through the agency of the Angel Jibril. There has been no human tampering with the text over the centuries. No omissions, no additions and no changes have been made which could cast doubt over the authenticity of the message of the Qur'an.

This confirms the statement of Allah in the Qur'an that:

"Behold, it is We ourselves who have bestowed from on high, step by step, this reminder: and, behold, it is We who shall truly guard it (from all corruption)" (Qur'an 15:9)

(b) Evidence that the Qur'an is a message from Allah

(i) The Unlettered Prophet

It is recorded that the Prophet himself was '*ummi*' — unlettered. This may mean that he himself could neither read nor write, or that he could do so only a little, or that he belonged to an uneducated people. Whatever may be the case, he was certainly not a writer, scholar, philosopher or historian, and could not from his own knowledge or resources have composed the Qur'an himself.

It should also be recalled that the Prophet stated, throughout the 23 years of the Qur'an's revelation, that he was receiving these messages from Allah through the angel. It is to be recalled also that he was known to be an honest and trustworthy man who never told lies (hence his nick-name "*Al-Amin*"- The Trustworthy).

He could moreover have no motive for proclaiming his call to Prophethood other than obedience to Allah, since the proclamation brought him only hatred, ridicule persecution and financial loss, while previously he had been a popular, respected and quite prosperous citizen.

All these facts add to the evidence that the Qur'an is indeed revelation from Allah and not the work of any man.

(ii) The Language and Style of the Qur'an

Not only is the content of the Qur'an beyond the knowledge of a man with the Prophet's educational and cultural background, but also its style and language. Before the call to Prophethood, Muhammad had never been known to compose either prose or poetry. Yet when the revelation came he was immediately able to produce verses and surahs in language and style of such beauty and power that no poet or composer could rival his work. Even non-Muslim Arabic speakers have been moved to tears on hearing it. The Qur'an itself refers to its unique style, and in many places challenges any disbelieving human being to compose anything to equal the Qur'an in style or content. For example:

"If you are in doubt as to what We have revealed from time to time to Our servant, then produce a Surah like thereunto and call your witnesses or helpers besides Allah if your (doubts) are true; but if you cannot — and of a surety you cannot — then fear the fire whose fuel is men and stones—which is prepared for those who reject faith." (Qur'an 2:23-4)

(iii) Fulfilment of Predictions

The Qur'an contains several prophecies of events that were yet to come, which subsequently came as the Qur'an had foretold. The best known of these prophecies is in relation to the military victory of the Romans over the Persians.

The Persians had defeated the Romans and taken Jerusalem in the year 614-615 A.C. Yet the Qur'anic revelation predicted the reversal of this:

"The Roman Empire has been defeated in a land close by; but they (even) after (this) defeat of theirs will soon be victorious within a few years". (Q.30:2-3)

This prophecy began its fulfilment only 7 years later, in 622 A.C. when the Romans defeated the Persians at the Battle of Issus. The Prophet was at the time of the revelation in Makkah, and his enemies among the idol-worshippers were witnesses of the fulfilment of the prophecy.

Another prophecy about the ultimate destiny of Islam to prevail over all other religions (Q.9:33 and 24:54) appears to be in the course of fulfilment.

(iv) No Internal Contradictions

Although the Qur'an was revealed piecemeal over a period of 23 years under many changes of circumstance, it is still totally consistent. One verse may explain or elaborate on another verse, but never contradicts it. This absence of inner contradictions is another indication that it is not of human authorship.

(v) Lack of contradiction with sound natural sciences

From the earliest days of Islam scholars made note of the Qur'anic references to many things in the natural world, and observed that the references contained nothing contrary to man's own experience and attempts at scientific understanding.

With the passage of time scientists in our own age have been further surprised by the often detailed correspondence of some of the Qur'anic descriptions with the present scientific knowledge obtained through observation and experiment. Examples of such correspondence are:

- That the universe was originally in the form of a fiery gas (which the Qur'an calls *dukhān*) (Qur'an 41:11)
- That matter is made up of minute particles (Qur'an 10:62).
- That all created things consist of complementary elements (male/female, positive/negative, etc.) both among animals and plants and also in inorganic matter (Qur'an 36:36).
- That a human being's finger-tips are unique to him, the pattern of their markings being permanent (Qur'an 75:4).
- That wind carries out pollination and fertilization of some types of plant (Qur'an 15:22).
- That oxygen is reduced at high altitudes (Qur'an 6: 125).
- That the universe was once a single entity which subsequently separated into the galaxies and the heavenly bodies within them (Qur'an 21:30).
- That all living things originated out of water, which remains an essential constituent of their existence (Qur'an 21 :30).
- That the stages of growth of the human embryo resemble exactly those described in the Qur'an (Q.23:14).

This knowledge was in some cases not known to any human being at the time the Qur'an was revealed 1400 years ago. Some of it has been discovered by scientists only in the last few hundred years. Such references only confirm to a Muslim the confidence he has that the author of the Qur'an is Allah, who knows best about His creation and how He made it. However, it is a mistake to attach too much weight to this evidence if it leads one to say: "The Qur'an agrees with this scientific opinion; therefore the Qur'an must be true", taking science as the reliable judge of Qur'anic truth. It is to be understood that scientific knowledge is always in a state of development. Its view is sometimes confirmed by later studies, sometimes found to be only partly right and sometimes found to be wholly incorrect. The believer must avoid regarding each new scientific discovery or theory as final truth or he may reach a dangerous position of saying: "The Qur'an disagrees with this scientific theory therefore the Qur'an cannot be right."

The believer expects that information obtained by scientific observation and experiment would ultimately confirm any Qur'anic statement. If it does not, his conclusion is that either the proper meaning of the Qur'anic verse concerned has not yet been fully understood or that the scientist has not yet reached a correct scientific understanding, due to the limitations of human perception and knowledge. It should in no way disturb his *iman* (faith), which is based on many other pieces of evidence, some of which have been listed above.

(c) **The Miracle of the Qur'an**

A miracle is an event which cannot be explained by the natural course of events. It is something that could be done only by the power of Allah who alone can suspend His natural laws. It proves to people that a messenger's claim to be sent by Allah is true.

A number of miraculous events in the life of Prophet Muhammad were recorded, but the most enduring miracle was the Qur'an. The Qur'an has the unique distinction of being "a standing miracle". That is, it is a miracle which can be witnessed by people for all time, not just at a particular time in history when it happened. If a miracle happened a long time ago, people could say: "Since I did not see it with my own eyes, how can I believe it? Maybe the people who saw it were uneducated. Maybe there was some trick; many people are fooled by magicians."

However, the "standing miracle" of the Qur'an is ever-open to inspection. It has been preserved exactly as it was revealed. Some of the evidence for its authenticity as the word of God is briefly described above. It is left to every human being to judge for himself whether or not it is a miracle.

EXERCISES

1. Identify the various ways in which the Qur'an is important to Muslims and how it helps them in their lives.
2. What is meant by authenticity?
3. List and explain 5 pieces of evidence of the authenticity of the Qur'an.

CHAPTER 10

Tafsir of the Qur'an

1. Definition of *Tafsir*

Tafsir of the Qur'an is a well-developed and important science for Muslims. It means the explanation or interpretation of the Qur'an, and is sometimes translated as "commentary" or "exegesis" in English.

2. Importance of *Tafsir*

Tafsir is very important in helping the reader to grasp the meaning and implications of the Qur'anic verses and to clarify any legal rulings that may be in the text.

3. Origin of *Tafsir*

Tafsir began during the time of the Prophet, and was then of two types. The first was the explanation of the Qur'an by the Qur'an. In this case, a verse that required some explanation would be explained by another verse in another part of the Qur'an.

The second type was explanation of the Qur'an by the Prophet. In some cases the Prophet himself asked the Angel Jibril to explain the meaning of a verse to him. In other cases the Companions of the Prophet asked him to explain a verse to them, and he would do so.

This is the original *Tafsir*. Next in line of both time and reliability come the *Tafsir* of some of the Companions of the Prophet (*Sahābah*) who were able to pass on to others the explanations of the verses which they had heard from the Prophet. Among these, Ibn Abbas was generally considered the most knowledgeable.

The *Sahābah* in turn taught some of the *Tābi'ūn* (the Successors — the next generation after the Prophet) who thus maintained the chain of transmission of *Tafsir*. However, the later *Tāfāsir* (plural of *Tafsir*) could not generally be considered as reliable as the earlier ones.

4. Development of *Tafsir*

Another type of *Tafsir* developed a few hundred years later. It was not based wholly on a chain of transmitters of the explanations, but made use also of *ijtihad* (independent judgment and reasoning) along with knowledge of Arabic grammar and the meaning of words. Among the most

famous of these are the Tafsir of al-Tabari (died 310 A.H. 922 A.C.) and those of Ibn Kathir (died 774 A.H. 1373 A.C.), al-Zamakhshari (died 539 A.H. 1144 A.C.), al-Razi (died 606 A.H. 1209 A.C.), al-Baghdādi (died 669 A.H. 1270 A.C.), and also Tafsir al-Jalalain (named after two scholars both named Jalal al-Din—al-Mahalli (died 864 A.H. 1459 A.C.) and al-Suyuti (died 911 A.H. 1505 A.C.)).

In the twentieth century there has been a great revival of Tafsir. The modern tafsir writers have sought to relate the teachings of the Qur'an to our present day way of life so as to bring to light once more its eternal relevance to the condition of man. Among the modern Tafsir books the best are considered to be those of Muhammad Rashīd Rida (died 1354 A.H. 1935 A.C.), Sayid Qutb (died 1386 A.H. 1966 A.C.) and Abul A'la Mawdudi (died 1400 A.H. 1979 A.C.).

5. Translations of the Qur'an

The language of the Qur'an is Arabic. However, nowadays the great majority of Muslims are not Arabs, do not have Arabic as a mother tongue, and have no opportunity to learn enough Arabic to be able to understand the meaning of the Qur'an in its original language.

Since the Qur'an is first and foremost a message of guidance, it is essential to translate it into other languages so that both Muslims and non-Muslims may know what that message is, and so that Muslims may know the meaning of what they recite in Arabic when they pray and read the Qur'an.

Therefore efforts have been made to translate the Qur'an into other languages. In so doing, much of the beauty of the Qur'anic style in Arabic is lost. Also in some cases the new language has no precise or adequate words to translate the full meaning or meanings of Arabic expressions. Nevertheless, there are some acceptable translations which have for many years drawn non-Muslims to accept Islam and have enlightened non-Arab Muslims about the true teachings of Islam.

Such translations are a form of Tafsir, since they require the translator to choose what he understands is the meaning of the verses, and where necessary to add a commentary of explanation, so as to make clear the meaning, interpretation or possible alternative meanings.

A good translator should be a Muslim whose own practice of Islam is guided by the Qur'an and Sunnah. He should have deep knowledge of both the Arabic of the Qur'an and of the language of the translation. He should also have a good background in the Qur'anic sciences such as hadith and tafsir.

Among the most useful complete translations into English are at present those of:

Abdullah Yusuf Ali (translation and commentary)

Muhammad Marmaduke Pickthall (translation only)

Muhammad Asad (translation and commentary). In places he differs from the commonly-accepted view of the meaning of a passage, but mentions it in footnote discussion. This translation is therefore best left to the older and more experienced reader).

EXERCISES

1. What is Tafsir and why is it important?
2. Explain how Tafsir developed at the time of the Prophet.
3. How did the Sahabah carry on the tradition of Tafsir?
4. What are the names of the most famous writers of Tafsir in the later middle period?
5. What are the names of the most respected 20th Century writers of Tafsir?
6. List the advantages and disadvantages of translations of the Qur'an.
7. In what way are the translations of the Qur'an a form of Tafsir?
8. Get hold of a copy of a volume of Arabic Tafsir to see how it is laid out. Compare with the English translation and commentary by A. Yusuf Ali.



SECTION 1
HIDAYAH (GUIDANCE)
PART B: HADITH

Hadith No. 50 of An-Nawawi's Forty Tradition

Subject Matter: *“He who innovates something in this matter of ours that is not of it will have it rejected”*

Arabic Text:

عَنْ أُمِّ الْمُؤْمِنِينَ أُمِّ عَبْدِ اللَّهِ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ:

« مَنْ أَحْدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ مِنْهُ فَهُوَ رَدٌّ » .

رَوَاهُ الْبُخَارِيُّ وَمُسْلِمٌ وَفِي رِوَايَةٍ لِمُسْلِمٍ:

« مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ مَرْنًا فَهُوَ رَدٌّ »

Transliteration:

'An umm al-mu'minin umm 'Abd-Allahi 'Aishata radi Allahu 'anha qalat qāla RasulAllahi Sallallahu 'alayhi wa sallam: "Man ahdatha fi amrina hadha ma laysa minhu fa huwa raddun", Rawahu al-Bukhari wa Muslim. Wa fi riwayati li Muslim: "Man 'amila 'amalan laysa 'alayhi amruna fahuwa raddun".

Full Translation:

It is reported by the Mother of the Faithful, Umm 'Abdullahi Aisha (May Allah be pleased with her): The Messenger of Allah (may benediction and salutation of Allah be upon him) said: "He who innovates something in this matter of ours that is not of it will have it rejected". Both Bukhari and Muslim related it. According to another narration in Muslim (it is related thus): "He who does an act which our matter is not (in agreement) with will have it rejected."

Commentary:

This hadith needs a little expansion to make its meaning clear, as follows: "He who introduces something (of his own idea) in this matter (of our religion) which does not belong to it will have it (his idea) rejected".

The Hadith is a most useful check against tampering with the basic truths and principles of Islam.

Some religions over a period of centuries changed out of all recognition, ignoring the teachings of their founders or prophets and establishing different beliefs, laws, ways of worship and so on.

Islam, being designed by Allah as the perfection of religion and the way of life He has prescribed for mankind for the rest of time, should not suffer the same fate. Nobody can claim to be a Prophet after "the Seal of the Prophets". Nobody can claim that Allah has revealed to him anything new that should amend any teaching of the Qur'an. Therefore he has no right to introduce such innovations.

It is such innovations that not only lead people astray but cause constant divisions and sub-divisions within a religion and cause it to split into mutually hostile sects, each claiming to have the true faith.

This hadith in no way prevents the proper *interpretation* of Islamic teachings by people of knowledge, or their exercise of *ijtihad* (independent judgment and reasoning) where appropriate as approved by the Prophet (p.b.u.h.). Such interpretation or *ijtihad* is within the Islamic framework and does not contradict the principles of the teachings in the Qur'an and Sunnah.

EXERCISES

1. What is the harm of innovations after the establishment of Islam through the Qur'an and Sunnah?
2. What has been the fate of other religions which allowed individuals claiming divine guidance the right to re-interpret or change some of their basic teachings?
3. How can one distinguish between useful interpretation or *ijtihad* by qualified persons and unwarranted innovations which should be rejected?

CHAPTER 12

Hadith: Bukhari 78, Hadith 2

Subject Matter: "O Messenger of Allah. who is the person who has the greatest right over me with regard to good company?" "Your mother".

Arabic Text:

عَنْ أَبِي هُرَيْرَةَ قَالَ : جَاءَ رَجُلٌ إِلَى رَسُولِ اللَّهِ صَلَّى
اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ : يَا رَسُولَ اللَّهِ مَنْ أَحَقُّ بِحُسْنِ
مَحَابَّتِي ؟ قَالَ : أُمُّكَ . قَالَ : ثُمَّ مَنْ ؟ قَالَ : أُمُّكَ .
قَالَ : ثُمَّ مَنْ ؟ قَالَ : أُمُّكَ . قَالَ : ثُمَّ مَنْ ؟ قَالَ :
ثُمَّ أَبُوكَ .

Transliteration:

"'An Abi-Hurairata qala ja'a rajulun ila Rasul Allah allahi; Sallallahu 'alayhi wa
sallama fa qala ya Rasul Allahi man ahaqqu bi husni sahabati. Qala ummuka. Qala
thumma man. Qala ummuka. Qala thumma man. Qala ummuka. Qala thumma man.
Qala thumma abuka".

Full Translation:

Abu Hurairah reported that a man came to the Messenger of Allah (may benediction and salutation of Allah be upon him) and asked: "O Messenger of Allah, who is the person who has the greatest right over me with regard to good company?" He (the Prophet) replied: "Your mother". He again asked: "Who then?" He (the Prophet) replied: "Your mother". He (again) asked: "Who then?" He (the Prophet) replied: "Your mother". He (again) asked: "Who then?" He (the Prophet) replied: "Your father".

Commentary:

While the Qur'an has urged kindness and good treatment of both parents this Hadith emphasises the special love and respect due to a mother. It recognizes the strong emotional attachment of a mother to her child and the sufferings a mother endures and the sacrifices she freely makes for the sake of her child. Every son or daughter is therefore urged to reciprocate this devotion by giving the mother company and kindness throughout her life. There could be no greater joy to a mother, especially as she grows older, than the love and care of her grown-up children.

The triple repetition of the words "Your mother", before mention even of the father, implies that to abandon or neglect one's mother is a most serious sin.

EXERCISES

1. Enumerate some of the sufferings and sacrifices endured by mothers for the sake of their children.
2. What sort of things could be included in giving a mother "good company"?
3. What does this hadith imply with regard to the status of a mother in Islam?

CHAPTER 13

Hadith: Bukhari 79, Hadith 4

Subject Matter: *"The younger person should salute the older person, and the person walking (should salute) the one who is sitting, and the smaller group should salute the larger group".*

Arabic Text:

عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
قَالَ : يُسَلِّمُ الصَّغِيرُ عَلَى الْكَبِيرِ وَالْمَارُّ عَلَى الْقَاعِدِ
وَالْقَلِيلُ عَلَى الْكَثِيرِ.

Transliteration:

'An Abi'-Hurairata 'anin Nabiyyi Sallallahu 'alayhi wa sallama qala yusallim al-saghiru 'alal kabiri wal marru 'alal qa'idi wal qalilu 'alal kathiri.

Full Translation:

Abu Hurairah reported from the Prophet, (may benediction and salutation of Allah be upon him), who said: "The younger person should salute the older person and the person walking (should salute) the one who is sitting, and the smaller group should salute the larger group".

Commentary:

Islamic etiquette requires politeness as the standard of social intercourse. Therefore rewards are promised even for greetings. In this Hadith it is recommended that out of respect the younger person should be the first to offer greetings to an older person; a person newly arrived or walking by should first greet the person already seated there; and a smaller group of people should be the first to greet a larger group.

This does not over-rule the exhortation by the Prophet in another Hadith that a Muslim should try to be the first to offer greetings, for which he would get a greater reward. He should not therefore stay proudly waiting to be greeted first. Taken together, it can be seen that Islam encourages social orderliness, but this should not be exaggerated into cold formality.

EXERCISES

1. What qualities are fostered in a Muslim by the above Hadith?
2. Let students demonstrate the application of the above etiquette of greetings.

CHAPTER 14

Hadith: Tirmidhi 20

Subject Matter *"When the Prophet (p.b.u.h.) finished eating his meal he used to say: Praise be to Allah who gave us to eat and to drink and made us Muslims"*

Arabic Text:

عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ كَانَ رَسُولُ اللَّهِ صَلَّى
اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا فَرَغَ مِنْ طَعَامِهِ تَوَالَى
الْحَمْدُ لِلَّهِ الَّذِي أَطْعَمَنَا وَسَقَانَا وَجَعَلَنَا مُسْلِمِينَ.

Transliteration:

'An Abi Sa'id al-Kudri qala kana Rasul Allahi Sallallahu 'alayhi wa sallama idha faragha min ta'amih qala: "Al-hamdu lillah al-ladhi at'amana wa saqana wa ja'alana Muslimin".

Full Translation:

Abu Sa'id al-Khudri reported that when the Prophet (may benediction and salutations of Allah be upon him) finished eating his meal he used to say: "Praise be to Allah, who gave us to eat and to drink and made us Muslims".

Commentary:

These words of the Prophet indicate that one should always feel and express his gratitude for Allah's gifts, both material and spiritual.

Allah says in the Qur'an: "If you are grateful (to Me), I shall most certainly give you more and more; but if you are ungrateful, verily, My chastisement will be severe indeed!" (Qur'an 14:7)

Therefore at the end of every meal it is good to express one's gratitude not only for provision of food and drink but also for the blessing of faith and Allah's guidance, in the light of which the gift is not taken for granted.

EXERCISES

1. In what way is the above du'ā (supplication) of the Prophet a regular reminder about gratitude to Allah?
2. What is the significance of thanking Allah for making us Muslims?

CHAPTER 15

Hadith No.12 of An-Nawawi's Forty Traditions

Subject Matter: *"Part of someone's being a good Muslim is his leaving alone that which does not concern him."*

Arabic Text:

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ :

« مِنْ حُسْنِ إِسْلَامِ الْمَرْءِ تَرْكُهُ مَا لَا يَعْنِيهِ » .

Transliteration:

حَدِيثُ حَسَنٌ ، رَوَاهُ التِّرْمِذِيُّ وَغَيْرُهُ هَكَذَا .

'An Abi Hurairata radi Allahu 'anhu qāla Rasul Allahi sallallahu 'alayhi wa sallam:

"Min husni Islam al-mar'i tarkuhu mā lā ya'nihi."

Hadithun Hasanun. Rawāhu al-Tirmidhi, wa ghayruhu hākadha.

Full Translation:

It is reported from Abu Hurairah who said: "The Messenger of Allah (may benediction and salutations of Allah be upon him) said: "Part of someone's being a good Muslim is his leaving alone that which does not concern him." A good hadith which was related by al- Tirmidhi and others in this form.

Commentary:

This Hadith refers to the need for a Muslim not to meddle in other people's affairs. He should not snoop or interfere.

This does not cancel the requirement for a Muslim to help other people in their private problems if asked by them to do so. Nor does it cancel the requirement for a Muslim to promote what is good and try to stop what is bad. What it tries to stop is uninvited curiosity and uninformed meddling that could achieve no useful purpose and usually does more harm than good.

EXERCISES

1. Give an example of the type of snooping or meddling that this Hadith warns Muslims to avoid.
2. Give an example of justifiable intervention in order to stop evil or correct wrong-doing.

The Relationship between Hadith and Sunnah

1. What is Hadith?

Hadith (usually translated as "Traditions") means a saying, or a report or story of something that happened. In Islamic usage it refers to reports of what the Prophet said or did, or of his reaction to what others said or did which came to his notice.

2. What is Sunnah?

Sunnah refers to the practice of the Prophet, actions he was in the habit of doing, or his ways of doing things, his way of life.

3. Relationship between Hadith and Sunnah

The usual source of information about the Sunnah is the reports in the Hadith.

Generally speaking, a Hadith could be on any topic, referring to moral conduct, current events, historical events, future events, the next world, legal rulings, and other topics.

A Sunnah however, should be related to moral conduct or behaviour of some sort. For example, the following Hadith provides us with a Sunnah:-

"It was related by Anas that the Prophet would pass children and wish them 'Peace'"
(Bukhari and Muslim)

It is therefore Sunnah when passing children to greet them.

In another example, it was related by Mu'awiyah b. al-Hakam:

"By my father and mother! I never saw a teacher either before or after him, who taught better than the Prophet. By God! he never looked severe, nor chastised, nor reviled."

(Muslim, Abu Da'ud and Nasa'i)

It is therefore Sunnah for a teacher to avoid severity and harshness towards those he teaches.

However, the following Hadith does not yield any Sunnah:

It was related by Abu Huraira that the Prophet (p.b.u.h.) said: The best of you in (the days of) ignorance is the best of you in Islam when they understand."
(Bukhari and Muslim)

We learn something from the Hadith but it does not necessarily contain a rule of behaviour or moral conduct. It is therefore a Hadith but not a Sunnah.

However, because so many hadith do relate directly or indirectly to behaviour and moral conduct, the names Hadith and Sunnah have been used virtually interchangeably.

EXERCISES

1. Define a Hadith.
2. Define Sunnah.
3. Using any book of Hadith:
 - (a) copy out any example of a Hadith which constitutes a Sunnah
 - (b) identify the Sunnah in the Hadith
 - (c) copy out any example of a Hadith which does not constitute a Sunnah.
 - (d) identify what is the information given in the Hadith.

The Importance of Hadith

1. Qur'an and Hadith

The Qur'an is entirely the revealed word of Allah, recorded and preserved from the moment of its revelation in the memories of the Prophet and his Companions, and put in writing in the Prophet's life-time. It is therefore the first, most important and reliable source of Islam.

Next to it in importance is the Hadith. It is recorded that the Prophet discouraged the writing of his personal sayings during his life-time lest any should later be confused with the Qur'anic text. However he directed that his sayings should be passed on to others orally. He would tell people who came to him so as to learn Islam: "Go back to your people and teach them these things", or "let those who are present inform those who are absent."

Many of the Prophet's sayings and actions were therefore preserved by oral transmission, written down mostly after his death and later collected into volumes of hadith.

The Hadith therefore is the second source of Islam.

2. Hadith as an explanation of the Qur'an and second source of Shari'ah

The Qur'an gives a broad outline of Islamic teachings but does not always supply the detail. Thus the Qur'an prescribed each of the Pillars of Islam, but the details of how to perform prayer, fasting, zakat and hajj are found in the Hadith, which tell us how the Prophet said they should be done, or how he did them himself.

Similarly, in respect of legal rulings, the substantive law is given in the Qur'an, but how it should be applied in practice is usually found in the Hadith which tells us how the Prophet applied the law. In this respect the Hadith is regarded as the second authoritative source of the Shari'ah.

The Hadith also contain explanations of the meaning of the Qur'an. It is reported that sometimes the Prophet's companions would ask for explanation of a verse and he would answer.

These Hadith were of great use to the writers of Tafsir of the Qur'an, who incorporated them into their commentaries.

3. Hadith as Moral and Social Guidance

The Qur'an says of the Prophet: "Indeed you have in the Prophet of Allah a beautiful pattern of conduct..." (Q33:21)

A great number of Hadith tell us about the social conduct and moral guidance of the Prophet. If we try to model our own social and moral behaviour on the example and precept of the Prophet, we cannot fail to improve and with patient perseverance get rid of bad habits and cultivate good ones.

4. Source of historical information

The Hadith also tell us a lot about Arabia before Islam and the way of life and practices of the pagan Arabs. In addition they contain references to the situation and activities of the Muslims in the early days of Islam. From the Hadith we get references to Islamic social reforms and institutions and also to the battles and struggles of the early Muslims.

5. Hadith Kudsi

Among the Hadith are some which contain the direct revealed words of Allah to the Prophet although they are not a part of the Qur'an. Such Hadith, called Hadith Kudsi, always begin with the words: "God says:" For example: "It was reported that the Messenger of Allah said: God says: Verily My mercy overcomes My anger." (Bukhari and Muslim). These Hadith are therefore another important source of knowledge of Allah and His way of dealing with mankind.

EXERCISES:

1. State the distinction between Qur'an and Hadith.
2. What is the importance of the Hadith in relation to
 - (a) The Qur'an
 - (b) The Shari'ah
3. Give some examples of Hadith which give moral and social guidance to mankind.
4. Look up any volume of Hadith and copy out a Hadith that has particular relevance as guidance to people of our own time.
5. Write out any Hadith that you consider helpful to you in your own life and conduct.
6. What is the historical value of Hadith?
7. What is "Hadith Kudsi" and what sort of information do such Hadith contain?

The Form of The Hadith

1. The Two Parts of Every Hadith

Every Hadith has two parts: the *Isnād* and the *Matn*.

The *Isnād* is the chain of transmitters who passed the Hadith on from one person to another until such time as it was written down in one of the collections of Hadith.

The *Matn* is the text, that is the words the Prophet is reported to have said.

The *Isnād* given in most books nowadays is in fact a shortened form of *Isnād*, showing only the name of the person who is reported to have heard the words directly from the Prophet for example:-

"On the authority of Abu Hurairah (may Allah be pleased with him), the Messenger of Allah (benedictions and peace of Allah be upon him) said' ...

However, the full *Isnād* would show all the links in the chain of transmission, for example:

"On the authority of A, who heard it from, B, who heard it from C, who heard it from D, the Messenger of Allah (benedictions and peace of Allah be upon him) said: ' ...

The following example shows how a Hadith is usually divided:

ISNAD: On the authority of Abu Sa'id Sa'd ibn Malik ibn Sinan al-Khudri (may Allah be pleased with him) the Messenger of Allah (may benedictions and peace of Allah be upon him) said:

MATN: "There should be neither harming nor reciprocating harm."

2. The Importance of the *Isnād* and *Matn*

Both *Isnād* and *Matn* are very important. The *Matn* tells us what the Prophet was reported to have said. It contains the message for us. The *Isnād* helps the scholar of Hadith to determine whether the Prophet actually said it. This point will be elaborated on in the next chapter.

EXERCISES

1. What is the meaning of *Isnād*?
2. What is the meaning of *Matn*?
3. Copy out the following Hadith and label which part is the *Isnād* and which part is the *Matn*:
On the authority of the son of Umar (may Allah be pleased with them both) who said: The Messenger of Allah (may the benedictions and peace of Allah be upon him) said: "Be in the world as though you were a stranger or a wayfarer."
4. What is the importance of the:
(a) *Matn*?
(b) *Isnād*?

CHAPTER 19

Criteria of Authenticity of Hadith

1. The Need for establishing the Authenticity of Hadith

Unlike the Qur'an, the Hadith were not normally written down during the Prophet's life-time. The Prophet is reported to have discouraged the writing of his sayings, lest they might be confused with the text of the Qur'an.

The Hadith were therefore passed on mainly orally for several generations before they were committed to writing and gathered into collections between one hundred and three hundred years after the *Hijrah*.

Obviously when a person's words are not recorded in writing at once there is a possibility of error in their transmission. Firstly human memory is fallible. A saying may be partly forgotten or its meaning changed by mistake. Secondly there is a possibility of forgery. An unscrupulous person holding a particular view may invent or change a prophetic saying on purpose in order to support his view.

2. Criteria of Authenticity

Muslim scholars like Bukhari and Muslim were aware that errors and inventions had occurred in the recording and transmission of earlier scriptures such as the Bible. Therefore they established procedures for determining whether or not a Hadith was genuine. The criteria for deciding whether a Hadith was genuine included the following:

- (a) Was the *Isnad* good?
 - (i) Was the person who was reported to have heard the Hadith from Prophet actually a contemporary of the Prophet?
 - (ii) Had the other persons named in the *Isnad* (chain of transmission) actually met each other and had the opportunity to transmit the Hadith?
 - (iii) Were all the persons named in the *Isnad* truthful and with good memories?
 - (iv) Was a Hadith transmitted by only one chain of transmitters, or had it been heard and related by more than one route? A Hadith heard by several companions and passed on by several different chains of transmitters was more likely to be authentic. If the Hadith reported an

event which occurred with many witnesses, it was essential that it should have been originally reported by many of them, not just one.

- (v) This testing of the *Isnad* involved study of the people who passed on the Hadith and was known as the science of *Asma 'al-Rijal* (literally meaning "The names of the men").

- (b) Was the *Matn* good?

If the *Matn* (text) of a Hadith was contrary to the text or meaning of the Qur'an or the basic principles of Islam it should be rejected as unauthentic.

It was on the basis of these criteria that the famous collectors accepted or rejected the Hadith they heard. It was reported that Bukhari accepted only 7,397 of the Hadith he examined, and rejected over 600,000.

3. The Science of Hadith

The above principles of evaluating a reported Hadith constituted a scientific method of determining authenticity. Even within the category of accepted Hadith the collectors sorted them into degrees of reliability. These categories are:

- (a) **Sahih:** These are considered sound or genuine traditions in accordance with all the tests applied.
- (b) **Hasan:** Good traditions though not up to the degree of *Sahih*.
- (c) **Da'if:** Weak traditions which are less reliable.

4. The Arrangement of Hadith in Collections

In the earliest collections the Hadith were arranged in a form known as *Musnad* (i.e. in accordance with their *Isnad*). The Hadith could be identified according to the companion of the Prophet who first related it, for example Abu Hurairah, or Aisha, or Ibn Abbas.

Later collections abandoned this arrangement in favour of one that was more adapted to practical use, particularly by jurists and others who wanted to locate Hadith easily to determine whether a particular practice was or was not lawful in Islam. The Hadith were therefore sorted according to the subject matter of the *Matn*, under sections such as Marriage, Inheritance, Prayer, Fasting, Dress, Use of perfumes, Honesty, Patience and so on.

5. The Importance of Authentic Collections

The importance of establishing the authenticity of religious teachings cannot be over-stressed. The early Muslim scholars were fully aware of this need in view of the warnings given in the Qur'an about followers of other religions who had mixed true religious teachings with their own human ideas and inventions which they attributed to God.

Since the Hadith was accepted as the second source of Islamic teachings and as valid as a basis for Islamic law, it was of vital importance to sort out the true from the false Hadith.

The great collectors of Hadith therefore performed an invaluable service to Islam in undertaking the collection and scientific evaluation of all the purported Hadith which were in circulation in the first few centuries of Islam. The enormous number of rejected Hadith is an indication of the strictness with which the collectors applied the criteria of authenticity.

EXERCISES

1. Why did the Prophet discourage the writing of his sayings during his life-time?
2. How were the Hadith passed on before they were collected into books?
3. What is the danger inherent in the oral method of transmission?
4. What criteria were used to establish the authenticity of a Hadith, with regard to:
 - (a) Isnad
 - (b) Matn
5. What is meant by the Science of Hadith?
6. What were the three main categories of reliability of Hadith in accordance with the science of Hadith?
7. How were the Hadith arranged in:
 - (a) the earliest collections?
 - (b) the later collections?
8. Why was it very important to establish the authenticity of the Hadith?

CHAPTER 20

The Six Sound Collections

1. The Collection of Hadith

It has been mentioned in previous chapters that the Prophet during his lifetime discouraged the writing of the Hadith, and instructed those who learned from him to carry" his words and teachings to their people orally. In this respect the Arabs were noted for their excellent ability in memorisation.

After the Prophet's death there was intense questioning of his companions about what the Prophet had taught, and these sayings (Hadith) were passed from the companions to other people and transmitted orally for several generations. It is probable that some people wrote some of these Hadith in collections for their private use.

By the 3rd Century after Hijrah (9th Century A.C.) there was a huge number of sayings in circulation, attributed to the Prophet. However, many of these were considered of doubtful authenticity, and some were clearly forgeries invented by both Muslims and non-Muslims.

There was an obvious need for these sayings to be collected and examined systematically so as to identify those that were authentic and make them known as authentic. It was this need that was met by a number of great scholars. The earliest such book was the Muwatta' of Imam Malik (circa 93-179 A.H.) the great master of Fiqh (Jurisprudence) in Madinah. His collection focuses on Hadith with legal implications, reflecting his concern with the development of Fiqh.

However, in course of time six collections of Hadith became identified as very authoritative: The Sahih of Bukhari (194-256 A.H.), the Sahih of Muslim (c.202-261 A.H.) and the four Sunan works of Abu Dawud (202-275 A.H.), Tirmidhi (d. 279 A.H.), Ibn Majah (209-273 A.H.) and Nasa'i (214-303 A.H.).

2. Contents of the Six Sound Collections

The famous collections of Hadith are in many volumes, each divided into many chapters according to the subject matter. The subjects would in most cases include how the revelations to the Prophet began, faith and knowledge, the Pillars of Islam, business, war, legal matters, jihad, events

in the life of the Prophet, explanation of some verses of the Qur'an, theological subjects, marriage, divorce and family obligations, social and moral conduct etc.

3. **Al-Imam Al-Bukhari (194-256 A.H., 810-870 A.C.)**

Muhammad b. Isma'il Abu Abdullah, known to history as Al-Bukhari after his birthplace, was born in Bukhara in Central Asia. He lost his father when he was quite young and was brought up under the care of his mother. He began to study Hadith at the early age of eleven and in his sixteenth year performed the Hajj, which gave him the opportunity to attend lectures of the most famous teachers in Makkah and Madinah. He then travelled to Egypt and spent the next sixteen years travelling through Asia in search of Traditions. After his return to Bukhara he started sifting through the enormous amount of material he had collected on his journeys, said to number 600,000 Hadith. He applied strict critical standards in sorting out which Hadith were authentic, and identified only 7,257 as well-authenticated.

The Hadith were sorted into chapters and paragraphs according to their subject matter, each beginning with a "Tarjumah" — an introductory text of the Qur'an or fragment of Hadith which forms a comment on what follows.

His collection is known as Al-Sahih like that of Muslim, because it was early recognized as very authoritative.

Muslims owe a great debt to Al-Bukhari for his life's labour of passing on to posterity the most authentic possible collection of records of the words and deeds of the Prophet.

Al-Bukhari was buried near Samarkand in Central Asia.

4. **Al-Imam Muslim (202-261 A.H., 817-875 A.C.)**

Abul-Husain Muslim ibn al-Hajja was born in Naisabur, Persia.

He travelled widely in search of Hadith, in Arabia, Egypt, Syria and Iraq, where he learned from famous authorities such as Ahmad b. Hanbal. He is said to have personally collected over 300,000 Hadith, from which he selected 9,200 he found to be authentic. He paid particular attention to the correctness of the Isnad. However, unlike Bukhari, he did not divide the book into chapters, although the order of the Hadith follows corresponding ideas about Fiqh.

The Sahih of Muslim has a very useful preface in which he describes the science of Hadith itself, discussing the criteria of authenticity of selection.

Muslim was buried near his birthplace.

5. **Abu Dawud (202-275 A.H.)**

Abu Dawud was born in the province of Sidjistan and settled eventually at Basra. He studied under Ahmad ibn Hanbal and became a teacher of Nasa'i. He lived at the same time as Al-Bukhari, and compiled his own books of Hadith called the Sunan. This work took him over 20 years, and contains 4,800 Hadith out of a total of 500,000 which he examined. It is considered next to Bukhari and Muslim in authenticity.

6. **Al-Tirmidhi (209-279 A.H.)**

Al-Tirmidhi was born at a place called Tirmidhi near Balkh in Persia. It is said that he was either born blind or became blind in his later years.

He travelled through parts of Persia, Iraq and Arabia in search of traditions, and studied under Ahmad b. Hanbal, Al-Bukhari and Abu Dawud.

The Jami' of al-Tirmidhi is a much smaller collection than those of Bukhari and Muslim but there are fewer repetitions. Tirmidhi paid particular attention to the Isnad, and after each Hadith noted any point of difference between the Madhhabs (schools of jurisprudence). He has an extensive chapter on Tafsir (Exegesis) of the Qur'an.

7. **Ibn Majah (209-273 A.H.)**

Ibn Majah was another of the widely travelled collectors of Hadith, having sought them in Iraq, Arabia, Syria and Egypt before compiling his Sunan. Al-Nasa'i and Ibn Majah were rather less strict about doubtful traditions than Bukhari and Muslim. However, their Sunans like those of Abu Dawud and Al-Tirmidhi are highly regarded, and all six collections have provided us with an enormous quantity of information about the Prophet and the early days of Islam, together with guidance on Islam and its application to almost every aspect of life.

8. Al-Nasa'i (214-303 A.H.)

Not much is reliably known about Al-Nasa'i. He is reported to have travelled extensively collecting traditions, and to have settled in Egypt and later Damascus. His tomb is in Makkah.

His Sunan contains many Hadith on the Acts of Worship and he includes some topics that are not found in the other collections.

EXERCISES:

1. How were the Hadith passed on in the earliest period of Islam during the Prophet's lifetime and after his death?
2. Why did it become necessary to collect and assess the authenticity of the Hadith in the 3rd Century A.H.?
3. Who was the author of the earliest collection of Hadith?
4. Who were the authors of the Six Sound Collections of Hadith?
5. What subject matter is covered in the collections of Hadith?
6. Give a brief biography of each of the authors of the Six Sound Collections.

SECTION 1 HIDAYAH (GUIDANCE) PART C: TAHDHIB (MORAL EDUCATION)

Honesty in Words and Deeds

... *Shun every word that is untrue.* (Q.22:30)

And do not overlay the truth with falsehood, and do not knowingly suppress the truth. (Q. 2:42)

O you who believe! Why do you say what you do not do? Most loathsome is it in the sight of Allah that you say what you do not do. (Q.61:2-3).

Let not the fear of men hinder a person from speaking the truth when he knows it.

Hadith: Abu Sa'id Al-Kudriy (Muslim, Tirmidhi, Nasa'i)

Verily, truth is goodness, and goodness leads to Paradise; and verily lying is wickedness and wickedness leads to the fire (of Hell).

Hadith: Ibn Mas'ud (Muslim)

Take care about truth and sincerity! For verily truth and sincerity guide to what is good, and goodness leads to Paradise; and man continues to be truthful and sincere, and strives after the truth, so that he is written down before Allah as a truthful man; and beware of falsehood! for verily falsehood leads to wickedness, and wickedness leads to the fire (of hell) ; and man continues to be untruthful, and strives after the false, so that he is written down before Allah as a liar."

Hadith: Ibn Mas'ud (Bukhari, Muslim, Abu Dawud, Tirmidhi and Ibn Majah).

Truthfulness is a habit which lies at the root of all good habits, while lying is a habit which lies at the root of all bad habits.

The above verses of the Qur'an and sayings of the Prophet (p.b.u.h.) are self-explanatory.

When Allah says a certain quality is good, there is no doubt that it is beneficial. When He says that a certain quality is bad, there is no doubt that it is harmful. This definition of good and bad conduct contains Allah's wisdom which we may or may not be able to appreciate with our limited human vision. We may however consider the likely effects of a certain type of behaviour on our personal welfare in this world, on other people, and on society in general.

Taking the case of honesty, one can see some obvious effects of this type.

Why do people tell lies? Usually it is because they do not want to be blamed or punished for some wrong they have done. Or they see some short-term personal advantage in giving false information-for example a person seeking a job may tell lies about his qualifications, previous salary and so on. Or a trader may tell lies about an item of sale so as to get a high price.

Lying brings however only a very short-term advantage to the liar. Truth is soon brought to light by events. The person concerned becomes known as someone capable of telling lies. People no longer rely on his word. They find it hard to believe him even when he is telling the truth. He is no longer trusted, and cannot be given any important responsibility for fear he will not fulfil it.

If however, he is proved again and again to be truthful, he will be respected and believed, and people will trust him with responsible tasks. His parents and family will feel proud of him. It was through constant truthfulness and honest behaviour that the Prophet Muhammad as a young man was given the honour of the nick-name "Al-'Amin"-the Trustworthy.

What are the ill effects of dishonesty on other people and on society in general? Obviously the victim of someone's lies or dishonesty will feel pain, anger, loss or disappointment. If dishonesty becomes widespread in society moreover there are serious consequences. Much of human life in society is based on trust. We expect a certain degree of honesty and trust in family life, economic life, political life, business, administration, education and so on. If dishonesty in these fields becomes rampant, prosperity and genuine progress and human sympathy are destroyed. The ordinary people do not believe the words of their leaders. Society is filled with distrust. Business management finds it necessary to employ large numbers of undercover agents and informers to find out what kind of cheating their employees are doing. People who are in need of help are denied help because they are suspected of lying about their condition, since so many have lied before.

Therefore truthfulness is fundamental to a healthy society and the basis of the trust upon which all true human values rest.

Bribery and Corruption

EXERCISES

1. Quote from memory the meaning of any verses of the Qur'an or Hadith on truthfulness and honesty of word and deed.
2. What do some people hope to gain by telling lies?
3. What are the consequences in this world of telling lies?
 - (a) to the liar himself?
 - (b) to the person deceived?
4. How does habitual dishonesty of people harm society in general?

And do not consume your wealth among yourselves wrongfully, nor offer it (as a bribe) to judges so that you may (sinfully) consume a part of (other) people's wealth, and that knowingly.
(Qur'an 2:188)

Abdullah bin 'Amr narrates that the Messenger of Allah (may Benedictions and peace of Allah be upon him) uttered curses on those who give bribes and those who take bribes.
(Hadith from Tirmidhi and Abu Dawud)

He whom we have appointed a salaried official, if he takes anything after that he is a wrong-doer.
(Hadith from Abu Dawud)

Abu Maryam al-Azdi relates that he said to Mu'awiyah: I heard the blessed Prophet say: If Allah places someone in authority over the Muslims and he puts up a barrier between himself and their needs and objects and poverty, Allah will put up a barrier between Himself and his needs and objects and poverty, on the Day of Judgment. So Mu'awiyah appointed a man to keep a check on the needs of the people.
(Hadith from Abu Dawud and Tirmidhi)

Abu Dharr relates: I said to the Blessed Prophet: Will you not appoint me to a public office? He patted me on the shoulder and said: Abu Dharr, you are weak and office is a trust and a source of limitation and remorse on the Day of Judgment except for him who takes it up with a full sense of responsibility and discharges his obligations.
(Hadith from Muslim)

1. Definition and Examples of Bribery and Corruption

Bribery means giving gifts in return for official favours. Corruption is a broader term covering not only bribery but all forms of official misconduct in return for gifts or services or agreements of any kind, not necessarily material.

The following are some examples of bribery and corruption:

- (a) A businessman wants a big Government contract, and gives money to the person awarding the contract in order to be given it. Or the two of them agree to inflate the cost of the contract and share the surplus when the work is paid for.

- (b) A Vehicle Inspection Officer observes that a vehicle's brakes are not working. The owner of the vehicle gives him some money, and he certifies that the vehicle is roadworthy, though he knows it is unsafe.
- (c) A judge is visited by one of the parties to a case he is to hear and a bargain is reached. The case is decided in the man's favour, and in accordance with the bargain he sends an expensive gift to the judge, which he accepts.
- (d) A high official is embezzling money and one of his junior officers uncovers what is going on. The high official offers him rapid official promotion if he will keep quiet about the embezzlement.
- (e) A retired officer wants to claim his pension. The clerk says his file is lost, but after being given a small sum of money, he quickly "finds" the file. He then says he has no time to process the claim, but when given another gift he finds time to process it at once. He is thus paid twice for his work, first by the Government from public money and then by the public again, individually.

2 Harmful effects of bribery and corruption

Bribery and corruption are like a disease that disables the body and makes it weak and unable to move. Some of its results are:

- (a) Poor people lose their rights because they have no money with which to bribe; thus the gap between rich and poor grows wider.
- (b) Honest people lose their rights because they refuse to offer bribes.
- (c) People get into the habit of refusing to do the work they are paid for without additional bribes (see example 1 (e) above). The person receiving bribes becomes accustomed to spending the extra income and, being dependent on it, needs constant bribes in order to maintain his standard of living. He can therefore not be trusted to do any kind of job honestly. When bribery becomes widespread in this manner, honest people find it impossible to achieve any progress, either in official Government programmes for the benefit of the nation, or in private business for the economic prosperity of the society.

- (d) The cost of everything goes up because the bribes have to be paid out of production and distribution costs. The country cannot compete economically with other nations. It cannot export because its prices are too high. On the contrary, the products of other nations are brought in at cheaper prices, smuggling in of foreign goods becomes rampant, and the currency loses its value. The country thus falls into economic and political decline. Therefore a nation that does not take serious steps to detect, expose, punish and deter bribery and corruption at all levels, is preparing its own downfall. The first responsibility for ensuring this lies with the rulers. This is implied in the last two Hadith quoted at the beginning of this chapter. The ruler is urged to find out the needs of the people and investigate their complaints, as a result of which Mu'awiyah appointed an official specifically to check on people's needs.

In the second Hadith Abu Dharr frankly relates that the Prophet refused to give him an official post because of his weakness. A person holding public office must be strong enough to deal with the corrupt. Without discharging this responsibility he is failing in his duty of protecting the weak against the strong, and the honest against the corrupt.

If the rulers show themselves ready to offer this protection, the weak and the honest will not be afraid to speak out and expose the corrupt.

As in all moral matters it is the leaders, the elite and the educated who should not only speak but show by clear example that a Muslim should never soil his reputation with bribery and corruption.

EXERCISES

1. Cite some verses of the Qur'an and Hadith which you can recall in relation to bribery and corruption.
2. Explain with different types of examples the meaning of bribery and corruption.
3. (a) What are the various results of the practice of bribery and corruption?
(b) How does it affect a nation's economy?
4. Why is it necessary for rulers to deal firmly with corruption?
5. What should any person do who is denied his right because of corruption?

The Dignity of Labour

From Abdullah b. Mas'ud: Allah's Messenger said: To try to earn a lawful livelihood is (also) an obligation like the other obligations (in Islam).
(Hadith from Bukhari)

"That one of you take his rope and go to the mountain and bring back a bundle of wood on his back and sell it that Allah may thereby guard his person, is better for him than begging of men, whether they give him or not."
(Hadith from Bukhari)

From al-Miqdidi b. Ma'dikarib: Allah's Messenger said: No one has ever eaten better food than what he eats from the work done by his hands ...
(Hadith from Bukhari)

Aisha said: The Companions of Allah's Messenger used to be their own labourers, and the smell (of sweat) used to be on them, so it was said to them: 'You should bath regularly'.
(Hadith from Bukhari)

Aisha was asked by Al-Aswad b. Yazid what the Prophet used to do in his house. She replied: "He used to work for his family, that is, serve his family, and when-prayer time came, he went out for prayer."
(Hadith from Bukhari)

From Abdullah b. Umar: Allah's Messenger said: Give the labourer his wages before his sweat dries.
(Hadith from Ibn Majah)

1. The Duty of seeking a Lawful Livelihood

The first three Hadith quoted above stress the obligation of every able-bodied man to seek a lawful livelihood for himself and his family and not to beg. He should not despise any lawful occupation or regard it as below his dignity to do a certain kind of work. It is honourable to work but dishonourable to beg or to make oneself a burden on other people.

2. The Dignity of physical labour

The third Hadith above indicates that the Prophet's companions were not too proud to do physical labour. It was recorded that they and the Prophet himself worked to build the mosque in Madinah.

Therefore it is most unfitting for any Muslim to refuse to do physical labour when required. One can sometimes see people nowadays sitting in offices and refusing to do physical work of any kind, as if it were shameful. If they want even a chair to be moved a few feet, they call a labourer or a messenger. Similarly an educated farmer's son may become too proud to hold a hoe. Every one would like to be a supervisor while others do the labour.

For a Muslim, the Prophet is the best exemplar, and if he gladly undertook physical labour, by what right could his later followers despise it? It was reported by Aisha that the Prophet used to help with household chores, and in another Hadith she said that he used to mend his own clothes. There are lessons in this for anyone who regards such tasks as below his dignity.

The sixth Hadith quoted above is another indication of respect for labour. If a Muslim needs to employ labourers to help him, he must treat them with due respect and be aware of their needs. If the Hadith is interpreted literally to refer to employed labourers, it is to be recalled that they are usually among the poorest people, paid on daily or hourly rate, and living from hand to mouth. An employer should not delay or withhold their wages and take advantage of their being poor and powerless to treat them as he likes, as is the practice of some building contractors and other employers of labourers. Any person who is trying to earn an honest living is to be treated with respect and fairness.

EXERCISES

1. Quote from memory the Hadith you can remember on the dignity of labour.
2. How did the Prophet and his companions demonstrate the dignity of labour?
3. In our society today some people despise physical labour. How would you persuade such people to change their attitude?
4. Explain in your own words the meaning and implications of the last Hadith quoted at the beginning of this chapter.

CHAPTER 24

Gambling

O you who have attained to faith! Intoxicants and games of chance, and idolatrous practices, and the divining of the future are all but a loathsome evil of Satan's doing: shun it, then, so that you might attain to a happy state! By means of intoxicants and games of chance Satan seeks only to sow enmity and hatred among you, and to turn you away from the remembrance of Allah and from prayer. Will you not, then, desist?

(Qur'an 5:90-91)

1. What is gambling?

Gambling means betting money or property on the outcome of a game or an event. Basically if you win you collect other people's money, and if you lose they collect your money. It may be a private game of cards played for money, or it may be organized gambling in a casino, or football pools, or betting on horse-races, or a lottery or raffle, or bingo, or gambling machines.

2. What is the harm of gambling?

The harm of gambling takes many possible forms. The Qur'an has mentioned two of them:

- (a) It sows enmity and hatred among men. Gambling is by its nature exciting to most people, since it stirs up greed - the human desire to possess more wealth. That desire is stirred up by the excitement of the game. When that excitement ends in loss, the loser is likely to feel frustrated and angry, particularly if he sees the winner before him, collecting his money, full of joy and triumph. It is therefore not uncommon for gambling over card games to end in quarrels or allegations of cheating. This is particularly so if the gambling is accompanied by drinking alcohol, which it often is.
- (b) It hinders remembrance of Allah and prayer. A person absorbed and excited by gambling finds it hard to stop. He wants to go on and on, believing that his luck will hold if he is winning, believing that his luck will change if he is losing. The times of prayer may come and go without his noticing. Far from remembering Allah and being thankful to Him, he forgets everything but his desire to win.

- (c) Gambling with some people becomes a disease. In some countries teenagers spend hours every day using gambling machines. They sometimes even steal to get money for gambling. Some adults gamble away all their wages, so that they do not have enough left to live on or to support their families.
- (d) Gambling in most cases leads to loss. For every case one hears of a person winning a large sum, there are thousands who lose and keep on losing. The only person guaranteed to make a profit out of organized gambling is the organizer, or owner of the gambling company.

Therefore for a Muslim's welfare both in this world and in the Hereafter, he avoids the harm of gambling.

EXERCISES:

1. Quote the translation of the Qur'anic verses above on gambling.
2. Explain with examples what gambling is.
3. What forms of gambling are practised in your society?
4. What sorts of harm does gambling do to people, in their relationship to Allah and in their relationship with each other?

Alcohol and other Intoxicants

O you who have attained to faith! Intoxicants and games of chance, and idolatrous practices, and the divining of the future are all but a loathsome evil of Satan's doing: shun it, then, so that you might attain to a happy state! By means of intoxicants and games of chance Satan seeks only to sow enmity and hatred among you, and to turn you away from the remembrance of Allah and from prayer. Will you not, then, desist?

(Qur'an 5:90-91)

Hudhayfah reported that Allah's Messenger said: An intoxicant is the mother of all sins.

(Hadith from Razi)

Mu'adh reported that Allah's Messenger said: Drink no intoxicant, for verily, it is at the head of all filthy actions; and beware of sinning; for verily, with sin alights the vengeance of Allah.

(Hadith from Ahmad)

Aisha reported that Allah's Messenger said: All intoxicating liquors are forbidden.

(Hadith from Bukhari, Muslim, Abu Da'ud, Tirmidhi, Nasa'i and Ibn Majah)

Ibni Umar reported that Allah's Messenger said: There are three men who will not enter paradise; he who is refractory towards his parents, a habitual drunkard, and one who reproaches with what he gives.

(Hadith from Nasa'i)

1. Definition of intoxicants

The Islamic prohibition of intoxicants covers all kinds of drinks and drugs which change a person's mental state and behaviour. It includes wine, beer, spirits and all other forms of alcoholic drinks. It includes also heroin, opium, cocaine, cannabis (Indian hemp), LSD, amphetamines glue-sniffing and other drugs which may have a genuine medical use but are converted to intoxicants by drug-abusers.

2. Harmful effects of alcohol and drugs

The dangers of alcohol and drugs are many:

- (a) They cause the person taking them to feel and behave differently. He forgets Allah, forgets his prayers and forgets his sense of right and wrong, thus plunging himself into many sins.
- (b) In this condition he is liable to quarrel and behave violently, fight, commit adultery or even murder. Drunkenness is also a very common cause of accidents on the roads, at home and in the place of work. Many innocent people are killed or maimed by drunken or drugged drivers.
- (c) Accidental overdoses of alcohol or drugs can poison the body and kill a person in a short time. Regular use of alcohol and drugs is also a slow poison, causing many diseases, particularly liver disease, brain damage, and in the case of pregnant women, damage to the unborn child. It usually ends in early death. Drug-takers are moreover in particular danger from the killer disease, AIDS.
- (d) Alcohol and drugs being addictive, many people come to depend on a regular supply. They feel they cannot live without drinking, swallowing, sniffing or injecting at regular intervals. Since these habits are expensive, many drunkards and drug addicts resort to stealing, mugging and other crime in order to get money to pay for their next dose.
- (e) The alcoholic or drug addict is unable to carry out his job properly and is likely to be dismissed. He quarrels with his family, abuses and beats his wife and children, and his marriage often ends in divorce, and destruction of all that could give him peace of mind and satisfaction in life.
- (f) It is very difficult to cure addicts. In many cases they refuse to take treatment until it is too late. Their bodies and minds have become so dependant on the drug that if they stop, they suffer "withdrawal symptoms", and there is a high rate of failure to obtain a permanent cure.

These facts about the use of alcohol and drugs are reflected in the verse of Qur'an and Hadith quoted at the beginning of this Chapter.

3. Step-by-step Prohibition of Intoxicants

The prohibition of intoxicants in Islam was revealed by stages in the Qur'an. First there came a warning that the evil of intoxicants was greater than their benefits. Next came another warning not to approach prayer while drunk. These verses of the Qur'an had the effect of making Muslims understand that intoxicants were harmful and displeasing to Allah, and many pious Muslims in the early days of Islam stopped taking them from this time. The final and total prohibition of intoxicants was revealed in Madinah and met with an immediate response. Muslims poured away their remaining wine in the streets and broke the containers.

The prohibition of intoxicants in Islam is total and comprehensive. One Hadith prohibited the taking of even a small quantity of anything that could intoxicate in a large quantity. According to another Hadith, Allah has cursed any person who makes intoxicants, or buys, sells, stores or carries them. These measures are designed to protect people from temptation. Some non-Muslims argue that there is no harm in taking a little alcohol, provided a person does not get drunk. However, studies have shown that some people have a natural tendency to alcoholic addiction, and develop dependence on it at an early stage. Even though they start with a small quantity they very soon move to taking a large quantity. The cursing of all those who are involved in the production and distribution of alcohol is a further measure of reducing its availability, and hence of protecting people from temptation.

4. Punishment for taking Intoxicants

The punishment under the Shari'ah for taking intoxicants is 80 lashes. This punishment acts as a strong deterrent in stopping a person getting addicted to intoxicants, before the addiction and its social consequences reach an advanced stage. All these measures have helped to protect the Muslim world from the scourge of alcohol and drugs which are a serious threat to social and economic life in some countries. In spite of the fact that very few Muslim countries are applying the Shari'ah punishment for taking intoxicants, awareness of the religious prohibition is still strong and abstention is the norm.

EXERCISES

1. Quote from memory the translation of Qur'an 5:90-91 on prohibition of intoxicants.
2. Quote from memory the translation of any Hadith you can recall on intoxicants.
3. What substances are included in the term "intoxicants"?
4. How does taking intoxicants give rise to other sins?
5. What are the harmful effects of taking intoxicants on:
 - (a) the body;
 - (b) the mind;
 - (c) a pregnant woman;
 - (d) the family;
 - (e) a person's ability to do his job; and
 - (f) society as a whole?
6. Why is it difficult for alcoholics and drug addicts to be cured?
7. Describe the steps by which the Qur'an prohibited intoxicants.
8. What punishment is prescribed under the Shari'ah for taking intoxicants?
9. Why is it unlawful for a Muslim to have any part in the production and distribution of intoxicants?
10. What is the Prophet reported to have said about taking intoxicants in small quantities?
11. Do alcoholism and drug addiction present problems in your own society? Suggest some means by which they could be controlled.

CHAPTER 26

Arrogance and Extravagance

And do not turn your cheek away from people in (false) pride, and walk not haughtily on earth: for behold, Allah does not love anyone who, out of self-conceit, acts in a boastful manner. Hence, be modest in your bearing, and lower your voice: for, behold the ugliest of all voices is the (loud) voice of the donkey ...
(Qur'an 31:18-19)

For (true) servants of the most Gracious are (only) they who walk gently on earth, and who, whenever the foolish address them, reply with (words of) peace.
(Qur'an 25:63)

...but do not squander (your wealth) senselessly. Behold, the squanderers are brothers of the Evil Ones: and the Evil One is to his Lord (Himself) ungrateful.
(Qur'an 17:26-27)

Ascribe not purity to yourselves. He knows best him who is truly righteous.
(Qur'an 53:33)

Harith b. Wahb reported that Allah's Messenger said: He who steps along proudly shall not enter Paradise, nor a boaster.
(Hadith from Abu Dawud and Baihaqi)

Ibn Mas'ud reported that Allah's Messenger said: "Whoever has pride in his heart, of the weight of an atom, shall not enter paradise." A man said: "But if one likes to have good clothes and good shoes?" The Prophet answered: "Allah is beautiful, and loves beauty. Pride is rejecting the truth, and despising men."
(Hadith from Muslim, Abu Da'ud and Tirmidhi)

Ibni Umar reported that Allah's Messenger said: "Allah will not look on the day of Resurrection upon him who wears long (trailing) robes out of pride."
(Hadith from Bukhari, Muslim, Tirmidhi, Nasa'i and Ibn Majah)

1. Arrogance

Arrogance means feeling proud of one's own wealth, position, lineage, intelligence, knowledge, beauty, etc. to the extent of despising other people as inferior.

This arrogance may be shown in various ways mentioned in the Qur'anic verses and hadith quoted above: by turning scornfully from people, by way of walking, by boastfulness, by talking in a loud voice, by wearing one's clothes in a manner to show off one's wealth or beauty.

In the last of the Qur'anic verses quoted (Q.53:33) we are also warned against spiritual pride. This type of pride is sometimes found among people who make a show of following religious practices, and as a result feel superior to those who are less observant. The verse warns that Allah alone knows what is in people's hearts. The Prophet himself, for all his goodness and purity, said that he used to seek Allah's forgiveness more than seventy times a day. Therefore how could anyone else claim to be good or pure unless he is suffering from false spiritual pride.

One of the above Hadith clarifies the point that it is not forbidden for a Muslim to love beauty and wear beautiful clothes. Pride is rather the attitude of a person who despises others and rejects Allah's guidance, which is conferred as a favour on him.

2. Extravagance

Extravagance means spending money wastefully. It is often found together with pride and arrogance because spending money in a reckless and conspicuous manner is a way of drawing people's attention and making them marvel at one's wealth.

However, extravagance is not practiced only by the wealthy. Those less well off may also be extravagant in proportion to their means. They are also discouraged from wasteful spending since in their case it could result in their becoming bankrupt themselves or having no money left to spend on essential things in accordance with their duties in life. In the case of a man this could include maintenance of his wife and family, children's school fees and so on. The wife on her part should not demand money and luxuries from her husband beyond what is reasonable according to his income. It is sometimes such demands for extravagant gifts that lead a man to acquire wealth in a dishonest way.

Modesty of Dress and Behaviour

Squandering and extravagance are linked in the Qur'anic verse above with Satan and his ingratitude to Allah. It is to be recalled that Allah is the source of both provision and guidance. If we accept the provision but reject the guidance we are indeed ungrateful like Satan. Extravagance is therefore an abuse of Allah's favours, especially when there are many others who are less fortunate.

EXERCISES

1. Recall from memory as many Hadith and Qur'anic verses as you can on arrogance and extravagance.
2. In what ways do people display arrogance?
3. What is the harm of extravagance?
4. Give some examples of extravagance practised in your own society.
5. Explain various ways in which squandering can be regarded as an act of ingratitude or disbelief.

Tell the believing men that they should lower their gaze and guard their modesty: that will be most conducive to their purity-(and), verily Allah is aware of all that they do. And tell the believing women that they should lower their gaze and, guard their modesty, and not display their charms (in public) beyond what (must ordinarily) appear thereof: hence, let them draw their head coverings over their bosoms. And let them not display (more of) their charms to any but their husbands, or their fathers, or their husband's fathers, or their sons, or their husband's sons, or their brothers, or their brothers' sons, or their sisters' sons, or their womenfolk, or those whom they rightfully possess, or such male attendants as are beyond all sexual desire, or children that are as yet unaware of women's nakedness: and let them not swing their legs (in walking) so as to draw attention to their hidden charms. And (always), O you who believe — all of you — turn unto Allah in repentance, so that you might attain to a happy state.

(Qur'an 24:30-31)

Ibn 'Abbas and Ibn 'Umar reported Allah's Messenger as saying:

Verily, modesty and faith are related to each other: when one of them is taken away, the other is taken away. "

(Hadith from Bayhaqi)

Aisha reported that Asma', daughter of Abubakr, came to see the Prophet with a thin cloth over her. The Prophet turned aside from her, saying: "O Asma! when a woman reaches puberty it is not good that any part of her (body) should be seen except this and this," (pointing to his face and hands).

(Hadith from Abu Da'ud)

Abu Said reported that Allah's Messenger said: *"Let no man look upon the hidden parts of a man, nor a woman upon the hidden parts of woman. "*

(Hadith from Muslim)

1. The Significance of modest dress and behaviour

The way a person dresses, walks, speaks, and looks at others, tells a lot about him or her.

Islam requires people to observe strict standards of behaviour with regard to the opposite sex (see the next chapter). In order to reduce the temptation to unlawful sexual relations, it also prescribes modesty for both men and women. This applies to both dress and behaviour.

2. Behaviour

In respect of behaviour both men and women are told to "lower their gaze and guard their modesty". This includes avoidance of staring at the opposite sex or using the eyes for seduction. In speech they should avoid affectation and in walking women should avoid a seductive gait.

3. Dress

A woman may dress in private to please herself or her husband, but when she goes out or when men other than her close relatives are present, she should wear a dress that covers all parts except the face and the hands. The dress should be loose and not transparent, so that the figure is not seen. The parts of the body that must be covered are called the "*awrah*" in Arabic.

In the case of men their clothing should cover from the navel to the knee. It is expected that they would normally cover the rest of their bodies, but this minimum coverage allows for the type of work some men have to do as a means of livelihood, such as farming and fishing, where too much clothing would be a hindrance.

Some have wondered why the requirements of women's dress are more strict than those of men. The answer may be that this reflects the different responses of men and women to the sight of nudity or semi-nudity of the opposite sex, and to the difference between male and female sexuality in general.

The veil or covering for a Muslim woman (called *hijab* in Arabic) therefore serves as a protection for her against stares and unwanted approaches, and as a protection for men against constant exposure to female attractions in public places.

4. Nudity between members of the same sex

It should be noted from the last Hadith quoted above that men should not expose their private parts in the presence of other men and women should not expose their private parts in the presence of other women. Muslim students in colleges without private bathing facilities should therefore wear underwear of swimming costume if they have to use a communal bathroom. They should also avoid nudity in the dormitories.

(Of course the Hadith quoted does not prevent medical examination by a doctor where necessary, since that may affect health or even life. The Hadith is referring to social nudity).

EXERCISES

1. In what way does the Qur'an tell Muslim men and women to observe modesty of behaviour and dress in the presence of the opposite sex?
2. What is the *awrah* for:
(a) a woman?
(b) a man?
3. What is meant by "*hijab*"?
4. What is the purpose of the *hijab*?
5. Quote a Hadith relating to nudity between members of the same sex?

Adultery and Fornication

"As for the adulteress and the adulterer - flog each of them with a hundred stripes, and let not compassion for them keep you from (carrying out) this law of Allah, if you (truly) believe in Allah and the Last Day; and let a group of the believers witness their chastisement."

(Qur'an 24:2)

"And do not come near adultery: indeed it is an abomination and an evil way."

(Qur'an 17:32)

Ibn Abbas related that Allah's messenger said: No one of you should meet a woman privately unless she is accompanied by a relative within the prohibited degrees (of marriage).

(Hadith from Bukhari and Muslim)

1. Zinā

The Arabic word *zinā* signifies voluntary sexual intercourse outside marriage, irrespective of whether the parties concerned are single or married to other partners. This covers the terms "fornication" and "adultery" in English which refer to unmarried and to married offenders respectively.

2. The effects of Zinā on Marriage and the Family

Marriage and the family are very important institutions in Islam. This is because they are the basic units of society and the training grounds for the next generation.

Marriage is described in the Qur'an as an institution where the partners find "peace and tranquility" with each other, because Allah "has put love and mercy between you" (Q.30:21). In a successful marriage the children grow up with the love and care of both parents, and thus get the best start in life.

Zinā is a practice which destroys existing marriage and families, and brings illegitimate children into the world without the benefit of a father's support and care. These children, because of lack of parental control and the other disadvantages they grow up with, are more likely to grow up with social problems.

In the case of the unmarried, the public disgrace falls particularly on the girl and her family, since in the event of pregnancy, a girl cannot deny *zinā* as a boy can.

In the case of the married adulterer or adulteress it is not only their partners who suffer humiliation and loss of trust, but in particular their children, whether or not divorce takes place.

In many cases, a husband who keeps a mistress spends on her large sums of money which by right should have been spent on his wife, children and other dependents.

Moreover, *zinā* is the cause of the spread of venereal diseases and other dangerous diseases like AIDS. These diseases may then be communicated to an innocent partner and can even cause defects and fatal illnesses in an unborn child.

Some societies and individuals may not recognize the shame associated with *zinā*. Nevertheless it should be observed that promiscuity of sex reduces it to merely animal behaviour, and thereby destroys the decent and respectable social standards which Allah has set for mankind.

3. The Islamic punishment for Zinā

From the above discussion of the evil effects of *zinā*, it can be seen that it is not only a private sin but an offence against society, like stealing or murder. It is therefore considered not only a sin but a legal offence which is punishable under the Shari'ah.

The punishment of 100 lashes is prescribed in the Qur'an for both the man and woman if he or she has never been married. In the case of a married adulterer or adulteress however, the death penalty by stoning may be applied, in accordance with the Sunnah. The conditions of proof of adultery are however very strict, as befits a capital offence. Four trustworthy eye witnesses to the actual act of adultery are required. Thus the punishment is applicable only to those who make their licentiousness public. Moreover anyone who brings an accusation without these four witnesses is himself liable to punishment of 80 lashes for slandering a chaste woman. Therefore while the crime is difficult to prove, the knowledge of the severity of the punishment serves as an effective deterrent against adultery. A believer moreover must also be aware that if he does not expiate his crime through punishment in this world, he could be made to pay the penalty in full in the hereafter.

4. Other measures to reduce the temptation of Zinā

In the last chapter we discussed the matter of modest dress and behaviour as a means of reducing the temptation to *zina*. This is in accordance with the Qur'anic injunction quoted above: "*And do not come near to zina...*" In other words, we should not only avoid the act of adultery, but avoid anything that is likely to lead to adultery.

Therefore as a second measure to reduce temptation, Islam puts some restrictions on the social mixing of men and women. It is not permitted for young unmarried men and women to go around alone together as in Western society. Even if they are engaged to be married they are not to be alone without a *dhu-mahram* (close relative) present.

The same restriction applies to a married woman, that she should not be private with a man other than her husband or close relative.

Since adultery is by its nature done in private, these restrictions on private meetings greatly reduce the temptations to adultery. Other measures directed against temptations to *zina* are in respect of pornography, obscenity and dancing. These will be discussed in detail in the next chapter.

All these measures have helped to make *zinā* far less common in Muslim countries than elsewhere, and to preserve the Muslim family as a strong force for good in the society.

EXERCISES

1. Explain why a stable marriage is important to family and society.
2. Mention some of the evils of illegal sexual relations.
3. What is the punishment for *Zina* under the Shariah:
(a) for a man or woman who has been married, and
(b) for a man or woman who has not been married.
4. Mention some other Islamic regulations and prohibitions which discourage *Zina*.

CHAPTER 29

Obscenity, Pornography and Dancing in Relation to Zinā

"... And do not come near to adultery ..."

(Qur'an 17:32)

"Tell the believing men that they should lower their gaze and guard their modesty ..."

(Qur'an 24:30)

1. Incitements to Zinā

In the last chapter we discussed some Islamic regulations which are designed to minimise the temptation to *zinā* (adultery and fornication)

In modern times, under the apparent cultural leadership of the western world, there is on the contrary, constant temptation towards *zinā*.

The fashion business and media encourage women to dress in tight or scanty clothes purposely to expose their attractions.

Advertisements tempt women to buy enormous quantities of make-up, perfume, wigs and beauty aids with which to attract the attention of men.

The film star, the fashion model, the beauty queen, are held up as ideals for other women to emulate. The world of advertising uses such women to advertise their products, even if the product is quite unrelated to women, because the advertiser knows that the half-nude female figure attracts the eye.

2. Obscenity and Pornography

Many people in western society have ceased to regard adultery as a sin. On the contrary, they have created the "sex industry" to cater mainly for the needs and desires of adulterous and sexually perverted people. Sex magazines show nude men and women in obscene poses; sex shows — on video, film and live — stimulate further ideas, and sex shops and kiosks sell books and other material to keep the public mind obsessed with the thought of sex. These obscene and pornographic materials are the product of perverted people with sick minds who seek to make money out of the degradation and corruption of both men and women. They are inevitably passed to young people who are thus corrupted at a very early age.

Many of these materials are now circulating in Muslim lands. What should be the Muslims' response to these developments?

The first response is to recognize them as evil and harmful, a deviation from the pattern of life prescribed by Allah. A Muslim woman is to show her beauty only to her husband not to the whole world. A Muslim husband is to look only at his legal wife, not at strange women. Even if he is talking to a woman fully dressed in hijab he is expected to "lower the gaze". How then could it be lawful for him to deliberately stare at naked women or at photographs or films of them?

Secondly a Muslim should strive to influence public opinion and convince the Government of the need to take action to prohibit the sale of obscene and pornographic materials. Most countries have laws against obscenity, but some do not bother to apply them strictly. It is a Muslim's duty to join with others to "prevent evil and enjoin what is good." Any Muslim in a position of authority has a duty to put a stop to such evil practices which help to destroy civilized values.

3. Mixed Dancing as a path to Zinā

Islamic teachings are always consistent. Allah says: "Do not go near to adultery"-that is, we should avoid situations which could easily lead to adultery.

Therefore Muslims should avoid parties, discos and clubs where men and women go to dance with partners to whom they are not married, or even with strangers. Such places usually serve alcohol and provide an atmosphere where moral restraint is soon forgotten.

This does not mean that dancing is in itself forbidden; women are free to dance in all-female gatherings or when they have privacy, although even then it should be decent and not vulgar or obscene dancing. But women should not dance with strange men or in front of men. The calling of women or girls to perform cultural dancing in front of men is obviously contrary to Islamic teachings, since they are performing so as to be looked at, while men have been commanded by Allah not to stare at women. There is a Hadith from Ali in which he asked the Prophet whether a man would be accountable for his first (accidental) glance at a woman. The Prophet answered that he would not, but that he would be accountable for a second or subsequent glances (i.e. deliberate looking).

To sum up, an Islamic society must be consistent in not only applying the law on adultery but also in observing the Islamic social and moral regulations which are designed to reduce the temptations to adultery and promote faithfulness and responsibility in the family.

EXERCISES

1. Discuss how the fashion business, the media and the advertising industry help to destroy modesty and chastity.
2. Obscene and pornographic books, magazines and video films have been brought to Muslim countries. What should be an individual Muslim's response to such materials?
3. How can Muslims help to prevent the spread of obscene and pornographic materials in society?
4. Muslims should avoid any situation which is likely to lead to adultery. Discuss the implications of this with regard to discos, dancing parties and displays of cultural dancing.

CHAPTER 30

Cigarette-Smoking

"Do not stretch your hands to what may cause your own destruction."

(Qur'an 2:195)

"... do not squander (your wealth) senselessly ..."

(Qur'an 17:26)

1. Effects of smoking on Health

The human body, as every student knows, needs food, water, exercise and rest and it will normally be healthy. It does not require smoke.

Medical research has revealed that cigarette-smoking is harmful to health. It carries tar and nicotine into the lungs, leaving a black deposit inside the lungs which hinders breathing. From the lungs some of the chemicals are absorbed into other parts of the body, causing other illnesses. Among the diseases caused or made worse by smoking are lung cancer, cancer of the throat, tuberculosis, bronchitis and heart disease. It also affects the nervous system. Smoking by pregnant women has been shown to affect the size and health of an unborn child.

In addition tobacco is addictive like certain drugs. A person who gets the smoking habit finds it very difficult to give it up. Without a cigarette in his hands he feels restless and nervous.

2. Effects of smoking on other people

Cigarette smoke stains the teeth and fingers and causes the breath to smell bad, which gives offence to other people.

The well-known "smoker's cough" also causes disturbance to others.

Even the health of non-smokers can be directly affected by other people's smoking. Some people are allergic to cigarette smoke, yet are forced to breathe other people's smoke in public places. Moreover a person who has to share a room or office with a smoker inhales a certain amount of smoke himself. This "passive smoking" can in time cause the very diseases from which the smoker himself suffers. This is why in some countries smoking in public places is illegal.

3. Smoking as a Destructive and Wasteful Habit

Cigarette smoking is not mentioned by name in the Shari'ah since tobacco was not known outside America until several centuries after the time of the Prophet. Therefore in determining whether it is lawful or not, we have to look not for a direct injunction on tobacco but for verses of a general nature which could be applied to this particular case.

At least two verses are relevant and provide the answer. They are shown at the start of this chapter:

"Do not stretch your hands to what may cause your own destruction."

(Q.2:195)

This verse tells us not to deliberately do what will harm or destroy ourselves. Cigarette-smoking causes illness that may lead to death, and is therefore covered by this verse.

"Do not squander (your wealth) senselessly ..."

(Q.17:26)

The money spent on the useless and harmful habit of smoking is certainly wasteful; and if the smoking becomes an addiction, money meant for important needs and responsibilities is usually squandered. Money should rather be spent on something beneficial for the family, or if it is surplus money, it could be given away to help others as a sadaqah (charity), thus increasing human sympathy and brotherhood and earning Allah's pleasure and reward to the giver.

EXERCISES

1. Which diseases are known to be caused or made worse by cigarette-smoking?
2. What harm does smoking cause to neighbours of smokers?
3. Quote the verses of the Qur'an which give guidance on the unlawfulness of smoking and explain why they are applicable.
4. Discuss what Muslims can do to discourage the smoking habit in society.

CHAPTER 31

Stealing and Fraud

"As for the thief, both male and female, cut off their hands. It is the reward of their own deed, an exemplary punishment from Allah. And Allah is Mighty, Wise."

(Qur'an 5:38)

The Prophet is reported to have said:

"A person who borrows something with the intention of not returning it will meet Allah (on the Day of Judgment) as a thief"

(Hadith from Tabaraniy)

Anas reported that Allah's Messenger said:

"He has (really) no faith who does not fulfil his trust, and he has (really) no religion who does not fulfil his promise. "

(Hadith from Bayhaqi)

Abdurrahman b. Abu-Qurad reported that one day as the Prophet was performing his ablution, his companions washed themselves with his ablutionary water. The Prophet said to them: "What makes you do this?" They said: "The love of Allah and His Apostle." The Prophet said: "Rather let him who loves Allah and His Apostle be truthful and sincere in what he speaks, and let him restore his trust when he is trusted, and let him be good to those who are his neighbours. "

(Hadith from Bayhaqi)

1. The significance of stealing and fraud

Stealing and fraud are both means of taking someone else's property. Both are condemned in Islam and are punishable by law.

Stealing normally refers to direct removal of another person's property without permission. Fraud however usually involves deception and some kind of trick so that the victim does not realize at first that he is being robbed, such as an employee who has been entrusted with handling money yet makes false entries in the record so that the employer cannot easily detect that he is cheating. Fraud is therefore often committed by a person who has been given a position of trust.

If stealing or fraud is carried out by a person who has been put in a position of trust it is doubly offensive.

A person who abuses a position or relationship of trust is, according to a Hadith quoted above, guilty of having no faith and religion.

According to another Hadith quoted above, a person who "borrows" something with the silent intention of keeping it should also be regarded as a thief.

The last Hadith given above emphasizes that love of Allah and His Apostle should not be expressed by emotionalism or excessive veneration of a human being, but by moral uprightness and trustworthiness. The Companions concerned were showing their love of the Prophet by washing with his ablution water, but he guided them that if they wanted Allah's blessings they should rather try to perfect their moral character by being sincere, truthful, trustworthy and kind to others.

2. The punishment for stealing

The punishment for stealing, as indicated in the Qur'anic verse at the beginning of this chapter, is the cutting off of the right hand of the thief, subject to the conditions of the law. For example, the judge must establish that the person was responsible for his action (i.e. he is not a child or an insane person) and that what he stole was above a certain minimum in value.

The severity of the punishment takes into account that in an Islamic State the Government is responsible for ensuring that the basic needs of its people are met by good honest administration. The institutions of Zakat and the Bayt-ul-Mal are designed specifically to cater for people who temporarily or permanently need help. If the society has through its institutions fulfilled these requirements, it has the right to protect its citizens from insecurity by imposing deterrent punishment on those who nevertheless steal out of mere desire for money and possessions.

It was recorded that during the Caliphate of Umar ibn al-Khattab there was a famine. The Caliph, recognizing that it was beyond the power of his administration to meet the basic needs of the people for food, temporarily suspended the punishment of hand cutting until the famine was over.

It may be observed that unless stealing is effectively deterred in a society it can become a serious problem affecting not only the security and peace of mind of the individual, but also the welfare of the state as a whole, since even public property and Government owned equipment can be stolen.

Petty stealing and fraud if unchecked become a way of life leading to organized crime and violent robbery. This situation necessitates constant security measures in all places: banks, businesses, government offices, private homes and even the streets and highways. This in turn requires a large and sophisticated police force and an enormous number of prisons. Unfortunately the overcrowded prisons themselves are breeding-grounds of further crime because small thieves and minor offenders are there recruited by bigger thieves and criminals to take part in further crime when they leave prison.

In those Muslim countries where the Qur'anic punishment for theft is applied, however, stealing is extremely rare, and honest people are able to live in security without fear for their property or their lives.

EXERCISES

1. Give an example of fraud.
2. Fraud usually involves betrayal of trust. What does a Hadith say about the faith and religion of a person who betrays his trust?
3. A person who borrows something with the intention of keeping it, is according to a Hadith, a thief. Explain.
4. What is the moral lesson of the last Hadith at the head of this chapter?
5. What harm is caused to society by unchecked stealing?
6. What does Allah prescribe in the Qur'an as the penalty for stealing?
7. What are the disadvantages of prison sentences as a way of controlling theft?
8. What categories of people are exempted from the punishment of cutting the hand off for stealing?

SECTION II FIQH (JURISPRUDENCE) PART A: TAWHID

CHAPTER 32

The Unity of God Meaning and Implications of Surat Al-Hashr

(Surah 59:22-24)

22. "Allah is He save whom there is no diety: the One Who knows all that is beyond the reach of a created being's perception, as well as all that can be witnessed by a creature's senses or mind: He, the Most Gracious, the Most Merciful.

٢٢- هُوَ اللَّهُ الَّذِي لَا إِلَهَ إِلَّا هُوَ
عَلِيمُ الْغَيْبِ وَالشَّهَادَةِ
هُوَ الرَّحْمَنُ الرَّحِيمُ ۝

23. Allah is He save whom there is no diety: the Sovereign Supreme, the Holy, the One with whom all salvation rests, the Giver of Faith, the Guardian, the Almighty, the One who subdues wrong and restores right, the One to whom all greatness belongs!

٢٣- هُوَ اللَّهُ الَّذِي لَا إِلَهَ إِلَّا هُوَ
الْمَلِكُ الْقُدُّوسُ السَّلَامُ
الْمُؤْمِنُ الْمُهَيَّمِنُ
الْعَزِيزُ الْجَبَّارُ الْمُتَكَبِّرُ ۝

Utterly remote is Allah, in His Limitless glory, from anything to which men may ascribe a share in His divinity!

24. He is Allah, the Creator, the Maker Who shapes all forms and appearances!

His (alone) are the Attributes of perfection. All that is in the heavens and on earth extols His limitless glory: for He alone is Almighty, Truly Wise!"

٢٤- هُوَ اللَّهُ الْخَالِقُ
الْبَارِئُ الْمُصَوِّرُ
لَهُ الْأَسْمَاءُ الْحُسْنَى
يُسَبِّحُ لَهُ
مَا فِي السَّمَوَاتِ وَالْأَرْضِ
وَهُوَ الْعَزِيزُ الْحَكِيمُ ۝

Commentary:

This group of verses is among several such passages in the Qur'an which give us knowledge of Allah and His attributes.

Verses 22 affirms that Allah is the only Divine Being and that He has knowledge of all things both hidden and manifest. He is at the same time:

The Most Gracious

الرَّحْمَنُ

Al-Rahman

The Most Merciful

الرَّحِيمُ

Al-Rahim

This verse teaches us to understand that while man is limited in his knowledge, Allah is not. Man can be aware of only what he perceives through his limited senses and interprets by his intellect. He can have no direct knowledge of the hidden world beyond the limits of his senses, his inventions and his intellect except what Allah in His grace and mercy reveals to him through His angels and messengers. It is true that man can invent scientific equipment that can detect many things that cannot be directly perceived by the human senses, but who can say how many other things exist in the universe of which we have no knowledge at all because we have not got the right senses or equipment to perceive them? Allah alone has knowledge of everything in the universe.

Verse 23 repeats the affirmation of Allah's Unity and then draws attention to the following of His names or attributes, which are among the "Beautiful Names of Allah": (Al-Asma'u al-Husna)

The Sovereign Supreme

الْمَلِكُ

Al-Malik

The Holy

الْقُدُّوسُ

Al-Quddūs

The One with whom all
Salvation rests

السَّلَامُ

Al-Salām

Giver of Faith

الْمُؤْمِنُ

Al-Mū'min

The Guardian

الْمُهَيَّمِنُ

Al-Muhaymin

The Almighty

الْعَزِيزُ

Al-'Azīz

The One who subdues wrong
and restores right

الْجَبَّارُ

Al-Jabbār

The One to whom all greatness belongs

الْمُتَكَبِّرُ

Al-Mutakabbir

As if these mighty attributes were not enough to convey the uniqueness of God, the verse ends with a statement that He is far beyond anything men can imagine and thus infinitely greater than any of the created things that some men have taken to be equal to God.

Verse 24 then highlights Allah's unique attributes as:

The Creator

الْخَالِقُ

Al-Khāliq

The Maker who shapes all forms

الْبَارِئُ الْمُصَوِّرُ

Al-Bāri' Al-Musawwir

These names draw attention to other unique aspects of Allah as the sole Creator (the only One Who can create from nothing by the divine command "Be!") and as the Maker and Fashioner Who gives all things their shape, appearance, mode of existence and nature.

The verse makes clear, that these attributes of perfection (or "Beautiful Names") belong to Allah alone. It concludes with the statement that everything in the heaven and on earth glorifies Allah and that He alone is:

The Almighty, the Truly Wise

الْعَزِيزُ الْحَكِيمُ

Al-'Azīz al-Hakīm

This confirms other statements in the Qur'an that the whole universe is a witness to Allah's unity, power and wisdom, and that both animate and inanimate creation glorify Him as the Source of all Being and the Sustainer of all the Worlds.

Implications:

The passage is an affirmation of the absolute unity and transcendence of Allah so that Muslims should never fall into the error of claiming that any person, object or power has any share of Godhood.

The reference to Allah's total knowledge as against man's limited knowledge should teach us humility and respect for Allah, and gratitude for what he has granted us of knowledge both through revelation and through our senses and intellect.

The reference to all in the heavens and on earth glorifying Allah should stir us as human beings to exercise our own free will voluntarily to join in glorifying and thanking Him.

EXERCISES

1. Explain the meaning and implications of Qur'an 59:22
2. Recite from memory in Arabic Qur'an 59:22-24.
3. (a) What is meant by the statement that creatures other than man glorify Allah in their own ways? .
(b) What lessons should human beings draw from this statement?

Concept and Implications of belief in Angels

1. The Basic Islamic Beliefs

The Qur'an makes reference in several places to the basic Islamic beliefs or Articles of Faith (e.g. Qur'an 2:177 and Qur'an 2:285). These beliefs are in Allah, His angels, His revelations, His Prophets and the Day of Judgment.

In the last chapter we examined the Islamic concept of God. In this and the following chapters we shall study the other basic beliefs and their implications.

2. The Nature of Angels

Angels were created by Allah as a different order of being from mankind. While man was created from clay, angels were created from light. Their mode of existence is therefore not like that of man. However when Allah sends an angel to convey His messages to human beings, the angel may take the form of a human being. (See An-Nāwawī's Forty Hadith No.2).

Angels, unlike men, are created to be always perfectly obedient to Allah (Qur'an 66:6).

3. Some Functions of the Angels

The Qur'an gives some information about the functions of angels as follows:

- (a) they bring Allah's messages to mankind (Q. 16:2)
- (b) they record human actions (Q. 82:10-12; Q. 50:17-18)
- (c) they pray for forgiveness of mankind (Q. 42:5)
- (d) they strengthen Prophets and believers in their faith (Q. 8:9-10; Q. 41:31)
- (e) they guard hell and punish the wicked (Q. 8:50)

4. Implications of Belief in Angels

Belief in angels is a comfort to the human mind, since angels promote human good and pray for all mankind. For this man should respond with deep gratitude to Allah.

The knowledge that there is another world beyond what man can see with his eyes reminds him that he is never alone. He is always in the presence of noble recorders of his deeds. This consciousness of the presence of angels increases his desire to do good and his sense of shame at doing wrong.

EXERCISES

1. What are Angels?
2. In what ways are angels similar to human beings and in what ways are they different?
3. Mention some of the functions of angels referred to in the Qur'an.
4. In what ways does belief in angels affect our way of life and sense of accountability to Allah?

Concept and Implications of belief in Revelation

1. The Concept of Revelation

In chapter 39 we learned that while man has some limited knowledge of the physical world derived from his God-given senses, intelligence and intellect, it is Allah alone who has full knowledge of both the visible and the unseen.

The Unseen (al-Ghayb in Arabic) refers to the things that are beyond man's perception. This includes things that happened in the distant past—such as the creation of the heaven and the earth; events of the future—such as the Day of Judgment; and things of the spiritual world that take place all the time which we cannot "see" because we do not have the necessary organs of sensitivity to perceive them

These events of the Unseen can only be known to man by revelation from Allah the All-knowing. This knowledge is very important since it answers man's perennial question: "Where did I come from? Where am I going to? What is the purpose of my life?" The revealed knowledge of these matters found in Allah's revelation to the Prophets provides the believer with the framework of his life and allows him to understand the purpose of his existence.

He also knows that Allah has sent revelation as a guidance to man on how to live his life on earth, how to worship his Creator, how to avoid evil, and how to find eternal peace and joy in the hereafter by seeking nearness to Allah in this world.

Revelation then is very important to man because it gives him:

- (a) knowledge of Allah and of the Unseen;
- (b) knowledge of his purpose in life;
- (c) a criterion to know truth from falsehood;
- (d) divine guidance on conduct in life;
- (e) divine guidance on how to worship Allah.

2. The Written Revelations

Some of the divine revelations were recorded in writing. The Qur'an mentions that some of the revelations to Prophet Ibrahim were recorded on "pages".

However, the revelations to 4 Prophets are mentioned by name as having been written down as "books". These are:

- (a) The Taurat of Prophet Musa
- (b) The Zabur of Prophet Da'ud
- (c) The Injil of Prophet 'Isa
- (d) The Qur'an of Prophet Muhammad.

All these are regarded as Holy Books of guidance to mankind. A Muslim is to believe in the fact that these revelations were given to these Prophets, although in the case of the first three they have undergone some changes in the course of transmission. The Qur'an mentions these changes and charges the Jews and Christians with mixing the revelations with their own conjectures, views and interpretations. A Muslim therefore should recognise the present day Taurat, Zabur and Injil as found in the Bible as a mixture of the divine revelation and human interpretation. He is not required to accept the present-day books of the Bible as wholly true.

3. The Qur'an as the final revelation to mankind

The earlier revelations were sent to particular nations for a particular time in human development.

The coming of the Qur'an marked the end of Prophethood and of revelation. The Qur'an was revealed for all mankind and for all time: *"This is naught but a revelation to all the worlds"* (Qur'an 6:90). Allah says in the Qur'an:

"Today I have perfected your religion for you, and have bestowed upon you the full measure of My blessings, and willed that self-surrender unto Me (Islam) shall be your religion."

(Qur'an 5:3)

The manner of the Qur'an's revelation and preservation make it the only Holy Book which has survived unchanged over the centuries, and its authenticity is well attested to (see chapter 9).

4. Lessons to be derived from belief in the Revelations

(a) A Muslim is to believe not only in the revelation of the Qur'an, but in the existence of revelations and holy books to earlier peoples. He should therefore recognise that those who follow the earlier scriptures (Ahl ul-Kitāb — People of the Book) also have access to a part of the truth, and share some of the basic beliefs of Muslims, in spite of some important differences.

Concept and Implications of belief in the Prophets

(b) The sending of revelation is further evidence of Allah's kindness in providing for man's need to understand the meaning and purpose of his existence.

(c) The revelation is a guidance from Allah:

"This book — let there be no doubt about it — is (meant to be) a guidance for all those who are conscious of Allah." (Q.2:2)

Who could know better than the Creator what is good for mankind, whom He created? It is therefore important if we wish for happiness in this world and the Hereafter, to follow the guidance of the revelation with gratitude, humility and hope.

EXERCISES

1. What is meant by al-Ghayb (the Unseen) in Arabic?
2. What is the use of knowing about al-Ghayb?
3. Why is revelation important to man?
4. Which revelations are known to have been recorded in writing and to which Prophets were they revealed?
5. Why was the Qur'an needed to complete the revelations to mankind?
6. What is the significance of the Qur'anic teachings of belief in the divine revelations before the coming of the last Prophet?
7. Why should Allah be considered the best guide for mankind?

1. Functions of the Prophets

Together with belief in the revealed books of Allah goes belief in the Prophets. The Prophets had two main purposes:

- (a) to deliver the divine messages;
- (b) to live an exemplary life for people to follow.

2. The Universality of Prophethood

The Qur'an affirms that Allah has sent Prophets as warners to every community on earth to call them to the truth:

"Now every community has had an apostle; and only after their apostle had appeared (and delivered his message) is judgment passed on them in all equity; and never are they wronged." (Qur'an 10:47)

"... For there never was any community but a warner has (lived and) passed away in their midst." (Qur'an 35:24)

Islam does not therefore come to deny the earlier Prophets but to re-affirm their original messages, and to present them in a complete final form. The Prophet Muhammad (p.b.u.h.) is therefore described as a messenger to all mankind:

"And (thus, O Prophet) We have sent thee as a mercy towards all the worlds." (Qur'an 21:107)

"Hallowed is He who from on high, step by step, has bestowed upon His servant the standard by which to discern the true from the false, so that to all the world it might be a warning." (Qur'an 25:1)

3. The number of the Prophets

In the Qur'an 25 Prophets are mentioned by name. These are: Adam, Nuh, Saleh, Shu'aib, Hud, Ibrahim, Lut, Isma'il, Is'haq, Ya'kub, Yusuf, Yunus, Musa, Harun, Ayyub, Da'ud, Sulaiman, Ilyas, Al-Yasa', Dhul-Kifl, Idris, Zakariyya, Yahya, 'Isa and Muhammad (peace and blessings of Allah be on them all).

However it will be noted that the Prophets referred to here all lived in the Middle Eastern area. The Qur'an affirms that there were many other Prophets: *"And as (We inspired other) apostles whom We have mentioned to the you before this, as well as apostles whom We have not mentioned to you..."* (Qur'an 4: 164)

4. The 'Ūlu1-' Azm

Five Prophets are singled out for special mention as major Prophets. They are known as the 'Ūlu1-' Azm (Possessors of Determination). They are Prophets Nuh, Ibrahim, Musa, Isa and Muhammad. (Qur'an 46:35).

A Muslim is to believe in all the Prophets and not make any distinction between them. The 'Ūlu1-'Azm however are described as Prophets of great distinction and each of them played a major role in the effort to reform his community.

In this respect the Prophet Muhammad (p.b.u.h.) is given an extra title *"Khātim al-Nabiyyīn* (The Seal of the Prophets) because of his having been sent as the last Prophet to complete the whole line of revelation to mankind.

5. Implications of belief in Prophets

When Allah sent our ancestors Adam and Hauwa to earth He told them that He would send His Messengers to guide mankind and that whenever such Messengers might come, those who believed in them and followed the guidance would have no cause for fear or grief. (Qur'an 2.38)

Since the guidance sent through the Seal of the Prophets, Muhammad (p.b.u.h.), is still with us, complete and unchanged, it is our obligation to follow it so as to obtain Allah's reward and blessing.

A Muslim however also recognises that the earlier Prophets were true Prophets of God, and that the religion they preached was submission to God — that is, the same religion preached by Prophet Muhammad. Such teachings through the earlier Prophets were valid for their time and place, and a Muslim is bound to respect every Prophet equally:

"The Apostle, and the believers with him, believe in what has been bestowed upon him from on high by his Sustainer: they all believe in God, and His angels, and His revelations and His apostles, making no distinction between any of His apostles..." (Qur'an 2:285)

The implication of belief in the Prophets therefore is that a Muslim, while remaining firm in his practice of Islam as taught and exemplified by Prophet Muhammad, should respect every Prophet and exercise tolerance towards those who peacefully continue to follow the revelations of the earlier Prophets. At the same time, he must hope that in course of contact with Muslims they will come to appreciate the truth of Islam and the position of Prophet Muhammad as the last of the Messengers.

EXERCISES

1. What were the main functions of the Prophets?
2. What evidence is there in the Qur'an that Prophets were sent to every community in the course of history?
3. What evidence is there in the Qur'an that Prophet Muhammad was sent to all mankind?
4. What are the names of the 25 Prophets mentioned in Qur'an?
5. Name the 'Ūlu1-'Azm.
6. What is meant by Khātimun-Nabiyyīn and whom does it refer to?
7. How should a Muslim regard the earlier Prophets and how should he interact with those who follow the earlier Prophets?

Concept and Implications of Belief in the Hereafter

1. The Concept of the Hereafter

The belief in the Hereafter is central to Islam. It has a deep effect on a Muslim's way of thinking and behaving.

We are taught that our life in this world is only a temporary stay. Allah has granted us the use of the good things of this world and their enjoyment. But our permanent home is in the Hereafter (Al-Ākhirah). What we carry with us from this world to the hereafter is only our faith and our deeds, for good or evil.

This world is therefore seen as a trial or test in preparation for the Hereafter. The test may be sometimes by hardship, loss or disappointment, and sometimes by success, power or wealth. All these things force people to make moral choices between good and bad actions, between obedience and disobedience to Allah.

For people who have no belief in the Hereafter, such moral choices have no lasting significance, since they believe that death is the end, with no reward or punishment. For a Muslim however death is the beginning of a new and eternal life when he will see and experience the consequences of his actions. He hopes to find consolation for his sufferings in this world, and reward for his good deeds. He is conscious that if he acts with cruelty or injustice and chooses to ignore Allah's commands and prohibitions he will be called to account and could be severely punished for it.

Therefore belief in the Hereafter is of great importance to a person's conduct in this world.

2. The events of the Final Judgment

The Qur'an teaches us that after death the human soul awaits its call on the Day of Resurrection (Yawm al-Qiyāmah). The dead will be resurrected and immediately called to Judgment. There are many Qur'anic references to the experiences of that Day, which are too numerous to mention here. All a person's good and bad deeds and intentions will be weighed and Allah will judge in such a way that there will not be the least injustice. The man or woman will then enter Paradise or Hell.

3. Paradise and Hell (Al-Jannah and al-Nār)

The Prophet said in a Hadith Kudsi: "*Allah the Exalted says: 'I have prepared for My righteous servants what no eye has seen and no ear has heard, and what the heart of man has not conceived.'*"

(Hadith from Bukhari and Muslim)

Therefore Paradise (and by implication, Hell) are states which we have never before experienced.

However, the Qur'an contains many descriptions to Paradise and Hell in terms of things that we do know and understand (shady trees, rivers, good things to eat and drink, and the companionship of those we love in Paradise; burning heat and fire, pain and despair, and bitter things to drink in Hell). Whether these descriptions are to be taken literally or not, we can appreciate from them that Paradise is greatly to be desired and Hell greatly to be feared.

4. Implications of belief in the Hereafter

Belief in the resurrection, judgment, Paradise and Hell imply accountability for our actions. Therefore we learn to restrain our wrong actions and make an effort to do good because of our belief that our choices of action will affect our ultimate happiness.

Belief in the Hereafter also implies complete confidence in Allah's ultimate justice and authority over man.

This confidence in Allah's justice and control over events also gives the believer consolation and peace of mind when he suffers from injustice at the hands of others. He has faith that Allah will ultimately compensate him for his sufferings. He also loses the desire for revenge, and has certainty that Allah Himself will, if He wishes, punish the wrong-doer.

Therefore the attitude of a Muslim when any misfortune befalls him is to say, as Allah guides us in the Qur'an:

"Indeed we belong to Allah and indeed to Him is the (final) return."

(Qur'an 2: 156)

EXERCISES

1. What is understood by belief in the Hereafter?
2. What is the nature of this world in relation to the Hereafter?
3. Give examples of the kind of tests people experience in this world.

Concept and Implications of belief in Qadā'

4. (a) Have you personally experienced any tests by good or bad fortune?
(b) If so, analyse how far your reactions conformed with the belief in the Hereafter.
5. How does belief in the Hereafter affect a Muslim's conduct in this world?
6. How are Paradise and Hell described in the Qur'an?
7. In what way is the Day of Judgment evidence of Allah's final justice and authority?

1. What is Qadā' (or Qadr)

Qadā' (or Qadr) means Allah's decree, implying His complete final control over the outcome of events, or destiny.

2. Qadā', free will and moral choice

Belief in *Qadā'* does not mean a denial of the measure of free will and moral choice which Allah has given to man since the time He created Adam, and the moral responsibility of man for his choices which is referred to repeatedly in the Qur'an, e.g.

"By the soul and Him who inspired it with consciousness of what is wrong for it and what is right for it!

Indeed he shall succeed who causes this (soul) to grow in purity and truly he is lost who buries it in darkness."

(Qur'an 91:7-9)

Man indeed must strive for what is right and good. The example of the Prophet (p.b.u.h) and the early Muslims is a clear indication that belief in Qadā' does not imply fatalism or that man should sit down and wait for things to happen. The life of a true Muslim is full of exertion and purpose, not acceptance of the *status quo*.

"Do men think that on their (mere) saying,

'We have believed', they will be left to

themselves, and will not be put to a test?

(Qur'an 29:2)

"Hence, whoever strives hard (in Allah's cause)

does so only for his own good ... "

(Qur'an 29:6)

" ... man can have nothing but what

he strives for ... "

(Qur'an 53:39)

" ... Verily, Allah does not change men's

condition until they change their inner selves ... "

(Qur'an 13:11)

A Muslim however, is to understand that although he is free to choose good or evil and will be rewarded for his good intentions, he cannot control the outcome of events, which is known to only Allah. For example, a man may decide to do a kind deed but be prevented from carrying it out. Or he might intend to do something good but forget. Or he may be absent-minded and does not form the wish to do the good deed in time, so that it is too late to carry it out.

The best laid plans of men often go astray due to a totally unforeseen circumstance that changes the whole situation.

The belief in *Qadā'* means that no circumstance is unforeseen by Allah, and that nothing happens without His knowledge and permission. His knowledge is complete while ours is limited and partial.

"Sometimes you may see a thing is good for you while it is bad for you; and sometimes you may see a thing is bad for you while it is good for you. Allah knows while you do not know."

(Qur'an 2:216)

3. Significance of belief in Qada'

Belief in *Qada'* is a source of peace of mind to the Muslim. It helps him to accept both good and bad fortune and respond to each in the right Islamic manner which brings blessings on him.

Suhaib ibn Sinān related that the Prophet (S.A.W.) said:

"Wondrous is the case of a believer; there is good for him in everything, and it is so for him alone."

If he experiences something agreeable, he is grateful to Allah. and that is good for him; and if he experiences adversity, he is steadfast and that is good for him." (Muslim)

Therefore a Muslim does not become excessively elated by good fortune or depressed by events that are beyond his control, accepting them all as Allah's *Qadā'*, and a test of his own response. Even if the outcome is death which must cause sorrow and sadness, he tries to accept it and find consolation with the words: "*Innā Lillāhi, wa innā ilayhi raji'ūn*" meaning "Indeed we are from God, and indeed to God we shall return."

Belief in *Qadā'* then strengthens a Muslim's endurance, faith, peace of mind and reliance on Allah alone.

EXERCISES

1. What is meant by *Qadā'* (or Qadr)?
2. Allah has given man a measure of free will, and a sense of right and wrong and made him responsible for his moral choice between good and evil. Mention a passage of the Qur'an which affirms this responsibility.
3. Give some examples from your own reading about the behaviour of the Prophet and the early Muslims which show that Islam is not a "fatalistic religion."
4. Mention some verses of the Qur'an which urge man to exert himself in order to succeed.
5. Give some examples from your own or other people's experience to show how plans for either good or evil could go astray due to unforeseen events.
6. How does a Mu'min (believer) respond to good and bad events in such a way that each brings blessings?
7. How does belief in *Qadā'* help a Muslim in his life?

SECTION II
FIQH (JURISPRUDENCE)
PART B: ‘IBADAH

Proper manner of performing the pillars of Islam

1. The Objectives of the Pillars of Islam

The pillars of Islam are all designed to bring a Muslim closer to Allah through obedience to Him and through spiritual, moral and physical exertion. The Five Pillars of Islam, if properly performed, cannot fail to bring a person into a state of continual consciousness of Allah (*taqwa*).

2. Why some people fail to attain these objectives

Some people appear to practise the Pillars of Islam yet their spiritual and moral condition does not seem to improve. This may be for a variety of reasons. In some cases it may be due to lack of seriousness and sincerity in seeking Allah's guidance. This leads to careless performance of the acts of worship and absence of concentration. Naturally, a lazy and half-hearted attitude could not succeed in gaining Allah's pleasure and spiritual rewards.

In other cases the person's ignorance of the religion could contribute to his lack of spiritual and moral progress. If he does not know the meaning of what he is saying in prayer for example, it is obvious that his mind must wander and he will gain only very little benefit.

Another obstacle to spiritual and moral progress is pride. A person may perform his acts of worship with technical correctness, but without inner humility before Allah. He feels that he is a good Muslim and may be proud of his knowledge of Islam, or proud of the respect shown to him by others and of his social status.

The Prophet, in a Hadith related by Ibn Mas'ud is reported to have said:

"Whoever has pride in his heart, of the weight of an atom shall not enter Paradise." A man said "But if one likes to have good clothes and shoes?" The Prophet said. "Allah is beautiful and loves beauty. Pride is rejecting the truth and despising men."

(Muslim, Abu Da'ud, Tirmidhi)

3. Examples of Improper Performance of the Pillars of Islam

The following are some examples of improper performance of the Pillars of Islam which may cause a person to lose their spiritual and moral benefits:

(a) Prayer

A person may not even attempt to concentrate during prayer. He looks hither and thither while praying, and does not attempt to think about what he is saying. He forgets that he is addressing Allah, his creator, and is standing in the presence of Allah.

—A person may pray at such speed, trying to finish as soon as possible, that it is impossible for him to have recited all that he should recite in the required mood of quiet reflection and concentration.

—A person may refuse to pray at the correct times. Instead he postpones a number of prayers until he finds it convenient, e.g. in the evening or night.

(b) Fasting

—A person abstains from eating and drinking but makes no attempt to control his tongue or abstain from wrong-doing. For example he may fast all day but drink alcohol in the night. Or he may accompany his fast with back-biting or gazing at pornographic pictures.

—A person may try to compensate himself for his daytime fasting by eating excessively in the night.

(c) Zakat

—A person may deliberately under-assess his Zakat.

—A person may give out his Zakat to people who are not eligible to receive it

—A person may take pride in publicising his giving of Zakat as a means of seeking popularity and public status.

(d) Hajj

—A person may flout the rules of *Ihram* (the state of consecration) and see no wrong in committing both major and minor sins during Hajj.

—A person may be obsessed with shopping and other activities to the extent of forgetting the spiritual purpose of his journey.

All the above examples are manifestations of insincerity, ignorance or pride, and they must certainly stand in the way of a person's spiritual and moral progress.

From these it is to be seen that if a Muslim is to attain the objectives of performance of the Pillars of Islam, he must be attentive and sincere. It is not enough to perform them mechanically. They are both physical and spiritual exercises, and both aspects require attention.

In this respect there are some verses of the Qur'an and Ahadith which make it clear that performance of the Pillars of Islam must be accompanied by the struggle with oneself (jihad bi al-nafs) against selfishness and immoral behaviour:

1. FAITH

Abu Hurayrah reported that Allah's Messenger said:

"The most perfect of believers, in point of faith, is he who is the best in manners."

(Abu Dawūd)

"Good thoughts are (parts) of good worship."

(Abu Dawūd, Ahmad)

2. PRAYER

Abu Hurayrah reported that Allah's Messenger said:

"Call upon Allah being certain of (His) response, and know that Allah does not respond to the call of a negligent, careless heart."

"Woe then to those who pray, whose hearts are remote from their prayer — those who only want to be seen and praised, and yet deny all assistance (to their fellow-men)."

(Qur'an 107:4-7)

"Nay, seek (Allah's) help in steadfast patience and prayer: and this indeed is a hard thing for all but the humble in spirit."

(Qur'an 2:45)

3. FASTING

Abu Hurayrah reported that Allah's Messenger said:

"He who does not abandon the speaking of falsehood and the doing (of things) like that, Allah has no need of his leaving off his food and drink."

(Bukhari)

4. CHARITY

"A kind word and the veiling of another's want is better than a charitable deed followed by hurt; and Allah is Self Sufficient, Forbearing."

"O you who have attained to faith! Do not deprive your charitable deeds of all worth by stressing your own benevolence and hurting (the feelings of the needy) as does he who spends his wealth only to be seen and praised by men, and believes not in Allah and the last Day: for his parable is that of a smooth rock with (a little) earth upon it — and then a rainstorm smites it and leaves it hard and bare. Such as these shall have no gain whatever from their (good) works: for Allah does not guide people who refuse to acknowledge the truth."

"And the parable of those who spend their possessions out of a longing to please Allah, and out of their own inner certainty, is that of a garden on high, fertile ground: a rainstorm smites it, and thereupon it brings forth its fruit twofold; and if no rainstorm smites it, soft rain (falls upon it). And Allah sees all that you do."

(Qur'an 2:263-265)

5. PILGRIMAGE

".... And whoever undertakes the pilgrimage in those (months) shall, while on pilgrimage, abstain from lewd speech, from all wicked conduct, and from quarrelling; and whatever good you may do, Allah is aware of it. And make provision for yourselves — but, verily the best of all provisions is God-consciousness: remain, then, conscious of Me, O you who are endowed with insight!"

(Qur'an 2.197)

If all these points are remembered and the Pillars of Islam are performed with sincerity, humility and attentiveness, a Muslim will, insha Allah, become conscious of a favourable change in his spiritual and moral life together with increased hope of Allah's mercy and on the Day of Judgment.

EXERCISES

1. What are the overall objectives of performance of the five Pillars of Islam?

The Concept of Jihād

2. Give reasons why some people fail to achieve the objectives of the Pillars of Islam.
3. Give examples of ways of performing the acts of worship which could spoil their spiritual benefits.
4. Explain any verses of the Qur'an or Ahadith that emphasise the need for attentiveness, humility and sincerity in worship.

1. The Meaning of Jihād

The Arabic word "Jihād" is derived from the verb "jahada" meaning to strive or struggle.

The word is generally used to describe any type of striving in the cause of Allah. It has this general meaning in the following Qur'anic verse:

"But as for those who strive hard (jahadu) in Our cause — We shall most certainly guide them on to paths that lead unto Us: for behold, Allah is indeed with the doers of good." (Qur'an 29:69)

Striving hard in the cause of faith includes many activities, some directed at oneself and some directed towards others.

2. Jihād with oneself

It was reported that when the Prophet was returning from a battle he commented: "We have returned from the lesser jihad to the greater jihad". When asked what was the greater jihad, he replied: "The jihād with one's self (al-jihād bi al-nafs)".

Every Muslim is expected to undertake this "greater Jihād" against his own selfish or materialistic desires. He is to train himself in self-restraint and strive to abide by Allah's commands and prohibitions. He is expected to exert himself to practise the Pillars of Islam which help to instil in him consciousness of Allah (taqwa) under all conditions. He is urged to practise also supererogatory worship so as to draw closer to Allah and experience His love. He is expected to "love for his brother what he loves for himself" and thereby strive to improve his own moral conduct and avoid selfishness.

All these are aspects of the jihad with oneself.

3. Other ways of jihād

Anyone who contributes his time, effort, energy or wealth to the cause of Allah is practising jihād. This can be done in many ways: through private effort to spread the knowledge of Islam, or through Islamic organizations or

institutions. It could include lecturing, writing, distributing books, speaking on radio or television programmes. It could include going to live among non-Muslims so as to carry the message of Islam to them. It could include helping new converts according to their needs.

It can include any effort or campaign on behalf of truth and justice, and any resistance to wrong-doing, tyranny and oppression.

If Islam is under attack militarily, it is the duty of Muslims to defend it with their lives and property if necessary, as they did under the Prophet's leadership at Badr, Uhud, the Trench and so on.

It is this use of the word jihad to describe military struggle (often wrongly translated as "Holy War") which has misled some people to believe that jihād means war for religion. It is to be emphasised that jihād means "striving (in the cause of Allah)" and that its meaning is much wider than just the military aspect.

4. Islamic injunctions and limits on warfare

Jihad in the military sense is not to be looked on as a means of forcing people to accept Islam. Allah says in the Qur'an:

"There is no compulsion in religion. Truth stands out clear from error..."
(Qur'an 2:256)

"Invite (all) to the way of your Lord with wisdom and beautiful preaching; and argue with them in ways that are best and most gracious." (Qur'an 16:125)

By this instruction, even preaching is to be done in a tactful and pleasant manner, without aggressiveness.

If however, the Muslims are under military attack they are permitted and required to defend themselves:

"Permission (to fight) is given to those on whom war is made, because they are oppressed, and surely Allah is able to assist them — those who are driven from their homes without a just cause except that they say: 'Our Lord is God' ..."
(Qur'an 22:39-40)

"And fight in Allah's cause against those who wage war against you, but do not commit aggression - for verily, Allah does not love aggressors..."

Hence fight against them until there is no more oppression and all worship is devoted to God alone; but if they desist, then all hostility shall cease, save against those who (wilfully) do wrong."
(Qur'an 2:190-193)

The military jihad, like the peacetime jihad, has its own restrictions on methods to be used. Women, children, old and infirm men and other non-combatants are not to be attacked. Animals are not to be slaughtered nor trees or crops destroyed (unless this is a military necessity). Prisoners-of-war are to be ransomed or set free voluntarily as soon as feasible after the end of hostilities.

By these restrictions Islam recognizes that while peace is always to be sought, warfare is a fact of life throughout human history. It seeks therefore to minimise the duration of war and to minimise its harm and destruction.

5. Lessons to be derived from Jihād

Jihad is a duty for Muslims, and there are many lessons to be learned from it:

- (a) It reminds a Muslim to strive at all times against his own selfishness or evil inclinations so as to do the will of Allah.
- (b) It instils a high spirit of self-discipline and self-sacrifice.
- (c) It teaches every Muslim his responsibility for striving intellectually to spread knowledge of God.
- (d) It teaches a Muslim to put his trust in Allah. When he embarks on any Jihad (intellectual or physical) he should pray for divine guidance and assistance, and then strive with courage and confidence, knowing that whether his striving ends in success or failure he is obeying Allah's command and is assured of His reward.

6. The need for Jihād

It is necessary for every Muslim to give serious consideration to Jihad for the following reasons:

- (a) The *jihād bi al-nafs* prevents him from becoming lazy, selfish and spoiled.

It is an individual responsibility, but the benefit of it is also to the community in general. If it is not practised by individuals the Muslim community concerned will decline due to loss of its moral direction.

- (b) This situation can also be averted if Muslims take up their responsibility to spread the message of Islam to others, which is another aspect of Jihād. Muslims are not to keep the message of Islam to themselves but to pass it on to all humanity, in accordance with the Qur'anic injunction:

"Let there arise out of you a band of people inviting to all that is good, enjoining what is right and for bidding what is wrong: they are the ones to attain happiness." (Qur'an 3:104)

If this injunction is followed, the community concerned will enjoy peace, stability and social justice.

- (c) The awareness of the need to defend Islam and the Muslim Ummah against military aggression is also important. It keeps the Ummah alert and prepared for sacrifice in defence of its faith. This in itself is a deterrent to others against any attack. If the Muslims display apathy and lack of full commitment to the defence of their faith and welfare, they will be rendered insignificant as a people, morally and politically.

EXERCISES

1. What is the meaning of the word "Jihād"?
2. What is "*al-jihād bi al-nafs*"?
3. Give examples of how you could practice *al-jihād bi al-nafs*.
4. Consider the nature of the present society and describe the manner in which Islam could be spread by an individual.
5. Give examples of how Islamic organizations can carry out peaceful jihād in our present society.
6. Quote the meaning of the Qur'anic injunction on fighting in defence of Islam against oppression.
7. Quote the Qur'anic verse which forbids forced conversion
8. What restrictions are placed on Muslims when they fight in the cause of Allah?
9. What benefits does a Muslim gain from the practice of Jihad?
10. What harm could befall a Muslim community if it neglects its responsibility to defend its faith and welfare against any form of aggression?

SECTION II

FIQH (JURISPRUDENCE)

PART C: MU'AMALAT

(HUMAN TRANSACTIONS)

Shari'ah: Definition and Importance

1. The Meaning of Shari'ah

The meaning of the Arabic word "Shari'ah" is a path to be followed.

Shari'ah is the law regulating the way of life leading towards Allah. This law and way of life were revealed to man by Allah Himself through His Prophet Muhammad (p.b.u.h.).

2. The Importance of the Shari'ah

Allah as our Sovereign Lord is the only One who has the absolute right to prescribe a path to guide mankind. Following the path of Shari'ah ensures that we serve none but Allah in all our affairs.

No human being or group of people, however wise, has the ability or absolute right to impose and enforce their concepts of right and wrong on others. Laws made by man must of necessity be subjective in outlook. They often reflect group interests. They cannot be permanent because with the passage of time the values of a society change. What was considered important today may be considered unimportant tomorrow, and vice versa. When this happens the politicians change the law to fit in with people's new life style. There is nothing that is eternally upheld as good and nothing that is eternally condemned as bad. There is no eternal pattern of life designed to lead people on the path to God.

A study of the changes in the law in European countries and in the Soviet Union over the past two centuries would reveal drastic changes in the law. Old crimes were dropped from the statute books while new crimes were written in to law in accordance with the ideas of the ruling body, class or clique. Old punishments were dropped and new forms of punishment invented.

Muslims are protected by the Shari'ah from such changes of fashion and variations in moral standards. Nobody has the right to over-rule the basic provisions of the Shari'ah:

"We made for you a law, so follow it, and not the fancies of those who have no knowledge."

(Qur'an 65:18)

It is therefore the absolute duty of Muslims, both individually and collectively, to know the Shari'ah and to apply it to themselves.

3. The Broad Concept of the Shari'ah

Although Shari'ah is commonly referred to as "Islamic Law" it should be understood that it goes beyond what is the concern of the courts in securing justice. It includes other aspects of commendable behaviour such as returning good for evil, assisting people even if they have no legal claim on you, and doing your moral duties as a good member of society. Similarly it includes avoidance of doing things that are morally reprehensible or unkind, even though they may not be offences carrying punishments in a court of law. The Shari'ah looks beyond the limited scope and judgment of the courts of this world to the Judgment of the Hereafter, when:

"Whoever does an atom's weight of good will see it then, and whoever does an atom's weight of evil will see it then."

(Qur'an 99:7-8)

The Shari'ah and secular systems of law can therefore never be equated since the former is divine, comprehensive and designed to guide the whole life of man.

EXERCISES

1. What is the meaning of Shari'ah?
2. What are some of the disadvantages of man-made laws?
3. In what way is Shari'ah broader than other systems of Law?

The Sources of the Shari'ah

1. Revelation and Interpretation

The Shari'ah is fundamentally a revealed law, originating from the direct commands of Allah and the Sunnah of the Prophet. However, there is provision for the law to be interpreted and expanded by man through several prescribed processes.

2. Qur'an and Sunnah: the Primary Sources of Shari'ah

The first source of the Shari'ah is the Qur'an where certain basic laws are revealed.

The second source of the Shari'ah is the Sunnah (the Practice of Prophet Muhammad, p.b.u.h.). The Sunnah contains some legal principles in addition to those of the Qur'an. It also gives clarification of how the laws found in the Qur'an are to be applied, and sometimes describes how the Prophet decided certain cases that came before him in his capacity as judge.

The Prophet himself affirmed the supremacy of these two sources saying:
"I leave two things for you. You will never go astray if you hold them firmly: the Book of Allah and the Sunnah of His Prophet."

3. Ijmā' and Qiyas: the Secondary Sources of Shari'ah

In the course of time changes occur in society as human beings invent new means of technology or devise new systems of economic life, agricultural methods, medical techniques and so on. The basic principles of the Shari'ah have to be brought to bear on these new situations so that they continue to fulfil their purpose of establishing justice in society. There is provision for such development within the Shari'ah by several methods:

(a) Ijmā' (Consensus)

The Consensus of opinion of the learned men and jurists (Ijmā') is an important means of development within the Shari'ah. It is understood that such learned men are best placed to apply the basic principles and objectives of the Shari'ah to a new situation, and that such a body of scholars are not likely to agree on error.

(b) Qiyās (Analogical Deduction)

"Analogy" means comparing one thing with another similar thing. It is a process of reasoning by parallel cases.

The process of Qiyās and Ijmā' often go together to enable the jurists to use analogy and personal reasoning together.'

It should be understood that, however learned the scholars, they cannot use Ijmā' to over-rule a law from the text of the Qur'an or from the Authentic Sunnah of the Prophet.

4. Ijtihād (Exercise of personal judgment)

Ijtihād means the exercise of one's reason and personal judgment in interpreting or elaborating the Shari'ah.

The danger in the indiscriminate use of Ijtihād is so great that some Muslim scholars consider the door of Ijtihād to be closed. However, other scholars maintain that it is still applicable provided the person exercising Ijtihād (*Mujtahid* in Arabic) possesses the necessary qualities and qualifications, among which are the following:

- sound and broad knowledge of the exegesis of the Qur'an, including the occasions on which some verses were revealed (i.e. *asbāb al-nuzūl*);
- sound and broad knowledge of Ahadith with the ability to identify which of them is authentic or otherwise;
- a good command of Arabic Language and literature in all its branches;
- sound and broad knowledge of the science of Islamic jurisprudence including the principles of Qiyās, Ijmā', and the basis of various legal opinions;
- he must be a very good, pious, practising Muslim of an orthodox school of thought.

EXERCISES

- What are the primary sources of Shari'ah?
- How does the Sunnah supplement the Qur'an as a source of Shari'ah?
- What are the secondary sources of Shari'ah?
 - Explain them briefly.
- Can Ijmā' over-rule a law from a Qur'anic verse?
- What is *Ijtihād*?
- What qualifications are required of a person before he may exercise *Ijtihād*?

The Scope of the Shari'ah

1. Shari'ah as Comprehensive Guidance for Life

The Shari'ah is broader than any other known concept of law in that it provides positive guidance and is not just concerned with determining and punishing offences. It is therefore both a prophylaxis against wrong-doing and a means of dealing with offences if they are committed. For example, the positive injunctions on dress and public behaviour of men and women are a way of reducing the incidence of the punishable offences of adultery and rape. The prohibition of alcohol under the Shari'ah is a way of reducing the incidence of a whole range of alcohol-related crimes such as assault, murder, manslaughter, adultery, rape, stealing etc.

Shari'ah is also broader than any other known concept of law in that it covers every aspect of human life: spiritual and social. These aspects include the following:

- (a) faith and moral conduct
- (b) 'ibādāt (acts of worship)
- (c) family and inter-personal relations
- (d) business and economic life
- (e) social and political affairs
- (f) crime and punishment
- (g) international law
- (h) military affairs.

2. Five categories of Evaluation of Actions

Under the Shari'ah, actions are divided into five classes which evaluate their desirability or otherwise as follows:

- (a) *Fard* or *Wajib* (compulsory) — a compulsory duty the omission of which is punishable.
- (b) *Mandūb* or *Mustahab* (Recommended) — an action which is rewarded, but there is no punishment if it is omitted.
- (c) *Mubāh* (Tolerable) An action which is permitted but is legally neutral.
- (d) *Makrūh* (Disliked) An action that is disapproved.
- (e) *Harām* (Prohibited) An action which is forbidden and punishable.

These categories are based on the Qur'an and Sunnah.

It is to be understood that "punishable" may mean either punishable under the law in this world or punishable in the hereafter, or both. This is another distinguishing feature of the Shari'ah. While other systems of law are interested only in legal offences which can be brought before the courts of this world, the Shari'ah also deals with the moral offences that could only be known and judged by Allah. The Muslim is also aware that if he escapes punishment in the courts of this world in spite of being guilty, the punishment of the Hereafter awaits him.

The five categories mentioned above help a Muslim to maintain a clear distinction between right and wrong. They also guide him away from undesirable behaviour towards moral purity.

On a wider scale, these five categories of action under the Shari'ah provide a universally-accepted social and moral standard which helps to hold together the Ummah (Muslim community) so that it is united in its values and way of life.

EXERCISES

1. "Shari'ah is prevention as well as cure". Explain this statement with examples.
2. Mention the aspects of human life covered by the Shari'ah.
3. List and explain the five categories of evaluation of actions. Discuss examples of actions that are:
 - (a) *Fard*
 - (b) *Haram*
4. How do the categories of evaluation of actions under the Shari'ah help to guide the individual Muslim and the community as a whole?

The Shari'ah and other legal systems

1. Legal systems in Nigeria

There are three legal systems operating in Nigeria today under the Constitution:

- (a) Common Law
- (b) Shari'ah Law
- (c) Customary Law

(a) **Common Law** is a legal system based on English Law. It was introduced during the colonial period and retained as the national legal framework after independence.

(b) **Shari'ah Law** is the legal system of Islam based on the Qur'an and Sunnah. Prior to colonial rule it was in full operation as the legal system of the Northern part of the country under the Sokoto Caliphate. During the colonial period Shari'ah Courts were after some time restricted to handling only cases of family and personal law for Muslims, while criminal and other matters were brought under Common Law.

This limited application of Shari'ah was restricted to the Northern States, but in recent times measures have been taken in many Northern States to widen the jurisdiction of the Shari'ah Courts to include other areas of law. Muslims in the Southern States who have been appealing for Shari'ah Courts have so far not been provided with them, in spite of the provision under the Constitution for such courts.

(c) **Customary Law** describes a number of legal systems based on the customs and traditions of various ethnic groups in the country. These date back to the pre-Islamic and pre-colonial period. Customary courts exist in the Southern States and some parts of the North.

2. Sources and Scope of the Three Systems of Law in Nigeria

(a) Customary Law

This type of indigenous law is designed to give sanction and force to the traditions of the various ethnic groups. Hence it is not a systematic law

based on principles and equity. Rather it upholds traditions and precedents whose origins have been lost in the mists of time.

Its merit is that if it is accepted and respected by the ethnic group concerned, it is capable of maintaining a form of order which is better than anarchy and chaos.

However, since it is inter-woven with traditional religious beliefs which are not based on revelation, its moral principles and sense of equity are often seen by others as defective and unfair. In particular superstitious beliefs give rise to customary practices which are repugnant to followers of revealed religions.

For example some customary law systems are particularly harsh to women. Some of them do not allow a woman to inherit anything from her father or husband. She could be forced to marry one of her husband's relatives and among some tribes could herself be inherited. Widows are particularly subject to ill-treatment including physical humiliation. They may also be denied custody of their own children.

These types of customary laws are based on a way of life that is dying out with the spread of Islam, Christianity and modern education.

(b) Common Law

This is a legal system based on English Law which was introduced to Nigeria by the colonialists. In the course of time there were some adjustments to make it more suitable to the Nigerian situation. English law itself is derived from a number of sources, including the Christian religion, and Roman law. It is the product of centuries of development and has undergone many changes in the course of its history. This is because it is basically a man-made law. Changes could be made in it at any time by the decision of the King and/or Parliament, either by their own will or in response to public pressure.

Hence over the past century there have been enormous changes affecting marriage and the status of women in response to public pressure. Prior to the 20th century women in England had almost no legal rights. Their property automatically became their husbands' on marriage. Divorce was almost impossible to obtain.

Similarly the harsh punishments of previous centuries have been abolished by various acts of Parliament. In the 18th century there were over a

hundred offences for which a person could be put to death, including even the stealing of a rabbit.

In some cases, such as the abolition of the death penalty for murder, Parliament enacted its abolition *contrary* to the expressed will of the majority of the people in England.

The above few examples illustrate the fact that the Common Law is not a permanent law. It is subject to political pressures from various groups or classes. As men's ideas of right and wrong change, so they change the law to suit what they want to do. Even the religious prohibitions incorporated into the law may be dropped out. For example until the 20th Century homosexual acts even in private were punishable by law, reflecting the Judeo/Christian condemnation of such acts. In the 20th Century with the weakening of Christianity in Europe, homosexual acts were no more prohibited. The law was simply removed from the statute books.

Common Law in Nigeria is based on English law, and is therefore in the same way subject to any changes which may be made in it by the Government of the day.

It should also be mentioned that in the Common law system a litigant is entitled to be represented by a lawyer. This system is intended to protect a person's rights by expert handling and guidance when the case goes to court. However, it has several disadvantages; for example:

- (1) Lawyers charge heavy fees, and this makes going to court costly for the ordinary man or woman;
- (2) Some lawyers look for loopholes in the law or distort the truth to help their client win the case whether he is right or wrong;
- (3) The law becomes a field only for experts. The procedures of the court and the legal language of the lawyers are not understood by the common man. He cannot understand the basis on which his case is judged. His respect for the law is thereby reduced.

(c) Shari'ah

Islamic Law (Shari'ah) as explained in earlier chapters is a comprehensive law, designed to deal with all aspects of life: more so even than Common Law because it includes moral and spiritual guidance that are absent from Common Law (see chapter 49).

The greatest difference between Shari'ah and other legal system is that Shari'ah is based on divine revelation and designed by the Creator to guide and provide for the basic needs of man for all time. Its fundamentals can never be changed. They constitute the basic moral and social law on which an Islamic

society should base its behaviour.

The Shari'ah is based on the understanding that man was created by Allah as His servant and placed on earth as His vicegerent. As such he is not independent of Allah, but is to act in accordance with Allah's will. He is given by Allah a measure of free will, and is able to obey or disobey. Therefore there have always been good men and bad men, and always will be. The nature of mankind as a whole has not changed. Man has the same basic needs and desires today as he had in earlier centuries. It is only the material circumstances, the outward appearances that have changed and grown more complex. Therefore it is proper that the basic laws to guide mankind should be permanent and not subject to passing fashions of thought, or to political or group pressures.

At the same time the learned jurists are given the task of using *ijtihād* (i.e independent judgment through Qiyās, Ijmā' etc.) where required, to ensure that the law is fully related to the circumstances of the times. (See chapter 48).

Thus the Shari'ah enjoys a balance between permanence and stability on the one hand and adaptability and flexibility on the other.

Another great advantage of Shari'ah is that because of its divine origin and nature, it is held in high respect by every true Muslim. This respect for Allah's own Law could never be given to a man-made law. Therefore although no country is ever totally free of crime and law-breaking, countries ruled by the Shari'ah experience far less crime than countries ruled by man-made laws.

EXERCISES

1. Which systems of law co-exist in Nigeria?
2. Explain the origins of each of the above systems of law.
3. Discuss the advantages and defects of customary law.
4. Describe by what means English law has been changed over the past century, with examples of such changes.
5. Discuss the pros and cons of having lawyers in court to represent litigants.
6. What do you consider to be the main advantages of Shari'ah over other legal systems?

The Four Sunni Schools of Fiqh

1. The Four Sunni Schools of Fiqh

There are four Sunni Schools of Fiqh (Islamic Jurisprudence). They are:

- (a) Hanafi School
- (b) Maliki School
- (c) Shafi'i School
- (d) Hanbali School

The Arabic name for a school of Fiqh is *Madhhab* (plural: *Madhāhib*).

The service rendered by the founders of these *Madhāhib* was to study, write and teach the Shari'ah from the sources of the Qur'an and Sunnah, and with the help of approved methods such as *Qiyās* and *Ijmā'* elaborate the laws into a comprehensive and detailed system of jurisprudence.

Each of the Imams who founded these four schools was deep in knowledge of Qur'an and Hadith and Islamic Religious Sciences. The fact that their rulings sometimes differ does not mean that they are in conflict. The differences between them are not on major principles of belief but centre mainly on interpretation of certain aspects of jurisprudence. Such differences are to be expected in accordance with a Hadith in which the Prophet is reported to have said: "Differences of opinion among my Ummah are a (form of) blessing."

It will be noted that the four Imams who founded the *Madhāhib* in many cases learned from each other and had the deepest respect for each others' work and opinions. There was never any quarrel or dispute between them. Therefore until today each of the Four Schools is recognized as orthodox, and a Muslim may choose to follow any of them. Muslims of all the 4 schools hold the same beliefs, worship together and recognize each others' legal judgments in Shari'ah courts. The four schools of Islamic Jurisprudence are therefore in no sense to be regarded as religious sects.

2. Imam Abu Hanifah

Abu Hanifah Numan was born in Basrah in Iraq in 80 A.H. (600 A.C.). He grew up and lived in Kufa, where he worked as a trader in textiles and also studied under famous scholars. He was a very gifted and intelligent student. He also travelled to Madinah to gain further knowledge.

He later became the greatest authority on Fiqh in Kufa, and students from all over the Muslim world came to study under his guidance.

He was very popular with the common people who loved him for his honesty in business and his kindness. As a result the rulers tried to win his favour but he kept away from them because they were unjust and often cruel.

When he was older, the Caliph Al-Mansur invited him to come to Baghdad as Chief Judge. Abu Hanifah refused and replied: "Supposing a complaint is made against you in my court and you want it to be decided in your favour, otherwise you would have me thrown in the river. Then please know that I would prefer to be drowned in the river rather than tamper with justice."

Several Caliphs and Governors tried to make him work for their governments so that they could control him, but he refused in spite of their persecutions.

At last the Caliph threw Abu Hanifah into prison where he died at the age of 70. All the people of Baghdad mourned his death. Fifty thousand people attended his funeral prayers and prayers were offered for 20 days after his burial.

Abu Hanifah is still famous today as the founder of one of the Four Schools of Fiqh. The Hanafi School is the largest in the world, and is followed by most people in the eastern and northern regions of the Muslim world including Turkey, Afghanistan, Pakistan, India, China, Russia and lower Egypt.

3. Imam Malik Bin Anas

Imam Malik b. Anas was born in Madinah in 93 A.H. (713 A.C.) and lived there most of his life. He came from a family of scholars who had come from Yemen and settled in Madinah after the advent of Islam.

Imam Malik studied under numerous teachers, many of whom had themselves studied under the Companions of the Prophet (i.e. they were *Tabi'ūn* — Companions of the Companions of the Prophet).

Imam Malik soon became famous as one of the most learned teachers of his time. When Imam Abu Hanifah visited Madinah, he came to listen to Imam Malik's lectures, although Imam Malik was 13 years younger than he was.

Like Imam Abu Hanifah, he had no fear of the Caliph Al-Mansur or any other tyrannical ruler. He once openly defied the Governor of Madinah who was a cousin of the Caliph. The Imam told the people that their oath of loyalty to the Caliph was not binding since it was given by force. The Governor of Madinah forbade him to say this, but he persisted. The Governor therefore ordered him to be given 70 lashes and paraded through the streets in his blood-stained clothes on a camel. But the Imam would not be bullied, and when the Caliph Al-Mansur heard of the matter he punished the Governor and apologised to the Imam.

Imam Malik was so famous that when the Caliph Haroun ar-Rashid visited Madinah he sent for the Imam to come and teach him. But the Imam insisted that the Caliph should come to him, saying: "People come in search of knowledge, but knowledge do not seek people."

At last the Caliph came to the Imam to hear his lectures. They were attended by all classes of people. The Caliph wanted the other people to be sent away but the Imam refused, saying: "I cannot sacrifice the interest of the common man for that of an individual." So the Caliph and his sons had to submit to the Imam's ruling.

The Imam deliberately chose to live in poverty and could not be corrupted by riches.

Imam Malik wrote a number of books, dealing with all aspects of religious practice, law and ethics. The most famous is the Muwatta, which is a compilation of some of the most authentic Ahadith and their interpretations by some of the Sahabah and the Tabi'un. These are treated in systematic order including the Five Pillars of Islam and various legal matters. One of the other famous Imams, Imam Al-Shafi'i, commented that: "There is no book that has appeared on the earth, after the book of Allah, more authentic than the book of Malik (i.e. Muwatta)." Not only Al-Shafi'i but also the fourth Imam, Ahmad ibn Hanbal, studied and memorized al-Muwatta.

Imam Malik died at the age of 85. His school of Fiqh, known as the Maliki School is now followed in most of North and West Africa.

4. Imam Muhammad b. Idris al-Shafi'i

Imam Muhammad b. Idris al-Shafi'i was born in Palestine 150 years after the Hijra (767 A.C.). His father died while he was young, and he was brought up in poverty by his mother, who was a talented woman.

Imam Al-Shafi'i showed early signs of his intelligence and good memory. He had memorized the Qur'an by the age of 7, and the Muwatta of Imam Malik by the age of 15. From the age of ten he studied in Makkah and at twenty he moved to Madinah where he continued studies under Imam Malik for about 9 years until the latter died in 179 AH. By this time Al-Shafi'i had established his own reputation as a jurist. .

Like the other Imams, he was not afraid to criticise frankly the actions of the rulers, as a result of which he was deported in chains to Iraq. However, he was subsequently pardoned by the Caliph Harun al-Rashid on the grounds of his great learning, and the Caliph became his patron.

Imam al-Shafi'i who was learned in the Maliki School had the opportunity in Baghdad to go more deeply into study of the Hanafi School of Jurisprudence. Having become an expert in both schools he moved to Makkah where he stayed for a while on his way to Egypt. In the course of his lectures he expressed some of his own opinions which differed in some points from those of both Imam Malik and Imam Abu Hanifah, although he retained the greatest respect for both those jurists.

He returned to Baghdad for a few years until at the age of 50 when he went to live permanently in Egypt, where he wrote his most famous works, Kitab al-Umm and al-Risalah. He died in Cairo in 204 A.H.

Al-Shafi'i was known for his piety, straightforwardness and generosity. Although he himself was never rich he used to give away all he could to the poor.

Those who follow his school are now found mainly in Yemen, Egypt, Syria, Malaysia, Indonesia and East Africa.

5. Imam Ahmad Ibn Hanbal

Imam Ahmad b. Hanbal was born in Iraq, in 164 A.H. and grew up in Baghdad. His father died when he was very young and his mother took over his upbringing.

Islamic Concept of Marriage

1. Importance of Marriage in Islam

Islam has placed emphasis on marriage as an institution of great benefit to the individual and society.

Marriage has existed since the time of our earliest forefather Adam, when Allah created for him a mate, Hawwa, and they had children.

Allah refers to the purpose of marriage in a verse of the Qur'an:

"And among His Signs is this: He has created mates for you from among yourselves so that you may find tranquility with them and He has put love and tenderness between you. In this, behold there are messages indeed for people who think."

(Qur'an 30:21)

This is a beautiful description of the husband/wife relationship. The marriage relationship is important because it fulfils a number of functions, among which are:

- (a) **The sense of security** felt by both husband and wife. This includes not only the physical comfort of a home but the psychological security of having someone close with whom there is a permanent relationship of complete trust and understanding.
- (b) **Sexual satisfaction:** Marriage is also a commitment to be faithful sexually to one's partner. It gives each partner the security of sexual satisfaction without having to go out and look for it in streets and hotels. This security reduces the dangers of adultery, rape, homosexuality, pornography, and obsession with sexual matters. It also reduces the spread of sexually spread diseases. The person who has no legal and available outlet for his or her sexual feelings is more likely to be a source of trouble to himself and society. All this is implied in another verse of the Qur'an where Allah says of the marriage partners:

"You are garments for them and they are garments for you."

(Qur'an 2:187)

He had a keen and intelligent mind and soon embarked on the study of Hadith, of which he was said to have remembered a huge number.

He became a pupil of Imam Al-Shafi'i when the latter was residing in Baghdad, and there was great mutual respect between the two. He was a reliable collector of Hadith and Al-Bukhari, Muslim and Abu Da'ud all narrated Ahadith from him.

Imam Ahmad was never on good terms with the rulers. This was in the first place because he regarded them as people who ruled by unjust and un-Islamic means and therefore he refused to serve them. Later on he also challenged the rulers over a matter of religious doctrine or philosophy. When he refused to withdraw his opposition he was imprisoned and tortured for several years. At last the Caliph Mu'tasim, ordered Imam Ahmad's release. When he died at the age of 75 vast numbers of the people of Baghdad turned out for his funeral prayers.

Imam Ahmad wrote many books, including Al-Musnad which contains an enormous number of Ahadith. His views and replies to people's questions were collected by his disciples and systematised into the form of a fourth school of Fiqh which took its place beside the others already mentioned. The followers of the Hanbali School are today found mainly in Saudi Arabia.

All the above four schools are recognised as orthodox in Sunni Islam, and all their founders are revered as learned and pious scholars to be held in the highest respect by every Muslim.

EXERCISES

1. Name the four Sunni Schools of Fiqh.
2. What is a School of Fiqh called in Arabic?
3. What was the achievement of the founders of the four Schools' of Fiqh?
4. In what way did the Prophet indicate approval for differences of opinion among his followers.
5. What sort of differences exist between the four Schools of Fiqh?
6. Why should the Four Schools of Fiqh not be regarded religious sects?
7. Outline the biographies and achievements of each of the founders of the four schools of Fiqh.

That is, marriage partners protect each other like clothes, from the shame and harm of unlawful sexual behaviour.

- (c) **Foundation of family life:** The Qur'an (16:72) has affirmed the marriage partnership as the lawful means of having children. Marriage provides the necessary support and protection for the wife during pregnancy and lactation. It also provides a stable environment for the upbringing of children, and the presence of both father and mother as teachers, guides and role models. The absence of such a family environment often leads to abnormal development and feelings of insecurity in children, which may in due course grow into anti-social and delinquent behaviour as the child grows up.
- (d) **Security in old age:** Those who remain single often find themselves lonely in old age. Just as marriage and family life provide the best environment for growing children, so they afford the best environment for the welfare of the parents and grandparents when they become too old to work and take care of themselves. The extended family provides a network of care so that aged parents have a role to play in it and a place of respect right up to the time of their death. They are neither forced to become destitutes on the street, nor sent away to old people's homes for strangers to look after.

2. Islamic injunctions on marriage

In the light of the above benefits of marriage, and others too numerous to mention, the Qur'an and Hadith have laid emphasis on the need for marriage to be the norm for every adult.

Thus Islam does not approve of celibacy as a religious practice.

It is regarded as an unnatural, unnecessary and potentially harmful practice. The Prophet is reported to have said:

"There is no monkhood in Islam."

Rather Muslims are enjoined to get married as soon as circumstances permit:

"O you young men, whoever is able to marry should marry, for that will help him to lower his gaze and guard his modesty."

(Bukhari)

There are detailed studies by the four schools of Islamic jurisprudence on the subject of when marriage should be regarded as obligatory or recommended or undesirable or even prohibited. These take into account considerations of:

- (a) whether the person is likely to commit *zina* if he or she does not marry;
- (b) whether he has the means to support a wife and children;
- (c) whether he or she has any sexual desire;
- (d) whether he or she wishes for and loves children; and
- (e) whether he or she has any illness which would affect the partner and children.

The emphasis on the desirability of marriage is found again in Qur'an chapter 24 verse 32:

"And (you ought to) marry the single from among you as well as such of your male and female slaves as are fit (for marriage). If they (whom you intend to marry) are poor, (let this not deter you); Allah will grant them sufficiency out of his bounty-for Allah is Infinite (in His mercy), All Knowing."

It should also be mentioned that Islam enjoins marriage as an act of worship and a means of fulfilling a religious obligation. It was narrated by Anas that the Messenger of Allah (S.A.W.) said:

"When a man marries, he has fulfilled half of his religion, so let him fear Allah regarding the remaining half." (Baihaqi)

The exercise of *taqwa* (fear of Allah and righteous conduct) which will complete his religion is of course much easier for a person who is protected by legal marriage from the sins of *zina*, promiscuity and homosexuality.

Therefore in establishing marriage as the desirable norm the Prophet (S.A.W.) is reported to have said:

"Marriage is our Sunnah. He who deliberately turns against our way is not of us."

EXERCISES

1. Quote from memory the translation of Qur'an 30:21 about the marriage relationship.
2. How does marriage contribute to a person's mental tranquility?
3. Explain Qur'an 2:187: "They (wives) are garments for you and you are garments for them."

4. In what ways is marriage important for the bearing and upbringing of children?
5. How does a strong family life affect the welfare and happiness of old people?
6. What was the Prophet's (SA W) comment on the celibacy of monks and priests?
7. Quote from memory a Hadith regarding marriage as a religious obligation.

The prohibited Degrees of Marriage

1. Restrictions on Marriage

Restrictions on marriage in Islam are designed to uphold a stable and moral family life and social order. They relate to:

- (a) blood-relationship
- (b) fosterage
- (c) affinity
- (d) morality
- (e) religious difference.

2. Permanent bars to marriage

The Qur'an has listed in chapter 4 verses 22-24 the following women whom a Muslim should not marry:

- (a) His mother
- (b) His step-mother
- (c) His grandmothers on both sides (including great grandmothers)
- (d) His daughters (including grand daughters)
- (e) His sisters (both half and full)
- (f) His aunts and great aunts on both sides
- (g) His nieces on both sides
- (h) His foster mother
- (i) His foster mother's sister
- (j) His foster sister
- (k) His wife's mother (mother-in-law)
- (l) His step-daughter (i.e. daughter of a wife with whom he has consummated marriage)
- (m) His son's wife (daughter-in-law)

The equivalent prohibitions exist for females towards their male relatives.

3. Conditional bars to marriage

In addition there are some prohibitions which may be lifted in due course, if the circumstances giving rise to the prohibition change.

Examples of such prohibitions are:

1. Marriage to two sisters at the same time
2. Marriage to a woman already married
3. Marriage to more than four wives at a time
4. Marriage to a woman in '*Iddah* (waiting period)
5. Marriage to an idolatress
6. Marriage of a Muslim woman to a non-Muslim

Any of the above prohibitions would no longer apply if the circumstances changed due to death, divorce, time-lapse, conversion to Islam, etc., as applicable.

4. Purpose of restrictions on marriage

The restrictions on marriage are revealed in the Qur'an by Allah, who alone knows all the wisdom that underlies them. However from our human reasoning we can deduce several benefits from these restrictions:

- (a) The prohibition on marrying close blood relations and relations by marriage helps to prevent "in-breeding" which can accentuate genetic defects within a family and lead to unhealthy offspring. The prohibition makes it totally illegal for members of a family (apart from the husband and wife) to consider each other as potential sexual partners. The family is therefore able to fulfil its functions in promoting mutual love and support without complications caused by jealousy and sexual rivalry between its members.
- (b) The prohibition of marriage to a woman already married or to a woman in '*Iddah*, also helps to prevent doubts and disputes over the paternity of any child born to her.
- (c) The prohibition of marriage to more than four wives at a time prevents the rich from indulging in promiscuity and accumulating limitless number of wives without full moral responsibility, personal commitment and ability to deal justly towards them, as required in an Islamic marriage (see lesson 57 on Polygamy).
- (d) The prohibition of marriage of a Muslim woman to a non-Muslim man is a protection of her own religious belief and practice, and that of the children of the marriage. The prohibition is also a protection for the wife against any infringement of her marriage rights, since a non-Muslim husband could not be subject to the Shari'ah in case of any dispute.

- (e) The prohibition of marriage of a Muslim man to an idol-worshipping woman is in accordance with the position of their religions, which cannot be reconciled (see Qur'an: Al-Kafirun). The prohibition is found in Qur'an 2:221. It may be noted that Muslim men are permitted to marry "People of the Book" (i.e. Jewish and Christian women) and must allow them to retain and practice their religion and not force them to accept Islam. However, such marriages should certainly be avoided in circumstances where the wife may influence their children to follow her religion rather than Islam.

To sum up, the prohibitions on various marriages are all designed to promote a healthy and moral Islamic family life and to reduce the areas of potential dispute within the family and between families.

EXERCISES

1. Analyse the relationships where there is a permanent bar to marriage (in Section 2 of this chapter) and list those based on blood relationship, those based on fosterage and those based on affinity (marriage relationship).
2. List the conditional bars to marriage.
3. What do you see as the harm or danger of marriages which ignore the prohibitions on:
 - (a) Marriage to a woman in '*Iddah*
 - (b) Marriage to an idol-worshipper
 - (c) Marriage of a Muslim woman to any non-Muslim
 - (d) Marriage to a woman who already has a legal husband.

Betrothal, Validity of Marriage and the Wedding

1. Betrothal

It is the responsibility of parents or guardians of the young to help in finding a suitable partner for their daughter or son. According to a Hadith, from Abu Hurairah, the most important characteristic to be looked for in a bride is her religion:

"A woman may be married for four qualifications: for her wealth, for her birth, for her beauty or her religion. So choose the religious one; and if you do it for any other consideration, your hands be rubbed in dirt!"

(Bukhari, Muslim, Abu Da'ud, Nasa'i)

By implication the same characteristic of religious and moral seriousness should be sought for in the bridegroom. In addition to this he should of course have the ability to, or prospect of being able to support a wife and children.

The modern western practice of courtship and "dating" before marriage is not approved in Islam because it commonly leads to immoral relationships.

The two commonest approved methods of getting betrothed in Islam are:

- (a) for parents or relatives to suggest a suitable match. If this is done, it is recommended in a Hadith that the young people should have the chance to see each other (though not alone) so that they could know if there is anything they find objectionable in the proposed partner. If either of them does object, it is easy to stop there, since according to another Hadith (Bukhari 67:42):

"A widow and a divorced woman shall not be married until her order is obtained, and the virgin shall not be married until her permission is obtained."

If neither partner objects, the formal betrothal is made and in due course a date for the wedding arranged.

- (b) Alternatively, the boy may have a particular girl in mind for marriage. In this case he should inform his parents or guardian so that approach may be made to the girl's family. The parents of both the boy and girl should find out all they can about the proposed partner in order to ascertain that he or

she is of good character, so that the marriage is based on a sound foundation and not just superficial or physical attraction. If the parents think it is a wrong choice they should advise their children not to proceed, and in the case of the girl, the father may even stop the marriage from taking place since the consent of the bride's father or guardian is one of the essential conditions of marriage.

As can be seen from the above points, the consent of both the girl and her father/guardian are required, and this ensures that allowance is made both for the feelings of the girl and the wisdom of an older relative with greater knowledge of the world and judgment of men's character.

According to some of the jurists, such as Imam Malik, the father has the right to betroth or give his virgin daughter in marriage to whom he wishes.

It is assumed that the father loves his own daughter and that his actions will be guided by concern for her own future happiness. The authority given to him is not intended to be abused by giving his daughter to a rich man of doubtful morals in order to gain financial benefit for himself.

However, according to a Hadith (Bukhari 67:43): The Prophet said:

"When a man gives his daughter in marriage and she dislikes it, the marriage shall be repudiated."

A case is recorded where he gave this judgment to a girl who complained that she had been married without her consent.

2. Two suitors seeking the same girl

If one suitor has approached a guardian seeking a girl's hand in marriage, and there are already signs of her inclination to acceptance, it is not approved for another suitor to make his own proposal unless the first suitor voluntarily withdraws his suit. According to a Hadith from Uqbah ibn 'Amir:

"A believer is a brother of a believer, hence it is not lawful for him to bargain upon the bargain of a brother, nor propose (for the hand of a girl) on the marriage proposal of his brother, unless the latter (voluntarily) withdraws his proposal." (Muslim)

This prohibition prevents enmity between rival suitors. It also stops them from competing in gifts or promises of gifts to the family in an effort to outbid each other. This practice which is sometimes encouraged by selfish relatives, makes it seem that the girl is up for auction to the highest bidder. This is contrary to the teachings of Islam. The strictly Islamic requirement is the dowry itself (Sadaq or mahr) as a free gift to the bride (Q.4:4). It is moreover for the bride to say what she considers acceptable as her dowry. The practice of making various compulsory gifts to the bride's family, often far in excess of the bride's own dowry, has no sanction in Islam and serves only to place financial obstacles in the way of marriage, which is quite contrary to the spirit of Islam. (It also raises many problems in the event of divorce by Khul' (see lesson 60).)

The same applies to the practice of fixing very high dowries. The Prophet approved the marriage of a man who had only a pair of shoes to give his bride as dowry, (see Ahmad, Ibn Majah and Tirmidhi) and in another case instructed a poor man to teach his bride some verses of the Qur'an as a dowry (see Bukhari and Muslim). From this it can be seen that the dowry should not drive people into debt or be so high as to make it difficult to get a wife. While the Qur'an has imposed no maximum on the dowry, the Prophet, according to a Hadith, urged moderation by saying "The best marriage is the one that is most convenient (to both parties)." (Abu Da'ud)

3. Requirement for valid marriage, and wedding ceremony

The legal requirements for a valid marriage are the existence of:

- (a) the marriage guardian of the bride (*Wali*)
- (b) the dowry
- (c) the bridegroom
- (d) the bride
- (e) the *sighah* (proposal and acceptance)
- (f) two witnesses

The *Wali* (marriage guardian) should be either the girl's father or appointed male relative. In the absence of either, a Muslim ruler can be a *Wali*.

The bridegroom should be legally free to marry (i.e. he should not already have four wives). He should also have the means to support the new bride.

The bride should be unmarried and not in 'Iddah.

The *sighah* means that the family of the bridegroom formally ask for the hand of the girl for their son and the *Wali* of the bride formally agrees.

The minimum two witnesses should be male and of good character.

The ceremony is then followed by a sermon of advice to the couple and prayers for their future happiness in marriage.

The marriage should also be publicised and hence a wedding feast (*walima*) may be given by the bridegroom and his family.

It should be mentioned that since the marriage is a form of agreement or contract, it is permitted to make certain conditions in it provided these are not contrary to the provisions of the Shariah itself. Such conditions may be stated before the witnesses during the marriage ceremony, and are legally binding.

4. Age of marriage

Neither the Qur'an nor Hadith has specified the age of marriage for a boy or a girl. The Prophet himself was 25 when he married Khadijah his first wife, while she was 40 at the time. In spite of the unusual age-gap it was a very happy marriage.

The only young girl the Prophet married was Aisha. She was reported to be nine when the marriage was conducted, though it was not consummated until several years later when she had reached maturity.

In the case of the Prophet's own daughter Fatima, he gave her in marriage to Ali when she was at least 18 years old.

Some jurists have favoured marriage for girls immediately after reaching puberty. However, the case of Fatima's marriage at 18+ and the absence of any Qur'anic verse or Hadith make it a matter of personal judgment. Modern medical knowledge has shown that puberty in girls often comes several years before full physical development and that child birth before full physical development of the pelvic structure can be very dangerous. This leads often to death in child birth because the baby cannot pass between the undersized pelvic bones. In other cases it causes tearing of the urinary passage leaving the mother unable to control the flow of urine--a condition called VVF that is difficult to cure. Such a disaster is obviously not intended, since the Shari'ah is designed to prevent harm to a wife.

This danger deserves careful consideration in deciding the marriage age of girls.

Duties and Rights of Husband and Wife

In general it is considered desirable for a boy or girl to be married whenever it is reasonably possible, so as to provide a legal framework for the natural needs of physical maturity. Marriage should therefore not be delayed unnecessarily where no obstacles exist.

However, no age has been specified, therefore the individual may take into account all personal factors such as physical development, mental and psychological maturity, degree of sexual self control; and also their circumstances, such as financial ability to marry and maintain a wife and children, educational situation and arrangements for studies, availability of a suitable partner and other considerations.

All these factors need to be taken into account so as to give the marriage the best possible chance of success and happiness.

EXERCISES

1. Quote from memory the Prophet's advice with regard to choice of a bride.
2. Describe the commonly approved procedures for arranging for a marriage.
3. The consent of both the bride and her guardian are required for Islamic marriage. How does this help to prevent a wrong choice of husband?
4. Discuss the benefits of prohibiting a suitor from proposing marriage for a girl who already has a suitor whom she is inclined to accept.
5. What is the Arabic name of the prescribed gift from the bridegroom to the bride?
6. List and explain the legal requirements for valid marriage.
7. Which factors are relevant in deciding on the age to get married for a boy or girl?

1. Mutual obligations of marriage

Marriage is a relationship which entails mutual obligations. The duties of the husband are the rights of the wife, while the duties of the wife are the rights of the husband. They are described here under the heading of duties, but it is to be understood that the performance of the duty by one partner is the right of the other partner.

It should be recalled that the relationship of marriage in Islam is described as one of love, compassion and tranquility. Therefore for a marriage to be successful it is important not only to fulfil the letter of the law with regard to duties in marriage, but to carry them out in the right spirit of kindness and good will. All such charitable behaviour is accepted as sadaqah and an act of worship. As such it will bring blessings on the partners and it is most likely that the marriage will be a happy one.

2. Headship of the family

A family is an organizational unit for the mutual benefit of its members. Any organizational unit must have a leader who is responsible for taking final decisions. It cannot have two leaders or they may lead in different directions, resulting in the break-up and destruction of the unit, in this case the family.

In Islam the husband is to fulfil the responsibility of leadership:

"Men shall take full care of women with the bounties which Allah has bestowed more abundantly on the former than on the latter, and with what they may spend out of their possessions. And the righteous women are the devoutly obedient ones, who guard the intimacy which Allah has (ordained to be) guarded ..."

(Qur'an 4:34)

Again in the context of divorce:

"And men have rights over women as women have rights over men; and men are a degree above them."

(Qur'an 2:228)

From the above Qur'anic verses, it will be seen that men's leadership is not a dictatorship. There is only a degree of difference between them. The women also have rights similar to those of men, and should therefore be given consideration and consulted on matters of mutual concern in family life. However, in case the husband does not accept the wife's advice she is to recognise his leadership and ultimate responsibility and do as he wishes, as long as what he decides is not contrary to Islam.

3. Maintenance and protection of wife and children

The Qur'anic verse quoted above (Q. 4:34) means also that the husband is fully responsible for the feeding, clothing, housing and general welfare of the wife (and children). He is also expected to protect them from any external danger, and to ensure their proper Islamic education which will protect them from doing wrong out of ignorance.

4. Duties of the wife in the home

The wife is responsible for making the home a comfortable and happy place for all the family. She is therefore to take charge of its day-to-day management and smooth-running. The husband should, if he has the means, provide her with a servant or more to help with the household tasks.

However, if he is too poor to afford a servant, or if the wife prefers to do her own housework and cooking, she will get the reward for it from Allah. Moreover, it is good for the husband to lend a hand in household tasks in the light of a Hadith narrated by Aisha when Al-Aswad b. Yazid asked what the Prophet did in the house. She replied:

"He used to work for his family, that is, serve his family, and when the prayer time came, he went out for prayer." (Bukhari)

The wife should take good care of the husband's property whenever he is away. She should not allow into the house men of whom the husband does not approve. She should guard her chastity and keep a good reputation.

She should also take care of the small children and supervise their early training and upbringing. There is an Arabic proverb "Al-Ummu Madrassatun" meaning "The mother is a school." This draws attention to the very important role of the Muslim mother in guiding the new generation into good behaviour and teaching them their first lessons in life.

5. Sexual fulfilment

Marriage is the only relationship in which sexual relations are lawful in Islam. It is therefore very important that each partner should try to satisfy the other so that neither is tempted to look for sexual satisfaction outside marriage, and thereby commit *zina* which is a very serious offence.

Sexual relations are therefore one of the obligations of marriage, and their prolonged refusal without reasonable cause is a recognized ground for divorce by either partner.

6. Dowry

As mentioned in Chapter 54, the dowry is a gift from the husband to the bride, which gives her some independent financial resources which she can handle as she wishes for saving, investment or spending.

7. Mutual respect for each other and parents

Both husband and wife should behave with dignity and respect for each other, avoiding abuse and harshness, and showing respect and consideration for each other's parents. This point will be dealt with further in the next lesson.

8. Just and equal treatment of wives in plural marriage

The husband is urged in Qur'an chapter 4 verse 3 to deal justly between wives and give them equal treatment, and if he cannot do so he should marry one wife only. (See chapter 57).

9. Prolonged unexplained absence of husband

A husband is not to leave his wife in suspense for a long period, not knowing where he is or why he does not return.

10. Absence without permission from matrimonial home

The wife should not leave the matrimonial home without the husband's permission.

11. Divorce

In the event of either partner violating the legal rights of the other in marriage, or of the couple being unable to live happily together, each has access to divorce in the ways that will be explained in Chapter 60.

12. Inheritance

Husband and wife, in the event of the death of the partner, are entitled to a fixed share of the inheritance in accordance with the proportions laid down in the Shari'ah. (See Chapter 64).

EXERCISES

1. Analyse:
 - (a) Why a family needs a head.
 - (b) Why the family head should be the husband.
2. What is implied in the husband's responsibility for maintenance of his family?
3. What are the wife's duties in the home?
4. What is the importance of a mother in the upbringing of young children?
5. Why is prolonged refusal of sexual relations by husband or wife considered a ground for divorce?
6. What is the purpose and use of a dowry to a wife?

CHAPTER 49

Law Prohibiting Ill-Treatment of a Wife (Idrār)

1. The duty of kind treatment of a wife

A Muslim's role as leader of the family is to be benevolent and considerate, not dictatorial or harsh. The concept of marriage in Islam, as indicated in Chapter 52 of this book, is a union based on mutual love, mercy, understanding and support. This idea is further emphasised by the verse:

"... and forget not (that you are to act with) grace towards one another: verily, Allah sees all that you do."

(Qur'an 2:237)

Each partner should therefore try to avoid giving offence or doing anything that would make the other partner regret the marriage.

The Qur'an contains many verses urging men to be kind and generous to their wives and not to ill-treat them or make their lives difficult (e.g. Surah al-Talaq 65: 1-7). There are also many Ahadith which supplement these verses. The Prophet (p.b.u.h) emphasised that:

"The best among you is he who is kindest to his wife."

He himself set the best example of kindness to his own wives.

2. Prohibition of Idrar (Harm)

It is to be noted that in Islam the power of divorce is vested in the husband, subject to a number of constraints which we shall see in Chapter 59 of this book. The wife does not have the power to give a unilateral divorce. However, if her rights are being abused by the husband, she may take her complaints to a Shari'ah court so that the qadi (judge) may investigate. If her case is proved, the judge may grant the wife a divorce without requiring the repayment of any amount of her dowry to the husband.

The ill-treatment of a wife is called "idrār" under the Shari'ah.

3. What constitutes "Idrār"

"Idrār" is a broad term meaning "harm" and includes among other things:

- (a) **Lack of maintenance:** This includes failure to provide adequate food, clothing and shelter for the wife according to his means.
- (b) **Denial of intercourse:** This could affect the wife's welfare by depriving her of satisfaction within marriage and thereby encouraging her to commit *zina*.
- (c) **Prolonged deliberate absence:** If the husband leaves the home and deliberately refuses to visit the wife for a long period, the wife is deprived of both the companionship and sexual satisfaction of marriage, which is also harmful to her.
- (d) **Unwarranted beating:** Although it is not totally prohibited to administer light beating to a wife if she is guilty of gross misconduct, and has refused to respond to other prescribed forms of correction, beating was frequently and strongly condemned by the Prophet as incompatible with the spirit of marriage in Islam. There are many Hadith to this effect in Bukhari, Muslim, Abu Da'ud, Ibn Majah, al-Nasa'i and Tirmidhi. A husband is not to use his superior physical strength to terrorise his wife by severe beating, or to beat her at all for minor offences. If he does so, it may constitute "Idrār".
- (e) **Taking intoxicants:** A wife is not required to endure the bad behaviour of a husband arising from his taking alcohol or other intoxicants.
- (f) **Abusing the wife or her parents:** Ill-treatment may be psychological as well as physical. Verbal abuse or humiliation of the wife or her parents is also a serious threat to the marriage, and may constitute *Idrār*.
- (g) **Ill-treatment by local custom:** Any behaviour or attitude towards the wife which is regarded as ill-treatment even by the custom (*'urf*) of the people concerned, may be considered as *Idrār* under the Shari'ah.

4. Evidence in court of Idrār

If the wife can establish in court that her husband is guilty of *Idrār* towards her on any of the above or similar counts, the judge may dissolve the marriage and the wife will not forfeit any of her dowry, since it is the husband who has violated the provisions of Shari'ah regarding the marriage. She must therefore produce two reliable independent male witnesses to establish the truth of her complaint, or the husband's admission or other clear and relevant evidence (including widespread hearsay affirming *Idrār*).

It should be a wife's first concern to preserve her marriage because of the Hadith that: "Of all the things Allah has made lawful the thing He most detests is divorce." She should therefore exercise patience and try by persuasion and the assistance of family members to induce the husband to stop the ill-treatment. However, if all such efforts fail it is important for her to know her legal situation with regard to *Idrār* so that she may if necessary obtain release from an unhappy marriage. It is important also for men to know the law on *Idrār* so that they do not abuse their wives' rights out of ignorance of the Shari'ah, but treat them with the consideration and kindness enjoined by the Qur'an and Sunnah.

EXERCISE

1. Quote the Prophet's words about kindness to wives.
2. What is the meaning of "Idrār"?
3. What can a wife do if the husband is abusing her rights in marriage?
4. Mention 6 examples of offences which constitute "Idrār".
5. How is *Idrār* to be established in court?

Polygamy

1. Polygamous marriage: Islamic restrictions

The word "polygamy" is used to refer to marriage of a man with more than one wife at the same time. It is a practice found in many parts of the world and has existed in most societies since man's early history. It corresponds with the biological nature of human beings in that a man's reproductive system is capable of fathering great numbers of offspring, while the female reproductive system carries only one pregnancy at a time, taking 9 months for gestation and up to 2 years for suckling.

However, marriage, as we have seen in Lesson 52 of this book, is not only for the production of children. Mankind has not only a biological nature but also a spiritual nature, a sense of justice and a complex set of emotions. These are all involved in the marriage relationship.

Therefore when Islam was revealed to a people who were practising unlimited polygamy, it brought a legal limitation of four on the number of wives, rules for their fair and proper treatment, and a condition that if the husband could not deal justly between two or more, he should marry only one.

"If you fear that you will not be able to deal justly with the orphans, marry the women of your choice, two, or three or four. But if you fear that you will not be able to deal justly with them then only one."

(Qur'an 4:3)

2. The meaning of doing justice between wives

According to a Hadith a man who marries more than one woman and who acts unjustly between them will be resurrected with parts of his body falling off. (Abu Da'ud, Nasai and Ibn Majah).

The justice required of a husband between wives is in respect of their maintenance (feeding, clothing, accommodation) and also of any presents that he may give. It also obliges him to divide up his time fairly so that each has a share of his company.

However, while it is possible for a husband to control these aspects of his provision and behaviour, it is not possible to stop himself from feeling more love for one wife than another. This is recognized in another Qur'anic verse:

"You are never able to be just as between women, even if it is your ardent desire; but turn not away from a woman altogether so as to leave her as it were hanging in the air".

(Qur'an 4:129)

Therefore even in the area where it is most difficult to measure and control his behaviour, the husband is not to allow his love for one wife to lead to neglect of another, so that she is left in suspense, feeling uncertain and unwanted.

Indeed the conditions for doing justice between wives are hard to meet, and any husband thinking of embarking on a second or subsequent marriage should consider carefully the responsibilities that he is taking on and the difficulties he is likely to face in doing justice.

3. Circumstances which might necessitate polygamy

Some modern writers have gone to the extent of concluding that since it is almost impossible to do full justice between wives, a man should limit himself to one wife. A few Muslim countries earlier this century went further to make laws prohibiting polygamy under any circumstances.

However, this is going beyond what is warranted in the Qur'an and Sunnah, which have not prohibited polygamy but only limited it and made it conditional on fair treatment.

Therefore while monogamy may be regarded as the norm and the commonest form of marriage, polygamy still has a role to play under some circumstances. For example problems sometimes arise as the result of a disability in the first wife, such as:

- (a) infertility
- (b) serious illness, physical handicap, disablement or serious injuries due to accident etc.
- (c) mental illness

All these conditions deserve the sympathy of the husband. At the same time if he is deprived of some of the satisfactions of marriage due to the wife's condition, he may find it necessary or desirable to marry another wife. The strict law of monogamy would force him to divorce the first wife in order to marry another. Under the Islamic law he can be married to both, which seems to be fairer to the first wife who is not guilty of any of offence but is only ill.

The Status of Women

Another circumstance which may make polygamy preferable to the available alternatives is where the husband is too virile for one wife. In monogamist societies such men find a solution in acquiring mistresses or visiting prostitutes and committing *zina*.

The Shari'ah has prohibited *zina* and does not allow a woman to be used in this way, in which she is deprived of respect and of the rights of a wife. A man is either to marry a woman as a second or subsequent wife, give her dowry and take full responsibility for her and their children, or to leave her alone.

On a wider scale it may happen in wartime that many men are killed, leaving thousands or even millions of widows, orphans, and unmarried young women. By allowing for polygamy the women can be protected, taken care of and enabled to enjoy the satisfactions of family life and children.

In each of the circumstances listed above one can see that polygamy is often the right solution to the problem because it is better than the other alternatives. Therefore to abolish it by law is to close the door on a very useful option.

What is necessary is not to abolish polygamy but to ensure that its Islamic conditions are observed.

EXERCISES

1. What restrictions did Islam place on polygamy?
2. Quote from memory the translation of Qur'an 4:3 and Qur'an 4:129 on justice between wives.
3. In what ways is a husband required to do justice between wives?
4. What kind of problems sometimes arise in a marriage or in society which could be resolved by permission for polygamous marriage?

1. Women's Status in pre-Islamic societies

Women's smaller stature and strength, and their natural disabilities during pregnancy and childbirth have always put them at a disadvantage with men in terms of physical competition. Their natural sense of responsibility towards their infants has also been a factor in attaching the woman to the home and the domestic scene, while men go out to seek a livelihood and support the family.

This dependent role of women has in many societies been equated with general inferiority. In the course of human history women have commonly been looked upon as intellectually, morally and spiritually inferior to men. Consequently their education was neglected and their independent and equal status denied under law and custom, preventing them from inheriting or owning property. They were often excluded from full religious participation on the grounds that they were ritually "unclean" or taboo. The inner secrets of religion were reserved for men.

In some parts of the world women have been treated little better than slaves, forced to do heavy work for little reward. In some places women were regarded in law as chattels — the property of the husband or family, to be inherited on his death along with his other possessions. Some societies have regarded women as play things, to be passed from man to man for his entertainment. Some have seen women as not only without soul but as an agent of the devil.

Consequently the birth of a girl would be greeted with either a sigh or a curse. Some societies, such as that of Arabia before Islam, even sanctioned the burial alive of female infants.

2. Islam and women: a revolutionary change

No other religion can compare with Islam in the revolutionary changes it introduced in the status of women. These changes required a major re-adjustment in the way women were to be evaluated and treated, both legally and morally. The Prophet in his lifetime demonstrated the new way that Islam wants women to be treated. It seems from a study of Muslim social development that after the period of the Four Orthodox Caliphs, this new

Caliphs, this new Islamic status for women, being contrary to the inherited prejudices and customs of some newly Islamized societies, was gradually suppressed and down-graded. For many centuries the enlightened attitude to women could be seen only in the families of true Islamic scholars (in Nigeria, Shehu Uthman Dan Fodio's family is a well-known example) who would follow the Qur'an and Sunnah and not local customs or pro-male interpretations of the law.

It is a tragic irony that today it is possible for the world in general to mistakenly regard Islam as a religion that suppresses women's rights and lowers their status.

It is therefore very important for every Muslim to put aside his prejudices and absorb the words of his Creator about the status of women, and to take as his model the Prophet's own example in this respect. We shall therefore deal with each aspect of a woman's status in Islam with quotations from the Qur'an and Hadith — the original sources.

(a) **Spiritual Status**

The Qur'an affirms in several places the equal spiritual status of men and women, their equal religious duties and their equal reward for their deeds:

"Surely for men and women who submit (to Allah), for believing men and women; for devout men and women, for truthful men and women, for steadfast men and women, for humble men and women, charitable men and women, for men and women who fast, for men and women who remember Allah much, for them Allah has prepared forgiveness and a mighty reward."

(Qur'an 33:35)

"Whoever performs good deeds, whether male or female, and is a believer, We shall surely make him live a good life, and We shall certainly reward them for the best of what they did."

(Qur'an 16:97)

(b) **Intellectual Status**

Islam as a religion gives much emphasis to understanding and the exercise of the intellect. Numerous Qur'anic verses urge mankind to think, to reason, study and ponder on Allah's creation as a means of attaining greater consciousness of Allah (*taqwa*). Since this increase of *taqwa* is required for the moral and spiritual development of both male and female, it should not come as a surprise that the Prophet (S.A.W.) spelled out the need for both men and women to study and seek knowledge. In a Hadith reported by Anas, he is

quoted as saying:

"The search for knowledge is a duty for every Muslim, male and female."

(Ibn Majah, Bayhaqi)

By this it can be seen that women are considered capable of benefiting from intellectual effort and study in the same way as men, and of contributing to human knowledge and enlightenment. As illustration of this the Prophet urged people to learn about Islam from Aisha, his wife. She was later held in high regard as a very important source of Hadith and as a person to be consulted generally about Islam and the affairs of the Ummah. Other women also played important roles as teachers and scholars.

The idea of leaving women uneducated and cut off from intellectual life is an anti-Islamic one which is the contrary of what Qur'an and Sunnah have prescribed.

(c) **Property-owning Status**

Under the Shari'ah women are recognised as independent individuals and not as the property of their husbands. They can therefore legally own property in their own right, earn and inherit wealth and invest or dispose of it as they wish. (Some of these rights were not achieved for women in Europe until the 19th and 20th centuries A.C.)

(d) **Status in Marriage**

The Islamic marriage dowry (*mahr*) is another indicator of the status of the Muslim woman. The old system of "bride-price" still found in some parts of the world, where the bridegroom pays the father of the bride, is replaced in Islam by the *mahr*, which is a free gift to the bride herself, and becomes her property.

In an Islamic marriage it is the husband's responsibility to provide for the wife and children. The legal rights and duties of the husband and wife have been outlined in chapter 55 of this book. The law prohibiting a wife's ill-treatment is discussed in chapter 56 and the wife's access to divorce by *khul'* or by the court are discussed in chapter 62. Kind treatment of the wife in the event of divorce is mentioned in chapter 61, and her right to custody of her children after divorce is covered in chapter 63.

All these legal measures are an indication of the respect due to a woman in marriage. The fact that some of these rights are today in practice often denied to Muslim women by social custom is an indication of the continuing struggle between Islam's generous attitude to women and the selfish and chauvinistic

attitudes that still prevail in some societies.

(e) **The spirit of chivalry towards women**

By appointing the husband as the head and maintainer of the family, and the wife as the household manager, Islam has defined their different responsibilities, which each should discharge to the best of his or her ability. On top of his legal duties however, a husband is urged to be kind to his wife, in accordance with a Hadith:

"The best of you is the one who is kindest to his wife."

The kindness includes sympathy, consideration and avoidance of force or violence upon women, which the Prophet condemned in many Hadith.

A woman's honour is also protected by the law against unfounded accusation of adultery. Anyone who makes such an allegation without the required four honest witnesses to the deed will himself be punished with 80 lashes.

Even the traditional reaction of displeasure at the birth of a baby girl was condemned in the Qur'an (16:58-59).

By such things Islam has recognized the differences between men and women and given each their appropriate rights and duties, and encouraged mutual appreciation and co-operation in place of competition and war between the sexes. This is why Muslim women who have studied and understood Islam seek only their Islamic rights and status.

(f) **The Status of the mother**

It is here appropriate to draw attention to the special place of honour given to the woman as a mother.

Her feelings as a mother are considered so important that every child is urged in the strongest terms to treat her with loving kindness. Accordingly, the Prophet is reported to have said:

"Paradise lies at the feet of mothers."

When someone asked him who was most entitled to his kindest companionship, the Prophet replied: "Your mother", and repeated it three times before he mentioned: "and then your father." (Bukhari and Muslim)

(g) **Conclusion**

We have in this short chapter been able to mention only a few of the many Qur'anic verses and Hadith which substantiate the claim of Islam's revolutionary impact on the status of women. They are so numerous that they

would require a book to contain them.

The practice in some areas and countries of extreme seclusion, involving depriving women and girls of access to broad education and participation in the affairs of the Muslim Ummah, has in the authors' view resulted in unhealthy ignorance among women. This ignorance has led to a lowering of women's status and unawareness of some of their Islamic rights.

The solution to this problem therefore seems to lie in giving girls and women equal access to Islamic and general knowledge and education in accordance with the Prophetic tradition and in enlightening the society in general and the younger generation in particular, about the true status of women in Islam.

EXERCISES

1. In what ways were women in some earlier societies given a lower status and fewer rights than men?
2. Describe the aspects of women's status and rights in which Islam introduced revolutionary changes, with regard to their:
 - (a) spiritual status,
 - (b) intellectual status,
 - (c) property-owning status
 - (d) status and rights in marriage,
 - (e) status and rights in divorce and child custody,
 - (f) status as mothers.
3. (a) Discuss the reasons why in some places Muslim women have not been enjoying their true Islamic status and rights.
(b) Suggest some ways of overcoming this problem.

Islamic Attitude to Divorce

1. Dissolution of Marriage

Talaq (divorce) means the breaking of the marriage bond.

In Islam marriage is intended to be a life-long partnership wherein both partners find security and happiness, and are able to establish a family and bring up their children (See Chapter 52).

It occasionally happens however that a marriage runs into problems, and one or both of the partners want to separate. Sometimes these problems can be solved and the marriage continues; sometimes the problems are not solved and the marriage ends in divorce.

2. Islamic discouragement of divorce

In Islam, divorce is greatly disliked. It should not be done lightly or for trivial reasons. According to a Hadith the Prophet is reported to have said:

"Of all the things that have been permitted, divorce is the most hated by Allah."

(Abu Da'ud and Ibn Majah)

However, if the relationship between husband and wife becomes so bad that it can produce only misery within the family, they are not forced to stay together until death. At that stage the marriage can be dissolved and each partner released in the hope of finding peace and happiness in another marriage if possible.

3. Attempts at reconciliation

If a husband and wife are not on good terms and a break is feared, the families should be called in to try and effect a reconciliation:

"If you fear a break between the two, appoint (two) arbiters, one from his family, and the other from hers; if they wish for peace, Allah may bring about their reconciliation for Allah has full knowledge and is acquainted with all things."

(Qur'an 4:35)

If however this arbitration fails, there is no other course than to start proceedings for divorce:

"But if they disagree and must part, Allah will provide abundance for all from His all-reaching bounty: for Allah is He who cares for all and is Wise."

(Qur'an 4:130)

Other provisions are made to give allowance for reconciliation. The first of these is the procedure for divorce. If a divorce is pronounced once, there is still time for reconciliation. The wife is to remain in her husband's house for the period of her Iddah (3 menstrual courses; See Qur'an 22:228). It may be that during that period anger will cool or circumstances change so that the couple are reconciled. If this happens, the marriage may resume without a fresh wedding since the first divorce is revocable.

"And the husband has the better right to take them back in that period if they wish for reconciliation."

(Qur'an 2:228)

The same applies to the second divorce, in case the couple should fall out again. It is only the third divorce which is final.

"A divorce is only permissible twice: After that the partners should either hold together on equitable terms or separate with kindness. So, if a husband divorces his wife (irrevocably), he cannot, after that, remarry her until after she has married another husband and he has divorced her. In that case, there is no blame on either of them if they re-unite, provided they feel that they can keep the limits ordained by Allah. Such are the limits ordained by Allah, which he makes plain to those who understand."

(Qur'an 2:229 - 230)

This limit serves to check husbands from making a regular practice of divorcing and taking back their wives repeatedly as a means of annoying them or keeping them in suspense.

To sum up, Islam has not totally prohibited divorce but has urged Muslims to avoid it unless it is absolutely necessary. It has also prescribed a number of measures and steps that promote reconciliation. Members of both families and the Muslim Community should be involved in this process. If divorce is still necessary the Qur'an insists that it should be done with kindness and without dishonour.

Kinds of Divorce

EXERCISES

1. Quote the meaning of the Hadith on Allah's hatred of divorce.
2. What steps, according to the Qur'an, should be taken by the relatives of a married couple if there are signs of their marriage breaking down?
3. How does the Islamic provision for revocable divorce help to promote reconciliation?
4. What restriction prevents a husband from repeatedly pronouncing and revoking divorce?

1. Methods of divorce

There are basically four methods of divorce as follows:

- (a) Talāq — divorce at the instance of the husband
- (b) Khul' — divorce at the instance of the wife
- (c) Faskh — divorce by court order
- (d) Mubara'ah — divorce by mutual agreement of husband and wife

2. Talāq

Talāq is divorce pronounced by the husband. It has several forms recognised by the Shari'ah, but the one sanctioned and approved by the Prophet (p.b.u.h.) is as follows. It allows for every possible opportunity of reconciliation.

- (a) the wife should not be in her menstrual period when the divorce is pronounced. The right time is when she is purified of her menses but intercourse has not yet taken place.
- (b) The husband should pronounce a single talāq. This allows for the talāq to be revoked in case it was pronounced in a moment of anger and then regretted. Divorce may be given verbally or in writing, or in any other manner which is understood by the 'urf (custom) of the community concerned to constitute divorce.
- (c) The wife should not be ejected from the marital home during the period of her 'Iddah. This condition is based on the divine injunction in the Qur'an:

"O Prophet, when you divorce women, divorce them at their appointed time, and compute the term exactly, and fear Allah, your Lord. Do not oblige them to go out of their apartment, nor allow them to depart, unless they be guilty of manifest lewdness."

(Qur'an 65:1)

During the 'Iddah the husband must in addition provide the wife with feeding and maintenance. This condition too is enjoined by Allah in the Qur'an:

"House the divorced as you house yourselves, according to your means, and distress them not, by reducing them to straights. And if they are pregnant then bear the charges for them till they are delivered of their burden; and if they suckle your children, then pay them their remuneration; consult among yourselves, and act generously."

(Qur'an 65:6)

If during the period of 'Iddah after a single divorce or after two pronouncements of divorce, the husband revokes the divorce, the marriage will still be valid. (Divorce is revoked either verbally or in writing or by an action which implies restoration of the relationship, such as sexual intercourse.) If he does not revoke it and the 'Iddah expires, the wife is free to marry another man of her choice. She may also at any time re-marry the husband who divorced her, but this requires a fresh marriage contract. If however, the 'Iddah is in respect of a third divorce, she is free to marry another man but cannot re-marry the husband who divorced her unless she has in the mean time contracted a *bona fide* marriage with another man and been divorced. (Qur'an 2:230)

It may be noted here that some Muslims who are usually ignorant of the procedure for divorce approved by the Prophet, pronounce three divorces at one time, thus allowing no chance whatever of reflection, repentance and reconciliation. This is called Talaq al- Bid'ah (non-conforming divorce), and was denounced severely by the Prophet.

In the event of divorce by the husband, the wife is entitled to keep her dowry and any presents which the husband may have given her in the course of their married life.

(Qur'an 2:229)

3. Khul'

It sometimes happens that a wife is not happy or satisfied with her marriage. If she has valid reason there is provision for the marriage to be broken at her request. This type of divorce is called *Khul'*. The wife requests the husband to release her and he does so in return for a mutually agreed amount (in cash or kind) representing her dowry. The Qur'an sanctioned this method in the following verse:

her dowry. The Qur'an sanctioned this method in the following verse:

"... hence, if you have cause to fear that the two may not be able to keep within the bounds set by Allah, there shall be no sin upon either of them for what the wife may give up (to her husband) in order to free herself."

(Qur'an 2:229)

It should be observed that just as the husband is not to resort to divorce without serious reason, the same applies to the wife.

Khul' may be agreed to privately by the husband and wife or it may be ratified by a court, which could determine the amount to be refunded.

The 'Iddah of a divorce by *Khul'* is the same as that of Talaq (i.e. 3 menstrual courses).

The *Khul'* counts as a single divorce. However, the husband cannot take back the wife, during or after 'Iddah, without her consent, and a fresh marriage.

4. Faskh

This is the divorce granted by a court of law:

- (a) on the grounds of a serious defect in the validity of marriage; or
- (b) in response to a valid complaint by a woman about her marriage or her treatment by her husband which warrants separation. Examples of such valid complaints have been mentioned in the chapter on *Idrār* (Chapter 56).

In such cases where the court finds the fault to lie with the husband, the wife will not be required to refund any part of her dowry. This divorce is not revocable. However, if they should later agree, they could be married with a fresh ceremony and dowry. In this respect it would be considered like a single divorce whose 'Iddah had expired.

5. Mubara'ah

Mubara'ah means divorce by mutual agreement of husband and wife to separate. Since this divorce is by the desire of both partners, the wife does not return her dowry. It is in law treated like a divorce by the husband, and the same rules apply in respect of revocation.

'Iddah and Kind treatment of Divorced Women

EXERCISES

1. Describe the approved procedure for divorce (Talaq)
2. What is the advantage of the approved procedure of divorce? .
3. If a once or twice-divorced wife's 'Iddah has not expired, can her husband take her back?
4. If a once or twice divorce wife's 'Iddah has expired, can she:
 - (a) marry another man?
 - (b) re-marry her first husband?
5. If a thrice-divorced wife's 'Iddah has expired, can she:
 - (a) marry another man?
 - (b) re-marry her first husband?
6. How is divorce:
 - (a) pronounced?
 - (b) revoked?
7. By what procedure can a wife get divorce from a marriage she dislikes?
8. If the court orders divorce due to the husband's ill- treatment, what is to be done about the dowry paid to the wife?

1. What is 'Iddah?

'Iddah is a waiting period of a woman after divorce or death of the husband. She cannot re-marry another man while she is in 'Iddah.

The uses of the 'Iddah include the following:

- (a) in the case of 'Iddah of first or second divorce it allows time for reconsideration and reconciliation.
- (b) it establishes whether the woman is pregnant by the divorced husband. This prevents any dispute over paternity of a child, which might arise if she were allowed to contract a new marriage at once.
- (c) in case the wife is pregnant, it ensures her maintenance and care until she delivers.
- (d) in case of death of the husband it allows time for some recovery from the initial grief before deciding on any new marriage, since it is unlawful for a man to make a formal marriage proposal to a woman in 'Iddah, although he may hint at his intention. (Qur'an 2:235)

2. Duration of 'Iddah

The duration of 'Iddah is generally speaking as follows:

- (a) in the case of a woman who menstruates, it is the period of three *quru'* (monthly cycles). That is she should observe three full gaps between 3 monthly periods before the 'Iddah expires. (Qur'an 2:228)
 - (b) in the case of a woman who is pregnant, her 'Iddah lasts until delivery (Qur'an 65:4)
 - (c) in the case of a woman who has stopped menstruation or a girl who has not started, the 'Iddah is three months. (Qur'an 65:4)
 - (d) if a marriage was not yet consummated, there is no 'Iddah. (Qur'an 33:49)
- In the case of death of the husband the 'Iddah is four months and ten days (Qur'an 2:234).

3. Kind treatment of divorced wife

As was seen from the previous chapter, the wife is to spend the 'Iddah of a revocable divorce in her husband's house, (Q. 65:1) and it is the hope that during that time they will reconsider their differences and be reconciled.

Whether they are reconciled or not the Qur'an repeatedly emphasises kind treatment of the divorced wife, and parting on terms of honour and generosity.

"Lodge them where you dwell, according to your wealth, and harass them not so as to straiten life for them. And if they are with child, then spend for them until they bring forth their burden. Then if they give suck for you, give them their due recompense and consult together in kindness ..."

(Qur'an 65:6)

"Then, when they have reached their term, take them back in kindness or part from them in kindness and call to witness two just men from among you, and keep your testimony upright before Allah. Whoever believes in Allah and the last Day is exhorted to act thus ..."

(Qur'an 65:7)

"Divorce must be pronounced twice and then (a woman) must be retained in honour or released in kindness. And it is not lawful for you that you take from women anything of what you have given them..."

(Qur'an 2:229)

A husband must not moreover put obstacles in the way of his divorced wife marrying another man:

"And when you have divorced women and they have reached their term (completed 'Iddah), do not place difficulties in the way of their marrying their (new) husbands if it is agreed between them in kindness. This is an admonition for him among you who believes in Allah and the Last Day. That is more virtuous for you, and cleaner. Allah knows: you do not know."

(Qur'an 2:232)

It will be noted that these verses contain stern warnings linking the husband's conduct to his divorced wife with his status as one who believes in his accountability to Allah on the Last Day. The point is emphasised again in the last verse to be quoted here on this theme:

"When you have divorced women, and they have reached their term, then retain them in kindness or release them in kindness. Retain them not to their hurt so that you transgress (the limits). He who does that has wronged his soul. Do not make the revelations of Allah a laughing-stock (by your behaviour), but remember Allah's grace upon you and that which He has revealed to you of the Scripture and of wisdom, whereby He exhorts you. Observe your duty to Allah and know that Allah is Aware of all things."

(Qur'an 2:231)

EXERCISES

1. Explain the meaning of "Iddah".
2. Identify various uses or benefits of 'Iddah.
3. Give the duration of 'Iddah for:
 - (a) a menstruating woman;
 - (b) a woman too old to menstruate;
 - (c) a pregnant woman
 - (d) a woman whose husband has died.
4. Describe where a divorced wife is to do her 'Iddah and what are the responsibilities of the husband towards her during 'Iddah.
5. Quote from memory the translation of any Qur'anic verse on kind treatment of divorced wives.
6. By what means does the Qur'an lay emphasis on kindness to divorced wives?

Other Kinds of Dissolution of Marriage

There are several other kinds of divorce which should be mentioned.

1. Li'ān: Mutual Imprecation

Marriage and family life are of great importance in Islam. Children conceived outside marriage are regarded as illegitimate, and adultery is a very serious offence which undermines the peace and stability of marriage. The punishment for proven or confessed adultery is death by stoning. Consequently the conditions for legal proof of adultery are very strict. Four reliable male witnesses are required to the actual act of adultery, which is a difficult condition to fulfil. If the accusation of adultery is made without four such witnesses, the accusation will be dismissed as false and the accusers themselves punished with 80 lashes.

However, in case the adultery is uncovered by the husband alone, or if the husband believes that the wife has given birth to a child which is not his own, he can take the matter to court, and a different procedure is followed (Q. 24:6-9). Since it is the word of the husband against the word of the wife, each will be asked to swear. The husband is to swear in the name of Allah four times that he saw his wife committing adultery or that the pregnancy was not from him, and on the fifth swearing he is to invoke Allah's curse on himself if his accusation is false. If he refuses to take this oath his own accusation will be considered false and he will be punished with 80 lashes.

If he makes the oath however, it is the wife's turn to respond. If she protests her innocence she will be asked to swear in the same manner four times, and on the fifth time to invoke Allah's curse on herself if she is lying. If she refuses to take the oath of innocence it is taken as an admission of guilt and she must face the death penalty for adultery.

If however, she takes the oath of innocence, no penalty will be inflicted on her and it is left to Allah to deal with whichever is the liar, since He alone is witness to all events, and His justice is without error.

Nevertheless, this process of mutual imprecation (li'an) obviously marks a complete breakdown of trust between husband and wife. The marriage-tie will

automatically be broken by li'an, and the judge will pronounce an irrevocable divorce.

2. Zihar

This was a type of divorce arising from a bad practice by the pre-Islamic Arabs and condemned by Islam.

The husband would say to his wife: "You are to me as the back of my mother." This was called "Zihar" from the Arabic word "zahr" meaning "back", implying that if he sleeps with her it is as if he sleeps with his mother. In other words the husband has vowed never to have sexual relations with her again. Yet she is not free to leave the husband's house and re-marry.

A case of Zihar was brought before the Prophet and this became the occasion for a revelation to clarify the issue. The full text is in Surah 58 verses 1-4.

By this the husband who pronounces the *zihar* and then wishes to resume the full marriage relationship has to do *kaffarah* as penance. Before he can touch the wife again he must free a slave, and if he has no means for that, he must fast for two consecutive months. If he is unable to fast he is to feed sixty needy people.

If on the other hand four months expire and he does not take her back, the case should go to court where the judge may order the husband to either do *kaffarah* and re-unite with the wife, or give her a proper divorce.

Some other jurists are of the opinion that if four months expire without the husband taking her back it is to be regarded as an automatic divorce, single and revocable, and she should start 'Iddah from that time.

3. Īlā' (Swearing)

Īlā' was another pre-Islamic Arab practice which was condemned by Islam. It consisted of taking an oath not to have sexual relations with a wife. The period of such abstention was unlimited. It had thus the same effect as Zihar of keeping a wife in suspense indefinitely, neither enjoying the position of a wife nor free to leave and marry someone else.

Islam did not tolerate this kind of ill-treatment of women, and the Qur'an prescribed a limit to Īlā':

"In the case of those who swear that they will not go in to their wives, the waiting period is four months; then if they go back Allah is surely Forgiving,

Merciful. And if they resolve on a divorce, then Allah is surely Hearing, Knowing."

(Qur'an 2:226-7)

Therefore if the husband does not resume conjugal relations with the wife within the four months, the marriage is dissolved. According to some jurists it is automatically dissolved, while according to others the case must go to court and the husband be ordered to either divorce the wife or re-unite with her.

Whatever the case, it is regarded as a single divorce, and if its 'Iddah expires the wife is free to marry someone else.

As may be seen therefore, the pre-Islamic practices of Zihar and Īlā' (which are still practised in various parts of the world) were recognised and condemned as sinful. Legislation was brought in by the Qur'an to make such practices conform to Islamic principles of justice and fairness to the wife, that is to either retain the wife in kindness with her full rights or to release her in kindness. The legislation is therefore intended as a check on those who are behaving irresponsibly towards their wives with regard to the marital relationship. Those who respect Allah and follow His guidance adhere to those forms of divorce which are permitted in the Qur'an and Sunnah.

EXERCISES

- What is meant by *li'an*?
 - What is the procedure for *li'an*?
- If both husband and wife take the oath of *li'an*:
 - is either to be punished?
 - what should be the verdict of the court in respect of the marriage?
- What is meant by Zihar?
 - How is a case of Zihar to be resolved?
- What is meant by Īlā'?
 - How is a case of Īlā' to be resolved?

CHAPTER 56

Custody of Children after Divorce

1. Children of divorced parents

In the unfortunate event of divorce, children inevitably suffer by being deprived of the presence of either their father or mother. In some non-Muslim societies the most bitter legal battles of divorce are fought over which parent should have custody of the children. Under the Shari'ah the question of custody is straightforward since the law has listed who should have custody in clear order of priority.

2. The decision of the Prophet

The law on custody of children is based on several Ahadith relating how the Prophet (p.b.u.h.) dealt with cases brought before him. One of the key relevant Hadith is the following:

According to 'Amru b. Shu'aib a woman came to the Prophet and said:

"Truly my belly served as a container for my son here, and my breast served as a skin bag for him (to drink out of) and my bosom served as a refuge for him; and now his father has divorced me, and he (also) desires to take him away from me."

The Prophet said:

"You have a better right to have him as long as you do not marry again."

(Ibn Majah)

From this it is seen that the mother is recognised as generally the fittest person to take care of the children, because of the love and tenderness she feels for them and her closer contact with them throughout pregnancy, infancy and childhood. However, if the mother marries again she would generally forfeit her right to custody, which would pass next to some of her female relatives. The court is empowered to assess their eligibility in the interest of the child.

3. The order of priority for custody under the Shari'ah

According to the Maliki School of Jurisprudence, the order of persons eligible for custody of children after divorce or death is as follows:

1. The mother of the children
2. Mother's mother
3. Mother's grandmother (maternal, then paternal)
4. Mother's sister (full, then maternal, then paternal)
5. Grand mother's sister
6. Mother's aunt
7. Father's mother, or father's grandmother (maternal, then paternal)
8. Father
9. Child's sister
10. Father's sister

(Hashiyat al-Dasūqī Vol. 2; p. 527)

4. Conditions for custody

Whoever has custody of a child has to abide by a number of conditions concerning residence and Islamic religious upbringing to ensure that the child's welfare is properly cared for. The court may if necessary enforce these conditions or direct that the child be given to the next custodian.

The father should have access to his own children, and he remains financially responsible for their maintenance and education even though they are under the care of their divorced mother.

5. Duration of custody

Custody of the children by the mother or any other eligible relative as listed above lasts until marriage consummation in the case of a girl child, and until puberty in the case of a boy, after which he is free to stay with his father or mother or elsewhere according to the circumstances.

It is to be repeated that the conditions for custody vary between the schools, and the above is the ruling of the Maliki School of Jurisprudence. These rules apply in the case of either divorce or death of the husband.

6. Wisdom of regulations on custody of children

As mentioned earlier, the Islamic ruling on custody of children reflects the recognition of the mother as the parent tied most closely to the children by both physical and psychological bonds of sympathy. However, this does not excuse the father from monitoring the children's Islamic and general welfare and education, or from his financial responsibility for their maintenance.

It is worth observing that this regulation on custody of children by the mother may also act as a check on hasty divorce by the father, who must carefully weigh the fact that the children will follow the mother and not remain with him.

It may also be noted that one of the effects of these regulations is that it is most unlikely that a child will be required to live with a stepmother or stepfather — relationships that are often notoriously difficult for all concerned.

EXERCISES

1. Summarise the Hadith from Ibn Majah in which the Prophet ruled on the custody of a child after divorce.
2. List the order of precedence of relatives eligible for custody of children after divorce, or death of the father.
3. Describe some of the conditions for custody of a child to ensure his/her welfare.
4. Up to what age does the mother or other custodian keep the child in the case of:
(a) a girl
(b) a boy.
5. Mention three benefits of the Islamic system of child custody after divorce.

General Principles of Inheritance

1. Systems of inheritance

When a person dies most of his property and also his obligations are transferred to others who inherit from him.

There are many systems of inheritance in the world. Some systems give the major share of inheritance to the eldest son. Some systems exclude all females. Other systems depend entirely on the dead person leaving a will: the division of his property is left entirely to his wishes or fancies.

2. The Islamic system of inheritance: General Principles

The Islamic system of inheritance (*Mirath*) is a highly developed field in which the shares of inheritance are divinely prescribed, according to the relationship of the surviving relatives.

If it is established that a person is dead, and has wealth or property to be inherited, the court is to work out the prescribed shares of the heirs, taking into account the following principles:

- (a) If the closest relatives are all alive (parents, children, wife or husband), then the other relatives are excluded. If however such close relatives do not exist then the inheritance extends to more distant relatives (brothers, uncles, etc.).
- (b) Before the estate is shared, the dead person's debts (if any) and funeral expenses should be paid, and if he has left a legal will, its amount should be deducted first. (Qur'an 4:11-12).
- (c) A bequest can be made not exceeding one third of the value of the estate (Qur'an 4:12). Such a bequest cannot be made in favour of anyone who as a legal heir, is already entitled to a share of the inheritance.
- (d) Females have a share of inheritance:
"Unto the men (of a family) belongs a share of that which parents and near kindred leave, and unto women a share of what parents and near kindred leave, whether it be much or little — a legal share"

(Qur'an 4:7).

A male heir will normally receive double the share of his female counterpart. (i.e. a son gets double the share of a daughter as prescribed in Qur'an 4:11). This reflects the greater financial responsibilities of men as the maintainers of women and children.

- (e) Relatives of different religion do not automatically inherit. (They can however be given a bequest if a will is made in their favour, within the limit of one-third mentioned in (c) above).
- (f) In a case of homicide, the person guilty of murder is barred from inheriting from the person he murdered.

Details of the principles of distribution of inheritance are given in Qur'an 4:7-12. In the same passage those charged with the distribution are warned sternly about justice to orphans, not to take advantage of their youth to deprive them of their rights of inheritance.

Those who wish to know more details about the relatives who are entitled to inherit, and their respective entitlements, may find further information in Shari'ah books.

3. Bequests (Wasiyyah)

As mentioned under (c) above, it is lawful to leave up to one-third of one's estate as a bequest, to be given out before the general distribution of property. This enables the testator to help any person who is not among the entitled heirs but whom he wishes to assist in the form of a gift at his death. He may also make a bequest (within the limit of one-third of his estate) in favour of any charitable cause or organisation for public welfare.

All such bequests should be made in good faith and fairness, not with the intention of depriving his close relatives. It is therefore recommended only for those who have substantial property to leave. For those who are not well off their first concern should be to provide for their close families.

4. Waqf (Charitable endowment)

It may be mentioned here that a person making a will may also bequeath some of his property (not exceeding the one-third mentioned above) to public benefit. For example he may possess a well which he donates for public use. Or he may possess a house which he donates as a school or orphanage after his

death. Alternatively he may direct that a house be kept in trust and its rent taken to finance the running of a school or orphanage, or the maintenance of a Mosque. The property in trust may be movable or immovable.

Any adult sane person may make such a charitable bequest provided it is for a good recognized purpose, and in many Muslim countries this is the chief source of charitable funds. Enormous numbers of schools, colleges, scholarship funds, orphanages, hospitals and mosques are run on *Waqf* funds.

Unfortunately in most West African countries this practice is almost unknown, and Islamic da'wah organizations are thus always short of funds and facilities for welfare projects. *Waqf* is therefore an Islamic institution which needs to be publicised and promoted so that those who are well off are aware of the facility for making *Waqf* bequests in their wills.

5. Benefits of the Islamic system of inheritance

The Islamic system of inheritance is a perfectly balanced way of ensuring that:

- (a) the closest relatives have the greatest benefit
- (b) many relatives can get a share
- (c) allowance is made for bequests where the testator wishes to use his personal discretion in giving help to a person or charitable cause.
- (d) there is no "favouritism" whereby the testator shows his or her preference for one person over the others, giving much to him or her and none to others.
- (e) the males and females receive shares weighted to take account of their respective financial responsibilities.
- (f) wealth is divided up and widely distributed whenever death occurs, thus helping to prevent concentration of wealth in the hands of a few.

EXERCISES

1. Describe any non-Islamic systems of inheritance which you may be aware of.
2. List six general principles affecting Islamic inheritance.
3. Look up Qur'an 4:7-12 and study the inheritance laws outlined there.
4. Up to what amount of an estate can be bequeathed by will to a non-heir or a charity?
5. What is *Waqf*?
6. Give some examples of *Waqf* which would be useful in our society today.

SECTION III

HISTORICAL DEVELOPMENT OF ISLAM

PART A: ADMINISTRATION OF THE PROPHET AND HIS LEGACY

Administration of the Affairs of the Ummah

1. The building of the Prophet's Mosque in Madinah

While the Prophet (peace be upon him) was in Makkah, the Muslims normally used to worship in their houses or in secluded places out of doors. If they prayed at the Ka'abah they were subjected to ill-treatment by the idolators.

The Prophet's first task on arrival at Madinah was the building of a Mosque. Although he was no longer young, he took part personally in its building, thus setting two examples for Muslims to follow:

- (a) A leader should not separate himself from his followers so that he sits while others do the physical work. Instead, he should be personally involved and lead by example.
- (b) Physical labour is not a disgrace which the leaders should despise and avoid. It is rather a matter of honest pride to be able to make something with one's own hands.

The Mosque consisted of a wide courtyard, partially covered with a roof of palm leaves. The Prophet's house was then built attached to the Mosque, so that the Mosque was also his courtyard.

2. The Mosque as a place of Prayer

The Mosque at last provided a place of security where the Muslims could come together for congregational prayer and other purposes without fear of attack or humiliation. Not only the ritual prayers but also recitation of the Qur'an and *dhikr* (remembrance of Allah) were done regularly. In addition, during the month of Ramadan the Prophet and others used to withdraw into retreat in the mosque for periods of normally ten days, for worship and meditation.

Furthermore the Khutba (Sermon) gave the opportunity to guide the Muslims in their moral and social behaviour.

The women also used to worship in the mosque, forming their lines behind the men. They therefore were involved in the affairs of the Ummah, knew what was going on and had easy access to Islamic knowledge.

3. The Mosque as a Political and Administrative Centre.

Just as Islam does not regard religion as separate from other aspects of daily life, so the mosque at the time of the Prophet was not isolated from the administration of the affairs of the Ummah (Muslim community).

The Prophet therefore conducted political and administrative affairs in the Mosque, which also served as a military headquarters. The mosque was in fact the meeting place where official announcements were made, public discussion took place and important negotiations and transactions were conducted.

The public treasury (*Baitul Mal*) was also kept in the Mosque.

Delegations from other tribes used to visit the Prophet there, and would hold discussions in the Mosque. The delegation of Christians from Najran is an example of this practice. The Mosque also had an area reserved to accommodate people who had nowhere else to stay.

4. The Mosque as a Court of Justice

The Prophet used to deliver legal judgments and settle legal disputes in the Mosque, in accordance with the Qur'an and Sunnah.

This practice was continued for many centuries after the Prophet's death, thus emphasizing the religious nature and great importance of the Shariah (Islamic Law) in regulating the lives of Muslims.

5. The Mosque as a Centre of Learning

The Mosque also featured as the centre of learning for Muslims. Here the Prophet and his companions would teach the verses of the Qur'an as they were revealed. Here the Prophet would address people on the teachings of Islam and answer their questions on it. The Companions also used to pass on the Hadith to people who came to the Mosque seeking knowledge.

In due course this practice developed into circles of instruction on various aspects of religious knowledge and of knowledge in general. This led to the establishment of Madrassahs and later Universities, either in the Mosque or attached to the Mosque. An example of this arrangement can still be seen at Al-Azhar University in Cairo.

6. Character of the Prophet's Administration

The Prophet's role as Messenger, political and military leader, judge and teacher required more than ordinary qualities.

These he possessed in abundant degree. Firstly he was free from pride, and never regarded himself as above the law. It is recorded that at a tense moment in lining up for a battle the Prophet accidentally pressed one of his men with a spear so that he complained it had pricked his stomach. The Prophet immediately expressed his regret and raising his own shirt asked the man to retaliate in the same way. The man was so overcome that he instead kissed the Prophet on the place, with remarks of his admiration and love for the Prophet.

Another quality that endeared him to his people was his humane way of dealing with others. He, was never harsh but very patient, and readily forgave those who offended or disappointed him, even though the disappointment must have hurt him deeply.

The Qur'an referred to this and commended it as one of the reasons why the people remained grateful and loyal to him:

"And it was by Allah's grace that you (O Prophet) dealt gently with your followers; for if you had been harsh and hard of heart, they would indeed have broken away from you. Pardon them, then and pray that they be forgiven..." (Qur'an 3: 159)

In the same way he was tactful in his dealings with people and avoided hurting their feelings. For example when he entered Madinah many people wanted him to lodge with them. To choose one would have offended many others. Therefore he tactfully said that he would lodge wherever his camel stopped and that was what was done. Nobody could be offended by the camel's choice.

One may mention also his resourcefulness and impressive ability in human affairs, combined with respect for others' ideas. He often had his own ideas about what to do and how to do it, but it was his practice to consult his companions. If he found their advice good he would follow it. Once he had reached a decision he was firm and did not swerve from his purpose. This practice was in accordance with the continuation of Qur'an 3 verse 159 quoted above which advised the Prophet:

"And take counsel with them in all matters of public concern; then, when you have decided upon a course of action, place your trust in Allah: for verily, Allah loves those Who place their trust in Him."

Thus even such independent and unruly people as the pre-Islamic Arabs tribes willingly submitted to his purposeful leadership which uniquely combined strength with gentleness and mercy.

EXERCISES

1. Where did the Muslims pray when they were in Makkah before the Hijrah?
2. What lessons are to be learned from the Prophet's example in joining in the work of building the Mosque in Madinah?
3. Apart from ritual prayers what other acts of worship were performed in the mosque at the time of the Prophet?

4. What are the advantages of political leadership being linked with religious and moral leadership?
5. Why are religiously- based laws likely to be more effective than secular-based laws?
6. Nowadays public administration has become a complex matter requiring many Ministries and offices to handle it, which could not easily be accommodated in a Mosque.
Discuss:
 - (a) What other means a modern leader or administrator could adopt to keep in close touch with the people;
 - (b) how modern administrators could be motivated to see their role in a religious and moral context and not just as a job, or a way to make money.
7. In what way did the Mosque become the foundation of the Madrasah and the University?
8. Describe some qualities of the Prophet which helped to make him a successful administrator.

The Defensive Nature of the Battles between the Prophet and the Makkans

1. The First Thirteen Years of Islam in Makkah

The first 13 years of the Prophet's mission were spent in Makkah. These years were marked by constant persecution of the Prophet and the Muslims. Had it not been for the protection of his Uncle Abu Talib, the idolators would certainly have tried to kill him early in his mission as they did with some early converts who did not have powerful kinsmen to guarantee their safety.

To become a Muslim took much courage. The Prophet avoided direct confrontation with the idolators, and when necessary sent away to a place of safety in Abyssinia those Muslims who had no one to protect them from torture and death at the hands of the idolators.

Nevertheless, even those who were able to remain in Makkah faced persecution and loss in other ways. Some Muslims such as Abubakr spent much of their wealth in freeing slaves and helping Islam. Others lost most of their livelihood during the years of the Boycott, when the Makkans refused to trade with them. When they finally emigrated to Madinah those who had houses or property in Makkah had to leave them behind. Most of them arrived in Madinah poor and homeless, but at last free to practise their religion.

However, there were many others in Makkah who would like to have become Muslims but could not find the courage to face the hardships, the persecution, the division of families or the leaving of their homes.

2. Freedom for Muslims in Madinah but no freedom for Islam in Makkah.

Thus although the Muslims in Madinah were free, there was still no freedom for Islam in Makkah. Idolatry was still the imposed religion, and any threat to it would be suppressed by force.

Therefore the Ka'abah - the house of worship set up by Prophets Ibrahim and Isma'il as the centre for worship of the One God - was still under the control of the idolators. The spiritual centre of the Muslims, towards which they now turned in prayer and to which they were bound to go for pilgrimage, was still filled with idols, and the preaching of monotheism there was suppressed.

Moreover Makkah remained the dominant power in the area because of its wealth and influence as a commercial, financial and religious centre.

The Prophet was, at the time of the Hijrah to Madinah, 53 years old, and had just ten years to live.

These ten years saw the Muslim community expand from a few hundred souls in Madinah to include almost the entire population of the Arabian Peninsula. Idolatry was abandoned in favour of the pure teachings of Monotheism, and a new civilization of Islam was born.

This became possible because the Prophet at last had a refuge and a base where the Muslims could defend themselves and organize an independent state. It was here that the young Muslim community of Immigrants and Helpers was welded into a united body, implementing the teachings and laws of Islam and calling others of all tribes and nations to join them.

3. The Struggle with Makkah

After 13 years of struggle in Makkah, the escape of the Muslims to Madinah was obviously not the end of the matter between the Muslims and the Makkan idol-worshippers. The Muslims wanted to be able to return freely to occupy their homes in Makkah, and to perform the pilgrimage as Muslims, as a compulsory act of their religion.

While the Qur'an categorically forbids aggression it requires Muslims to withstand tyranny if they have the power, and to rise up in defence of human dignity and freedom of religion.

"And fight in the way of Allah with those who fight against you, but do not commit aggression, because Allah does not like aggressors. Fight against them wherever they confront you in battle, and drive them out from where they drove you out.

For persecution is even worse than killing."

(Qur'an 2:190 -191)

The Prophet's first move was to make clear to the Quraysh that the new Muslim state in Madinah would have to be reckoned with. The method adopted was to demonstrate that Makkah's trade route to Syria could not be safe without reaching an agreement with the Muslims. To this end, the Prophet sent small groups of horsemen to threaten the Makkah caravans. He also formed alliances with other tribes along the caravan routes.

The Makkans however were not yet ready to take the Muslims seriously and negotiate with them. Instead they strengthened their security and increased the number of armed escorts with their caravans.

4. The Battle of Badr

The Muslims, having suffered 13 years of persecution in Makkah, ending with the attempt to kill the Prophet himself, were in effect in a state of war with the Makkans.

Moreover they were now mostly reduced to poverty due to the effects first of the Boycott and then of their having to abandon their property in Makkah. They arrived in Madinah as refugees dependant on the charity of the Ansar.

Their next move, to try to intercept a Makkan caravan on its way past Madinah, therefore had the dual purpose of showing that the Muslims could now strike back, and of recompensing the Muslims for their economic losses.

Scouts were sent to locate a big caravan which was returning from Syria under the leadership of Abu Sufyan. However, Abu Sufyan also had his

spies out, and sent a message to Makkah to despatch an army to deal with the Muslims. The Makkans looked forward to this chance of crushing the Muslims and set off with an army of about 1000 armed and mostly mounted men under their most prominent leaders.

The Muslims meanwhile set off with only about 300 men, with few riding animals, expecting to have to deal with only about 30 - 40 armed guards escorting the caravan.

After considerable manoeuvring Abu Sufyan's caravan managed to evade the Muslims and escape by a different route. The Muslims by now knew of the existence of the large Makkan army in the vicinity and had to decide whether to withdraw to Madinah or take the risk of a direct showdown with the Makkan army.

In the event the Muslims decided to stand firm and faced a Makkan army of over three times their size at Badr. By their faith and courage they won a resounding victory in which many of the Makkan leaders were killed. The unexpected battle became a turning point in Muslim history.

It can be seen from the above account of the events leading to the Battle of Badr that it was never the intention of the Prophet to attack Makkah or the Makkan army at this time. His immediate aim was only to capture the caravan. It appears likely that by so doing he hoped to bring the Makkans to a realization that they would have to reach an agreement with him. He could not have expected to defeat the power of Makkah by the seizure of one caravan but rather to exert economic pressure on them to come to terms. Nor did he regard warfare as a means of "da'wah" in itself, bearing in mind the verse of the Qur'an warning:

"Let there be no compulsion in religion: truth stands out clear from error." (Qur'an 2:256)

The Battle of Badr is rather an example of the proverb: "Man proposes; God disposes." A battle that was not wanted or planned became unavoidable, and the outcome was quite the opposite of what human planning could have predicted.

5. The Battles of Uhud and al-Khandaq

The Quraysh were full of anger and grief over their humiliation at the hands of the little Muslim army and the loss of some of their leading men. They started immediate preparation to send a much larger army to Madinah to take revenge.

At Uhud it seemed at first that Badr would be repeated as the smaller Muslim army again began to drive back the Makkans. It was only due to the failure of some of the Muslim fighters to obey fully the Prophet's orders that the tide of battle was reversed and the day ended with a near-defeat of the Muslims with considerable loss of life.

The following year the Makkans returned again, with a huge army of confederate tribes numbering over 10,000. This time the Muslims decided to defend Madinah from within by building large defensive ditches which the idolaters could not pass. In spite of a long siege, and the efforts of the Jews and hypocrites to help the enemy from within the city, the Muslims could not be defeated and the enemies at last became demoralised and withdrew.

The site of these two battles of Uhud and al-Khandaq (the Ditch) shows clearly that for the Muslims they were purely defensive. Uhud is a small mountain on the outskirts of Madinah, while the Battle of al-Khandaq brought the pagan armies right to the walls of Madinah city. It was the Makkans who came to Madinah with the aim of stamping out the young Muslim state.

6. The Treaty of Hudaibiyyah

After the Battle of al-Khandaq the Makkans began to realise that they could not crush Islam or the Muslims, but would have to reach agreement with them. This agreement was reached in the 6th Year after Hijrah under the Treaty of Hudaibiyyah which laid out terms of a ten year peace and other mutual undertakings, including treatment of converts.

The Prophet agreed to this Treaty in spite of some of its apparently unfavourable conditions because he always showed a preference for peace over war, and because he could see the value of peace which would enable

him to send preachers and teachers of Islam far and wide among Arab tribes and to re-open Makkah to Muslim contact. This was in accordance with Allah's teaching in the Qur'an:

"And O Prophet, if the enemies incline to peace, you should also incline to it and put your trust in Allah; indeed He is All-Knowing, All-Hearing. And if they intend to deceive you, Allah is sufficient to you.. " (Qur'an 8:61-62)

The Prophet's grasp of the value of the peace treaty was confirmed by what followed. In the two years following Hudaibiyyah more people embraced Islam than in the previous twenty years of persecution and war. This all took place without the least compulsion. The idolators were at the time still a majority, but that majority was rapidly declining due to conversions to Islam.

Hence the Qur'an referred to the Treaty of Hudaibiyyah in these terms: "Surely We have granted you a manifest victory." (Qur'an 48:1)

7. The Campaign of Khaybar

Not long after the Treaty of Hudaibiyyah which secured peace for Madinah on its southern flank, the Prophet decided on preventive action to eliminate danger from Khaybar to the north. It was here that certain Jewish "tribes, including Banu Nazir (which had been earlier expelled from Madinah for its treachery) were settled. They longed for revenge on the Muslims for their loss of power and expulsion from Madinah, and were inciting and financing not only the Quraysh but also other strong pagan tribes to attack Madinah.

The Prophet's army of 1400 men marched swiftly to Khaybar and took the Jews by surprise. However, they were extremely well equipped for war and skilled in its arts. Moreover they lived in fortified strongholds that were difficult to subdue. There was a prolonged siege and many small battles before, one by one, these fortresses were subdued.

The Jews at last surrendered and the Prophet thereupon allowed them to remain at Khaibar and cultivate their lands on condition of giving half their produce as tribute to the Muslims.

This campaign successfully removed the Jewish danger to the Muslim state, since the Jews had no longer the equipment of war nor the wealth, power and prestige to be able to mobilise themselves or others to battle with the Muslims.

8. The Conquest of Makkah

The Treaty of Hudaibiyyah was broken not by the Muslims but by the Makkah side. By this time the situation in Arabia had changed fundamentally, with Islam having spread on all sides. The Makkans now realised that their cause was lost and their military might of no avail now against the irresistible spread of Islam.

When the Prophet marched his army on Makkah in the 8th year A.H. he knew that it would not be necessary to fight, and only waited for Abu Sufyan and the other leaders to negotiate the surrender of Makkah to the Muslims. Far from shedding blood in battle, the Muslims of Makkah returned to their former homes in peace, and with joy at being re-united with their families and clans.

If the majority in Makkah now abandoned idolatry and embraced Islam it was not because anyone held a sword at their throats but because they had come to acknowledge that the Prophet was indeed the Messenger of God, and that the message he brought was indeed the start of a new life for them, for the Arab nation and for all mankind who would listen. As the Qur'an had said:

"Let there be no compulsion in religion: truth stands out clear from error." (Qur'an 2:256)

9. The Battle of Hunayn

Fifteen days after the Conquest of Makkah was complete, news came that the pagan tribe of Hawazin, which lived near Makkah, was

marching against the Muslims. They had learned of the conquest of Makkah and the destruction of the idols in the Ka'abah, and decided that before the Muslims came to them they would attack them by surprise and reverse the steady success of the Prophet in uniting all the tribes in Arabia under Islam. The Prophet gathered the now large Muslim army and went to meet them.

The Hawazin prepared an effective ambush in the valley of Hunayn, and it appeared at first that they would shatter the Muslim army. However the Prophet rallied his men who fought back and at last routed the Hawazin.

As can be seen this battle was also of a defensive nature, fought in response to the intended attack by the Hawazin.

10. The Campaign of Tabuk

With all Arabia now entering Islam, it remained for the Prophet to secure the northern frontier of Arabia against attack from the Byzantine Empire.

Rumours reached the Prophet that the Byzantines who had recently defeated the Persians were mobilizing an army to invade and stamp out the growing Muslim power.

Without hesitation he decided to mobilise the largest possible army he could field and send it north, in spite of the desert heat to destroy the Byzantine army so that it would never again think of attacking Arabia.

This time the Prophet could not expect to surprise his enemies, but hoped to over-awe them with the size and stamina of his army.

He marched towards Tabuk in the far north. When he got there he found that the rumours of an impending Byzantine attack on Madinah were not true. The Prophet decided not to go further but to sign treaties of peace and protection with the border tribes, most of which were Christian. Only one military engagement took place with a city that was supporting the Byzantines. This was effectively handled by Khalid ibn al-Walid while the Prophet returned with the bulk of the army to Madinah.

11. The Myth of the Spread of Islam by the Sword

The events related above, together with the information given on the conduct of da'wah in Makkah and Madinah (see the previous 2 chapters) make it clear that the oft-repeated claim by some non-Muslims that the Prophet "spread Islam by the Sword" is not true. At Badr Muslims were forced into an un-planned battle to defend their honour and existence. At Uhud and al-Khandaq they were forced to defend their city from the Makkan army which had travelled hundreds of miles to attack them. At the conquest of Makkah the sword was never raised because Islam had already won the ideological battle. The battles of Khaybar, Hunayn and Tabuk were preventive engagements to deter those who were bent on destroying the growing Muslim state.

This is not to claim that there was no occasion in the whole of Islamic history when forced conversions took place. There were such occasions in the centuries after the death of the Prophet, just as there were many forced conversions in the history of Christianity from the time it attained political power during the Roman Empire, through the abolition of pagan worship in Europe, the conquest of Mexico and South America and the Spanish inquisition and many others.

However, these should be seen as lapses from the true teachings of the religions concerned, whether Islam or Christianity. It is dishonest to distort history or to pretend that Islam was spread by the sword when historical evidence shows that the battles concerned had other causes and that the conversions were not forced.

The Prophet's own guidance on war and peace is summarized in the following Hadith:

"Never desire fighting but pray Allah for peace and security. And when you have to fight the enemy, fight with steadfastness and know that Paradise is under the shadow of swords."

(Riyadh-us-Salihin)

Moreover, the actual loss of life in all the early battles for Islam was in fact minimal due to the Prophet's military tactics and the Islamic ethics of war. During all the battles and campaigns fought during the Prophet's life-time the total recorded killed was only 1,014 (255 Muslims and 759 non-Muslims). (cf. Encyclopaedia of Seerah Vol. I, Afzalur-Rahman, p. 660.)

If these figures are compared with the wars of other times (such as the Sack of Baghdad by the Mongols and the Sack of Jerusalem by the Christian Crusaders when thousands of civilians — men, women and children — were slaughtered, the deaths of tens of millions during the First and Second World Wars and the murder of over ten million people by Stalin in order to impose Communism on Russia) it is clear that whatever warfare was forced on the Prophet, his aim was to minimise loss of life and never to terrorize people into accepting Islam.

Moreover, the spread of Islam in our own time in many parts of the world such as Africa, Europe and America, is living evidence that Islam has no need to use force since the truth of its message is clear to anyone who hears it with an honest mind and an open heart.

EXERCISES

1. Most of the Muhajirun (emigrants) arrived in Madinah almost destitute. What was the reason for this?
2. In what ways did the establishment of an Islamic state in Madinah help the Muslim community?
3. Why did the idolators' control of the Ka'abah still give concern to the Muslims after they emigrated to Madinah?
4. Explain the reasons behind the Prophet's decision to threaten the caravan trade between Makkah and Syria.

5. What circumstances led to (a) the Battle of Badr?
(b) the Battle of Uhud?
(c) the Battle of al-Khandaq?
(d) Treaty of Hudaibiyyah?
(e) Khaybar Campaign?
(f) Conquest of Makkah?
(g) Battle of Hunayn?
(h) Campaign of Tabuk?
6. Explain what the Qur'an says about fighting and aggression. (see Qur'an 2:190 -191)
7. Cite an example of what the Prophet is reported to have said about peace and war?
8. If those who fight against Islam show a wish for peace, what should be the response of Muslims? (See Qur'an 8:61 --62).

The Prophet's Farewell Pilgrimage

1. The Farewell Pilgrimage

After the Conquest of Makkah the remaining tribes of Arabia entered Islam in ever larger numbers, in fulfilment of the prediction in Surah 110 of the Qur'an: "When comes the help of Allah and victory, and you see people enter Allah's religion in crowds.." (Qur'an 110:1-2).

In the month of Ramadan in the 9th year after Hijrah the Prophet made his usual spiritual retreat in the Mosque of Madinah, but on this occasion he stayed for 20 days instead of his usual ten. Every year during the month of Ramadan the Angel Jibril would come to him to ensure that he had forgotten nothing from the Qur'an. After this retreat he confided to his daughter Fatima: "Jibril recites the Qur'an to me and I to him once every year; but this year he has recited it with me twice. I cannot but think that my time has come." (Bukhari LXI, 25)

News was proclaimed that the Prophet would perform the coming pilgrimage in the 10th year A.H. When the news reached the desert tribes, crowds flocked to Madinah to join him on the pilgrimage. The Prophet set off accompanied by many thousands of men and women.

2. The Farewell Sermon

On the day of Arafat the Prophet addressed the multitude in what became known as his Farewell Sermon. The Sermon was repeated sentence by sentence in a loud voice by Rabi'ah ibn Umayyah. The Prophet began by drawing attention to the seriousness of what he was going to tell them.

"Do you see what month this is?" They were silent, and he answered: "The holy month." Then he asked: "Do you see what land this is?" Again they were silent and he answered: "The holy land." Then he said: "Do you see what day this is?" and again it was he who gave the answer: "The day of the Greater Pilgrimage."

Having drawn attention to the sacred month, the sacred place and the sacred day of Arafat, thus obtaining his audience's full attention, he embarked on his final address:

"O Men, listen well to my words, for I do not know whether I shall meet you again on such an occasion in the future.

"O Men, your lives and your property shall be inviolate until you meet your Lord. The safety of your lives and of your property shall be as inviolate as this holy day and holy month. Remember that you will indeed meet your Lord, and that He will indeed reckon your deeds. Thus do I warn you.

"Whoever of you is keeping a trust of someone else shall return that trust to its rightful owner.

"All interest obligation shall henceforth be waived. Your capital, however, is yours to keep. You will neither inflict nor suffer inequity. God has judged that there shall be no interest (usury) and that all the interest due to 'Abbas ibn 'Abd al Muttalib shall henceforth be waived.

"Every right arising out of homicide in pre-Islamic days is henceforth waived. And the first such right that I waive is that arising from the murder of Rabi'ah ibn al Harith ibn 'Abd al Muttalib. O Men, the devil has lost all hope of ever being worshipped in this land of yours. Nevertheless, he still is anxious to determine the lesser of your deeds. Beware of him, therefore, for the safety of your religion.

"O Men, intercalation or tampering with the calendar is evidence of great unbelief and confirms the unbelievers in their misguidance.

They indulge in it one year and forbid it the next in order to make permissible that which God forbade, and to forbid that which God has made permissible. The pattern according to which the time is reckoned is always the same. With God, the months are twelve in number. Four of them are holy. Three of these are successive and one occurs singly between the months of Jumada and Sha'ban.

“O Men, to you a right belongs with respect to your women and to your women a right with respect to you. It is your right that they not fraternize with anyone of whom you do not approve, as well as never to commit adultery. But if they do, then God has permitted you to isolate them within their homes and to chastise them without cruelty. But if they abide by your right, then to them belongs the right to be fed and clothed in kindness.

Do treat your women well and be kind to them, for they are your partners and committed helpers. Remember that you have taken them as your wives and enjoyed their flesh only under God's trust and with His permission.

“Reason well, therefore, O Men, and ponder my words which I now convey to you. I am leaving you with the Book of God and the Sunnah of His Prophet. If you follow them, you will never go astray. O Men, listen well to my words. Learn that every Muslim is a brother to every Muslim and that the Muslims constitute one Brotherhood. Nothing shall be lawful to a Muslim which belongs to a fellow Muslim unless it was given freely and willingly. Do not, therefore do injustice to your own selves. O God, have I conveyed your message?”

And the people answered from all comers: "Indeed so. Allah be witness.
”

3. Lessons of the Farewell Sermon

If we analyse the contents of this address one by one, some of the lessons it emphasizes are as follows:

(a) Safety of life and property

No Muslim is to take anyone's life or property without legal justification. All trusts are to be returned to their owners.

(b) Abolition of interest

If anyone has given a loan with interest he may take back his capital only. He is forbidden to receive any interest.

(c) Abolition of Vendetta

Revenge for murder, as in the pre-Islamic tribal vendetta, is prohibited.

(d) Tampering with the calendar

The Islamic calendar of 12 lunar months moves round the solar year, getting about 11- days earlier each year. The Arabs sometimes used to add an extra 13th month (the practice called intercalation) in order that the months should fall in fixed seasons of the year for their own worldly purposes. However, the 12 month lunar calendar which moves the month of fasting and the 'Id festivals gradually around the solar year, has its own wisdom and should not be amended or tampered with by adding days or months.

(e) Rights and kind treatment of women

A Muslim has a right over his wife that she should not befriend anyone he disapproves of, or commit adultery. If she does so (and the husband does not take the matter to court) he has the right to put a stop to it by correction within the home, provided he does so without cruelty. If she stops her misbehaviour, he must return to kind treatment and give her her rights. Such rights include not only food and clothing and kindness but recognition of her role as partner and helper in marriage.

(f) Legacy of the Qur'an and Sunnah

The Prophet was leaving behind him the Qur'an and his Sunnah as a permanent source of guidance which, if followed, would keep people from going astray.

(g) Brotherhood of all Muslims

The universal brotherhood of all Muslims was declared and brotherly affection, fair treatment and justice was commanded between fellow Muslims.

4. The Ending of the Revelation

The last question of the Prophet, asking Allah to confirm whether he had truly delivered the message, indicates his awareness that this would be his last pilgrimage, and that he was preparing them for the approaching time when he would be no longer with his people to guide them.

This was soon followed by the revelation of the Qur'an Surah 5:3 in which Allah says:

".....Today I have perfected your religion for you, and have bestowed on you the full measure of my blessings, and willed that self-surrender unto Me (Islam) shall be your religion."

Muslims are therefore the inheritors of this perfect religion and of the Qur'an and the guidance and example of the Sunnah. It remains for the inheritors to prove themselves worthy of the inheritance by knowing it, understanding it and practising it.

EXERCISES

1. What were the signs which indicated that the Prophet's life was nearing its end?
2. The Prophet used the occasion of the great gathering at Arafat to preach a final Sermon to a vast crowd of Muslims.

Mention the main points on which he laid stress in his Sermon.

3. Of the points mentioned, which of them are not being properly fulfilled by Muslims of today?
4. What steps could be taken to bring Muslims in our own society to heed the Prophet's farewell advice on these points?

Qualities of the Prophet

1. A Perfect Man

Throughout history there have been great and famous men who have excelled in some aspect of human endeavour. However when one reads their biographies it is common to find serious defects in their characters or their private conduct. There are others who are reputed to have been very good men but little is known about the details of their behaviour in daily life.

Among such good men are the Prophets of Allah who were sent as messengers and examples for mankind. However, if a person decided to model himself on the conduct of any of the earlier Prophets he would face the problem of lack of full and reliable information. No systematic records were preserved, and some of the information now available cannot be traced back to any eyewitness of the events described.

The Prophet Muhammad's case however is unique. The record of his deeds, sayings and way of behaviour was recognized during his lifetime as a perfect model for others to emulate. Therefore great care was taken to preserve every detail of what he did. Not only were the words and deeds preserved but even the names of those who witnessed them. Even then such reports were only accepted if the character of the witness himself was considered reliable.

No other personality in history is therefore so well documented by so many individuals in not only his public acts and conduct but also in his private behaviour, much of which information was passed on by some of his wives and closest friends.

The picture which comes to light from these numerous witnesses is of a man who is gifted with a character so perfect that it shines out in every setting.

Whether at home or in public places, in peace or in war, in triumph or in persecution, as a young man or an old one, as a teacher or a leader or

a husband or a father, the deeds and the words show a man who has been fully guided and inspired by Allah as a model of human goodness. Together with that goodness goes a touching humility that never boasts of that goodness but attributes it to Allah and continually seeks forgiveness for any error into which, as a human being, he might unintentionally stray.

The qualities of the Prophet should therefore be the subject of study and emulation by every Muslim who seeks to come closer to Allah and fulfil his role as a servant and vice-gerent of Allah on earth.

2. Patience and Perseverance

The Prophet's patience and perseverance were severely tested throughout his life. He was left an orphan at an early age with the death of his father before he was born, and the death of his mother when he was six.

He faced the world almost alone at the age of 40 when the call to Prophethood came. At that time almost the whole of Arabia was steeped in idolatry, and it was hard to see how one man could in 13 years transform it into a land of pure monotheism.

It was the Prophet's patient acceptance of this task which made him start, as he was told to, by conveying the message to those who were close to him. As soon as it became clear to the idolators that the Prophet was opposing their religion, the persecution began. He experienced abuse, humiliation, attempts to buy him off, isolation, boycott, loss and even attempted murder in Makkah. He was rejected and stoned when he visited Ta'if. All this he endured with patience and perseverance for 13 years.

After he escaped from Makkah, there followed 10 years of constant struggle and warfare with the idolators. Within Madinah itself he had to deal with the intrigues and betrayals of the Jews and the hypocrites.

He was constantly available to his own companions and to inquirers who wanted to ask him questions at all hours of the night or day. He also had to be on his guard against questioners whose sole motive was to try and trip him up and cause him to make a mistake.

All this he endured without anger or loss of patience until he had fully conveyed the message and all Arabia turned to hear him and enter Islam.

He is thus the perfect exemplar of the quality of *Sabr*, mentioned in the Qur'an, meaning patience, perseverance and endurance combined with full trust in Allah.

3. Wisdom and foresight

Throughout his life the Prophet demonstrated a clear grasp of events and of human psychology and behaviour. He possessed the wisdom to know when to exercise caution and wait for the right moment and when to take bold action.

This wisdom was demonstrated even before his call to Prophethood when the Quraysh were re-building the Ka'aba. They could not agree on who should have the honour of re-placing the black stone in the Ka'aba wall. They decided that they would invite the next person who would enter the place to decide for them, whoever he might be. It happened to be the young Muhammad (p.b.u.h.) and they asked him to decide. He immediately saw that the way to get the various parties to share the honour was to carry the black stone to the wall on a cloth which could be carried by representatives of the important clans. Everyone was satisfied with this wise solution. And when the important moment came for someone to place the Black Stone in its place in the Ka'aba wall the Prophet did not hesitate and did it himself, and it was too late for anyone to dispute the matter.

Later in his career his foresight and understanding of events led him to agree to the Treaty of Hudaibiyyah in spite of the doubts of some of his followers. (See Chapter 54) He correctly foresaw the peace as the opportunity for Islam to spread far and wide in Arabia, while the disadvantages of the Treaty were only temporary.

On other occasions he took decisions that surprise us by their boldness. After the near-disaster at Uhud, when the idolators withdrew victorious after the battle and set off for Makkah, the Prophet stayed only to bury and pray for the Muslim dead before setting off next day in pursuit of the idolators together with only those who had fought and survived at Uhud, even though he and some of them were wounded. That night they lit many fires over a wide area so as to give the impression that a huge army from Madinah was in pursuit. This had the desired effect of hastening the idolators back to Makkah. Their presence could however equally have encouraged the idolators to launch a second attack on the Muslims and wipe out the remains of their army. But the Prophet judged their reaction correctly and they did not attack. By his action the Prophet showed that in spite of the reverse at Uhud, his army was still fit and ready to fight, and the Muslims were still a force to be reckoned with.

4. Kindness and concern for others' welfare

The kind nature of the Prophet made him dear to young and old, men and women, and to rich and poor.

Anas, who as a young man worked in the Prophet's household said: "I served Allah's Messenger for ten years and he never said to me 'Shame' or 'why did you do such a thing?' or 'Why did you not do such and such a thing?'"

Anas also reported that if the Prophet was leading a prayer and heard a baby crying he would shorten the prayer so that the mother should not be upset.

This kindness to women was reflected in a reported saying of Umar, who commented:.

"We did not have much regard for women at Makkah, but they were better treated in Madinah. Allah's Messenger established women's rights through his sayings and commandments, which strengthened their position and status."
(Mishkat)

The Prophet's kindness extended also to animals. He forbade Muslims to torment or be cruel to animals in any way. Even a horse's mane and tail should not be cut short because the horse uses them to drive off insects.

Working animals were not to be over-used. If the animal was tired the rider should get off it. Baby birds and eggs were not to be taken from nests because of the distress to the mother bird.

In slaughtering animals for meat, the knife should be very sharp so as to reduce the animal's suffering, but it should never be sharpened in the presence of the animal after it is made ready to be slaughtered.

5. Honesty and Truthfulness

The Prophet was known for his honesty and truthfulness since he was a young man. These characteristics were so strong in him that he was given the nick-name Al-Amin (The Trustworthy), and Al-Sadiq (The Truthful).

Nobody knows a man better than his own wife. Khadijah saw the upright character of the Prophet from the time he came to work for her, and in about 23 years of marriage with him she never had cause to change her opinion of him. Therefore when he informed her of what had happened in the Cave of Hira when the Angel called him to Prophethood, she never doubted him but believed in and supported him.

Even his enemies among the idol-worshippers could not deny his truthful character. It was reported that when the Quraysh were talking about him one day, one of them called Nadhar bin Harith remarked: "O Quraysh! You have not been able to find any plan to meet the calamity that has fallen upon you. Muhammad grew up from childhood in your presence. He was the most liked, honest and faithful among you. Now when he has grown to maturity and has presented these things to you, you say, he is a magician, a soothsayer, a poet, a madman. By Allah! I have heard his message, he is none of these things. A new calamity has fallen upon you."

This absolute truthfulness and honesty was an important reason for the loyalty and love he inspired in his followers. It also enabled him to make successful treaties with other tribes, whatever their religion, because they knew him to be a man of his word.

6. Justice

The Prophet understood well that justice without fear or favour is the foundation of successful administration.

When he was required to administer the Shariah in Madinah, he allowed no favouritism on grounds of tribe or religion to sway his judgement, and strongly reproved anyone who tried to persuade him to treat people differently.

It was reported that a prominent woman of the Quraysh was charged with stealing. The family, who wished to keep the matter quiet to avoid disgrace, asked a close companion of the Prophet, Osman bin Zaid, to intercede. The Prophet showed anger at this interference with justice saying: "Bani Isra'il was ruined by this. They, applied the law to the poor and forgave the rich."

He also commented: "If Fatima (the Prophet's beloved daughter) should steal, I would order her hand to be cut off."

The Prophet also insisted that both parties to a dispute must be given a fair hearing. Ali reported the Prophet's advice: "When two men come to you for judgement, never decide in favour of one without hearing the arguments of the other; it is then most likely that you will know the truth."

7. Courage and Firmness

The Prophet's achievements within the 23 years of his mission are without parallel in world history. A number of non-Muslim historians have commented on this and singled him out for description as "the greatest man who ever lived."

The famous French scholar Lamartine wrote in 1854:

"If greatness of purpose, smallness of means, and astounding results are the three criteria of human genius, who could dare to compare any great man in modern history with Muhammad? The most famous men created arms, laws and empires only. They founded, if anything at all, no more than material powers which often crumbled away before their eyes. This man moved not only armies, legislations, empires, peoples and dynasties, but millions of men in one-third of the then-inhabited world; and more than that he moved the altars, the gods, the religion, the ideas, the beliefs and souls. . . .

"Philosopher, orator, apostle, legislator, warrior, conqueror of ideas, restorer of rational dogmas, of a cult without images; the founder of twenty terrestrial empires and of one spiritual empire, that is Muhammad. As regards all standards by which human greatness may be measured, we may well ask, is there any man greater than he?" (Histoire de la Turquie, Vol. II, pp 276-77)

This transformation of the history of the world could not have been achieved without great courage and firmness of purpose. When he was called to preach Islam to the idol-worshipping society of Makkah he was well aware of the struggle that was likely to arise and of the terrible burden that was falling on his shoulders. Even his kind uncle Abu Talib warned him of the suffering he would bring on himself and urged him to compromise with idol-worship and accept the honours and riches offered to him by the Makkan leaders. The Prophet's reply was:

"Were they to place the sun in my right hand and the moon in my left, I would not abandon my mission, which is from Allah."

His persistence in the face of persecution in Makkah was matched by his courage in going into battle against armies three times the size of the Muslim army at Badr and Uhud.

This courage which was inspired by his absolute trust in Allah, is exemplified in an account of his encounter with an idolator. Jabir related that while on a campaign with the Prophet they stopped in a valley to rest in the noonday heat. The companions scattered in search of shade, and the Prophet hung his sword from the branch of a tree and lay down in its

shade. "We also took a siesta and suddenly we heard the Prophet calling us. We hastened to him and saw that a desert Arab was sitting near him. The Prophet said: 'This one drew my sword against me while I was asleep. I woke up and saw that he had the drawn sword in his hand. He said to me: Who will deliver you from me? I told him: Allah; and repeated it three times.' The Prophet sat up and imposed no penalty on the man". (Bukhari and Muslim)

8. Love and Mercy

The Prophet's nature was to love all creatures and to show mercy. Allah affirmed in the Qur'an, addressing the Prophet: "We sent you not but as a Mercy to all creatures." (Qur'an 21 :107)

According to Abu Hurairah, after the battle of Uhud, where the Prophet was wounded, some people asked the Prophet to curse the idolators. But he was angered and replied: "I was not sent to the earth to curse; I was sent only as a mercy."

He urged others to follow his example. According to Jarir bin Abdullah, he said: "Allah does not show mercy to him who does not show mercy to others."

Abu Hurairah also reported him as saying: "You will not enter Paradise until you believe, and you will not believe until you love one another. Let me guide you to something, by doing which you will love one another. Greet all and everyone among yourselves."

Ibn Abbas reported that the Prophet said: "He does not belong to us who does not show mercy to our young ones and respect to our old ones."

Aisha reported that a desert Arab saw the Prophet's loving behaviour towards children and expressed surprise, saying: "Do you kiss children? We do not kiss them." To which the Prophet replied: "How can I help you if Allah has withdrawn mercy from you?"

The Prophet encouraged people to give their love for one another practical expression. Muadh bin Jabal reported him as saying:

"Allah most High has said: 'My love is due to those who love one another for my sake, who visit one another for my sake, who give things (as gifts) to one another for my sake.'"

Love begets love, and the love of the Muslims for their Prophet is a reflection of the love which he showed to all people.

9. Forgiveness

If ever a man had cause for feeling offence it was the Prophet. If ever a man had opportunity for revenge, it was the Prophet. Yet Allah guided him:

"Keep to forgiveness (O Muhammad) and enjoin kindness, and turn away from the ignorant."

Aisha reported that the Prophet never took revenge on his own behalf on anyone. Whether it was groups of people, such as the hypocrites in Madinah, or individuals who had been leaders of persecution of the Muslims, each was amazed to find that when the Prophet could have punished or killed them he instead forgave them. When Ibn Ubayy, the leader of the Hypocrites in Madinah died, the Prophet attended his funeral and even prayed for him, although he had done all he could to betray the Muslims and harm the Prophet personally. (A revelation in the Qur'an however (Q.9:84) forbade the Prophet from offering prayers for hypocrites who had died in their hypocrisy).

After the Conquest of Makkah the Abyssinian slave who had killed his uncle Hamzah, and Abu Sufyan's wife, who had mutilated Hamza's body, were forgiven. Abu Sufyan himself, who had led the idolators against the Prophet in many battles, was forgiven.

Other prominent idol-worshippers such as Ikrama bin Abu Jahl, and Sufyan bin Umayyah ran away after the Conquest of Makkah fearing revenge. But the Prophet offered them protection and they returned and were warmly received.

A Jewish woman at Khaibar put poison in the Prophet's food. When he tested it he tasted the poison. The Jews when called admitted that they had tried to poison him. Nevertheless, he forgave them without a word.

All his behaviour towards those who hated him exemplified the injunction of the Qur'an: "Good and evil are not alike. Repel evil with what is better. Then he, between whom and you there was hatred, will become like a close friend."
(Qur'an 41:34)

10. Simplicity and Humility

The Prophet never adopted the trappings of riches and power. Even after he became ruler of Madinah he used to eat simple food and wear coarse cloth. He used to mend his clothes and shoes for himself.

His bed was a reed mat which showed its imprint on him when he got up. Ibn Mas'ud remarked to him: "O Messenger of Allah! I wish you would order us to spread something for you and make something." The Prophet replied: "What have I to do with the world? I am like a rider who rests for a while under the shade of a tree, then goes off and leaves it."

He advised people to practise contentment. Abu Hurairah reported him as saying:

"Look at those who have less than you and do not look at those who have more than you, for that is more likely to keep you from despising Allah's favour on you."

In particular he warned those occupying positions of leadership not to adopt a lavish life-style. When he sent Muadh bin Jabal as a governor to Yaman (Yemen), he warned him: "Beware of living luxuriously, for Allah's servants do not live luxuriously."

He applied this restraint in his own family. Although it was allowed for women to wear gold, he advised both A'isha and Fatima not to wear it, suggesting instead less expensive ornaments.

The same dislike of adopting the proud ways of other rulers was shown in an incident when the Prophet was once on a journey. His companions slaughtered a goat and divided the work of cutting it up and preparing it among themselves. The Prophet said he would go and collect firewood. They told him they would do that also. He replied: "I know that you will do

"Allah most High has said: 'My love is due to those who love one another for my sake, who visit one another for my sake, who give things (as gifts) to one another for my sake.'"

Love begets love, and the love of the Muslims for their Prophet is a reflection of the love which he showed to all people.

9. Forgiveness

If ever a man had cause for feeling offence it was the Prophet. If ever a man had opportunity for revenge, it was the Prophet. Yet Allah guided him:

"Keep to forgiveness (O Muhammad) and enjoin kindness, and turn away from the ignorant."

Aisha reported that the Prophet never took revenge on his own behalf on anyone. Whether it was groups of people, such as the hypocrites in Madinah, or individuals who had been leaders of persecution of the Muslims, each was amazed to find that when the Prophet could have punished or killed them he instead forgave them. When Ibn Ubayy, the leader of the Hypocrites in Madinah died, the Prophet attended his funeral and even prayed for him, although he had done all he could to betray the Muslims and harm the Prophet personally. (A revelation in the Qur'an however (Q.9:84) forbade the Prophet from offering prayers for hypocrites who had died in their hypocrisy).

After the Conquest of Makkah the Abyssinian slave who had killed his uncle Hamzah, and Abu Sufyan's wife, who had mutilated Hamza's body, were forgiven. Abu Sufyan himself, who had led the idolators against the Prophet in many battles, was forgiven.

Other prominent idol-worshippers such as Ikrama bin Abu Jahl, and Sufyan bin Umayyah ran away after the Conquest of Makkah fearing revenge. But the Prophet offered them protection and they returned and were warmly received.

A Jewish woman at Khaibar put poison in the Prophet's food. When he tested it he tasted the poison. The Jews when called admitted that they had tried to poison him. Nevertheless, he forgave them without a word.

All his behaviour towards those who hated him exemplified the injunction of the Qur'an: "Good and evil are not alike. Repel evil with what is better. Then he, between whom and you there was hatred, will become like a close friend."
(Qur'an 41:34)

10. Simplicity and Humility

The Prophet never adopted the trappings of riches and power. Even after he became ruler of Madinah he used to eat simple food and wear coarse cloth. He used to mend his clothes and shoes for himself.

His bed was a reed mat which showed its imprint on him when he got up. Ibn Mas'ud remarked to him: "O Messenger of Allah! I wish you would order us to spread something for you and make something." The Prophet replied: "What have I to do with the world? I am like a rider who rests for a while under the shade of a tree, then goes off and leaves it."

He advised people to practise contentment. Abu Hurairah reported him as saying:

"Look at those who have less than you and do not look at those who have more than you, for that is more likely to keep you from despising Allah's favour on you."

In particular he warned those occupying positions of leadership not to adopt a lavish life-style. When he sent Muadh bin Jabal as a governor to Yaman (Yemen), he warned him: "Beware of living luxuriously, for Allah's servants do not live luxuriously."

He applied this restraint in his own family. Although it was allowed for women to wear gold, he advised both A'isha and Fatima not to wear it, suggesting instead less expensive ornaments.

The same dislike of adopting the proud ways of other rulers was shown in an incident when the Prophet was once on a journey. His companions slaughtered a goat and divided the work of cutting it up and preparing it among themselves. The Prophet said he would go and collect firewood. They told him they would do that also. He replied: "I know that you will do

EXERCISES

1. In what way were the eye-witness descriptions of the Prophet's character and actions preserved and passed on to later generations?
2. What different roles did the Prophet play in his lifetime whereby his words and behaviour in many different circumstances of life were preserved?
3. Give examples to illustrate the following of the Prophet's qualities:
 - (a) Patience and Perseverance
 - (b) Wisdom and foresight
 - (c) Kindness and concern for others' welfare
 - (d) Honesty and truthfulness
 - (e) Justice
 - (f) Courage and firmness
 - (g) Love and Mercy
 - (h) Forgiveness
 - (i) Simplicity and Humility
 - (j) Good humour.
4. How did Aisha summarise the Prophet's character and conduct?

APPENDIX

EXTRA RESOURCES FOR TEACHERS OF ISLAMIC STUDIES

Islamic Studies covers a vast amount of knowledge, but there are certain topics that are traditionally essential for young learners. These include the Qur'an, the Hadith, the Five Pillars of Islam, the Six Cardinal Beliefs, the 99 Names of Allah, the Life of the Prophet, the Early History of Islam, the Rightly Guided Caliphs, *Tahdhib* (Moral Teachings) and Schools of Thought.

The topics are found in virtually every textbook on Islam. However Islamic knowledge goes much further and Muslim scholars over the centuries have interpreted this knowledge through four or more Schools of Thought. Scholars therefore have traditionally respected one another's interpretations even if they held different opinions.

With greater access to the internet and various websites on Islam (for or against Islam) many young students are confused. The Appendix is therefore designed to empower students and teachers when dealing with common contemporary questions.

May Allah continue to guide us.

- 1. Is it true that the voice of a woman is part of her *awrah*, and that a woman should not speak in public or to men that are not related to her?**

The *awrah* refers to that part of a person's body which should not be exposed in public. The voice of a woman was not part of a woman's *awrah* at the time of the

Prophet and his Companions (the Sahabah). Many women asked the Prophet questions in the mosque and in public; narrated hadith from him orally; had discussions with other Companions; initiated and responded to greetings of peace (*salams*); sang songs on various occasions; taught hadith; gave religious verdicts (*fatwas*), etc. The Qur'an only says that women should not speak in a seductive manner. Otherwise it clearly says they should speak in a normal and customary way (Qur'an 33:32). And Allah knows best.

(The same modesty applies to men, who are told to lower their gaze and avoid staring at women.)

2. What does the Qur'an mean by "Allah guides", or "Allah misguides"? How can "misguidance" be attributed to Allah who means good for us? Would Allah really want to misguide good people?

All choices we make are by Allah's permission; whether good or bad, because He has given us some freewill. If Allah had not given us all the tools and ability to choose what is wrong (or right), we would not really have free-will and become responsible for our choices. Allah considers us responsible for the choices we make with the tools He has given us. He only allows to go astray (or "misguides") those who choose to do wrong and forsake what is right and go into wrong-doing. He says in Qur'an 2:26-27, "...He causes many to stray, and many He leads to the right path; but He causes none to stray except those who do wrong, (and) who break their bond with God..." The fact that Allah has given us reasoning and a conscience, has sent us prophets and messengers throughout history with divine revelations, and given us access to good people and other sources of His guidance, clearly shows that He cares for us all to be guided, if we also care to be guided. And Allah knows best.

3. Which parent has the greater right of child custody in Islamic law?

According to the Maliki interpretation of Islamic law, if there is a divorce, the sons among the children stay with their mother until they reach the age of maturity after which they decide where to stay. Daughters stay with their mother until they get married. The father however has the responsibility to provide for their maintenance, accommodation, and other support, etc. If there is a complication in the case, or reason to believe that such an arrangement will not be best for the children, the Shari'ah court judge (or representatives of the Muslim community) will decide based on what is in the best interest of the child or children, as they are the most vulnerable in the family. And Allah knows best.

4. Why do some Muslims object to clapping in applause of someone?

Ordinary clapping is not an act of worship (*ibadah*). It is therefore treated under the category of things regarded under "social transactions" (*mu'amalat*). The absence of any evidence forbidding a "social transaction" (*mu'amalat*) implies its permissibility. It is therefore not prohibited in the Qur'an or Sunnah to clap for someone who has done something worth recognition or to call someone's attention, etc. Many Muslims however prefer to also say "Allahu Akbar!" which means "God is Great!" so as to praise God for all great achievements.

In prayer (*salat*) which is an act of devotional worship (*ibadah*), the Prophet recommended that clapping may be used by women to call the Imam's attention to a mistake made in the prayer. And Allah knows best.

5. How could a Muslim respond to the statement that, “Muslims fear God instead of loving Him”?

All devout Muslims, Christian and Jews try to be more God-conscious or God-fearing. A God-fearing Muslim is not terrified of God the way he or she may be terrified of a lion. The more we love someone, the more we fear to disappoint him or her. The more we fear God the more we love to follow His guidance, and the more we respect the prohibitions and limits He places on us. The more we fear God’s punishment, the more we are likely to keep away from those things that will ultimately harm us in this life and the next. To be a God-fearing person is ultimately, to be a God-loving and God-conscious person. The fear of God is therefore akin to the love of God. And Allah knows best.

6. How can we be said to have freewill if all is predestined?

God is the creator of everything and has power over all things (Qur’an 2:284). It is by the decree (*qadr*) of God that we have some free-will in our choices. We could not have had this limited free-will if it was not willed or decreed by God (Qur’an 82:29). All the options we have are created by Allah. Ours is to learn about and discover them, use them for beneficial purposes. Free-will implies that we have both right and wrong to choose from. If God had not made doing wrong an option, we would not really have had any free-will or choice or responsibility. Allah has made both available to us, and has also guided us through revelation, reason, experience, and our conscience to choose what is right and avoid what is wrong. He also has held us responsible for the choices we make (Qur’an 2:286). Within all that Allah has ordained,

the use of our freewill is what He has made us accountable for (Qur’an 6:154, 2:286, 14:22). We cannot blame Allah for the wrong choices we make or their consequences after He has guided us to what is right. Allah also says He does not do the least injustice to His creatures (Qur’an 18:49). A significant part of the subject of *qadr* and Allah’s decree is *ghayb* (that which is beyond human perception). We are limited in our understanding of His ways. Ours is to do our best to be better and do better. If our understanding of the subject of *qadr* and “predestination” leads us to conclude that Allah is unjust or that we are not responsible for our actions, then we are seriously mistaken and wrong in our understanding of the subject. The Prophet (p) said that “*whatever afflicts a Believer is good (khair) for him*” (Sahih Muslim).

Also, if we are unable to reconcile the Merciful and All-Powerful Creator with suffering and all else that appears around us, we should be humble enough to accept our limitations in perspectives and incompetence in judgement, and have trust in Allah the All-Knowing and His guidance. And Allah knows best.

7. Why are Muslim women required to wear the Islamic dress code - the *hijab*? Do men also have a dress code?

Nearly all societies and cultures, both past and present, have had either implicitly known or explicitly stated minimum dress codes for both its men and women. With these written or unwritten codes in the collective consciousness of a society, wearing anything less is considered “indecent exposure” which is a moral or legal offence. This minimum dress code has often changed with time and place.

Islam, like traditional Judaism and Christianity, requires its adherents to observe a minimum dress code in accordance with some of the universal guidelines from its religious sources - the Qur'an and Sunnah. Contemporary Muslims call their dress code the "*hijab*", which literally means a screen, barrier, cover or veil. The term is often used to refer to a Muslim woman's dress, though a dress code is applicable to men as well.

Islam's guidance for gender interactions seeks to promote positive and beneficial relations between men and women, while reducing negative consequences.

The minimum requirements of *hijab* are that it should be loose, opaque (not transparent), and cover the parts of the body that are considered not for public viewing, i.e. the "*awrah*." For Muslim women, the "*awrah*" is everything except the face and hands, while some scholars also make an exception for the feet. Men's "*awrah*" – their minimum requirement for covering – is the area between their navels and their knees. No specific colour or style is prescribed in Islamic texts.

It is worth pointing out that what Islam prescribes as male or female minimum dress is within the spectrum of permissibility of most religions. Consequently, though a non-Muslim may want to criticize a Muslim woman's dress (or *hijab*), it is likely that his/her religion or religious text has no problem regarding what the Muslim is wearing. Such criticisms (as opposed to enquiries) are therefore more cultural, political, ethnocentric or xenophobic, than religious in origin.

Like any other Islamic injunction, the ideal basis for adopting the *hijab* is to seek the pleasure and wisdom of Allah by complying with His prescription. This ideal is universal for all Muslims, irrespective of time and place,

and the majority of women who wear the *hijab* do so for this very reason.

Apart from the outer functions of a dress, the *hijab* helps to safeguard the modesty and dignity of a person, as well as the moral ideas regarding gender relations. Such moral ideas include a disapproval of sexual harassment and sense of privacy over some parts of the body. The *hijab* plays the role of a 'privatization' of physical charms that are of no positive moral or societal value outside one's private life. By assigning most of a woman's body as her private domain, for exclusive rather than public gaze, the *hijab* has a practical function. It makes sense, therefore, that the wearing of a *hijab* is complemented by dignified behavior befitting public interactions.

By making the decision to wear the *hijab*, one's concern is no longer with the judgment of "men" but with the judgment of God alone. The *hijab* helps in preserving female dignity – one's worth is not measured by 'how much body' or 'bodily commodities' one has. One is respected and known purely for one's less superficial features.

It is a symbol of personal space or ownership – a personal statement that a woman's body is *her* business, and that no one should be given an automatic entitlement to gaze at it except the man that she legitimately invites (i.e. agrees to marry). Sexual attraction and beautification are in fact considered natural and spiritually rewarding in Islam, provided they are done in the appropriate environment, for the healthy functioning of the society as an interconnected whole.

Interestingly, when a woman leaves parts of her body exposed, most would agree that she has the right to do so without having assumptions made about her. However, a

woman who chooses not to leave parts of her body exposed is often not accorded the same right to do so without having assumptions made about her.

Wearing *hijab* especially in a disapproving society takes a great deal of internal strength, and the company of those who are appreciative of its many benefits. Women who are struggling with the issue may take inspiration from others who have successfully overcome these hurdles. It is not a Muslim's role to judge a person's heart, in order to state whether he or she is good or bad. Allah knows best why a particular person does not wear a *hijab*, and whether this is due to weakness in faith or otherwise. The role of fellow Muslims is not to condemn but to try and advise and enjoin guidance where we can, "*with wisdom and goodly exhortation*" (Qur'an 16:125). Allah judges a person's sincerity and application of faith based on His full awareness of their intentions, circumstances, personal struggles, knowledge and understanding.

Unfortunately, though Islam requires both men and women to utilize a dress code, very little attention is placed in Muslim communities on the compliance of men to these standards. And Allah knows best.

8. Why do Muslims follow a lunar calendar when the solar calendar is more precise, predictable and stable in the seasons?

For religious or devotional activities (*ibadat*) – such as fasting, pilgrimage and zakat - the Qur'an (10:5) and Sunnah require Muslims to follow the lunar calendar. This is not synchronized with the seasons or the apparent movement of the sun, but with the movement of the moon. Muslims consider it a blessing that the Islamic months fall in various seasons of the year. The fact that

the festivals make the round of the seasons ensures that fasting and hajj for example will not always fall in the same hot or cold season each year. This ensures balance for Muslims all over the world in the sense that they do not always experience Ramadan and hajj during the same climatic condition. For instance, after a few years of fasting during hot summer months with long days and short nights for Muslims in a particular country, they will experience fasting in cold winter months with short days and long nights. (This would obviously be a relief for these Muslims). Muslims who go on pilgrimage (hajj) to Saudi Arabia will sometimes undergo the pilgrimage rites in harsh, wintry conditions and sometimes enjoy mild climatic conditions at other times.

There is no prohibition on Muslims to use the solar calendar (which is synchronized with the seasons) for their societal transactions (*mu'amalat*) – such as economic, agricultural, educational, etc. - or activities that are not part of prescribed devotional worship (*ibadat*). This is alluded to in Qur'an 18:25 and 6:96 according to scholars such as Ibn Kathir and Ibn Ashur. And Allah knows best.

9. Are women allowed to go to the mosque?

Women at the time of the Prophet (p) and the Companions were always going to the mosque and were never prohibited. In fact, some men at the time of the Prophet (p) wanted to prevent their wives from going to the mosque, and the Prophet (p) explicitly prohibited them from doing so. He said in an authentic hadith: "Do not prohibit the female servants of Allah from going to the mosque for their worship". Some scholars have tried to argue that going to the mosque may not be forbidden (haram), but that it is discouraged (*makruh*). Other

scholars (such as Ibn Hazm) have disagreed with this opinion and regarded it as merely permissible (*mubah*) and not at all discouraged. They argue that whatever interpretation is given to all the evidences presented on this subject, it should be borne in mind that the great women of Medina at the time of the Prophet and the Companions understood better the truth on this matter, and they knew and loved the Prophet's sunnah even more than we do. The practice of many of these women including his pious wives (the "Mothers of the Believers") was to go frequently to the mosques for prayers. It is unacceptable, in the opinion of these scholars, that the example of these role-models and exceptional women would be regarded as disliked (*makruh*). It is because many women have other important duties to take care of at home, the Prophet did not emphasize the need for them to go to the mosques as he did for men. All the great mosques of Mecca and Medina have, from the time of the Prophet to date, respected the right of women to have access to the mosques. And Allah knows best.

10. Why are Muslim men allowed to marry non-Muslim women from among the "People of the Book"?

Islam is interested in promoting better interfaith relations, and therefore goes as far as permitting a limited form of interfaith marriage – that between a Muslim man and a chaste woman from the *Ahl al-Kitab* (i.e. Jews and Christians). Islam is however also cautious of interfaith marriages, as research has suggested that these generally have a much higher rate of marital breakdown and divorce compared to marriages between couples of the same faith. Women are also often the more vulnerable to abuse in broken marriages. Interfaith marriages are also

usually less islamically oriented for child-upbringing. Therefore, while the majority of Muslim scholars have understood from the Qur'an and Sunnah that a Muslim woman may not marry a non-Muslim man, the Qur'an (5:5) does make an exception and permits (though discourages) a Muslim man from marrying a chaste Jewish or Christian woman. While Islam may permit a Muslim man to marry a Christian lady, many other religions do not tolerate any form of interfaith marriage. And Allah knows best.

11. Are non-Muslims allowed into a mosque?

People of various faiths, including Jews, Christians and Pagans, entered into the great mosque of the Prophet Muhammad (p) in Medina during his lifetime and after that. This is the second most sacred mosque for Muslims. Most of the Prophet's meetings with numerous non-Muslims in Medina were held in the Mosque during the last years of his life. A delegation of Pagans from the Tribe of Banu Thaqif from Ta'if met with the Prophet in his mosque in the 9th year after Hijra. Another well-known case was where up to 60 Christians from Najran met with the Prophet (p) in his mosque in Medina in the year 10AH. They were there for 3 days. During their stay in the mosque, they discussed various issues with him. They ate, relaxed, and even slept in the Mosque. The same authorities also narrated that they were even allowed by the Prophet (p) to say their own (Christian) prayers in his Mosque. The majority of Muslim scholars are however of the opinion that non-Muslims are not allowed to visit the sacred mosque in Mecca based on an interpretation of Qur'an 9:28. However, many non-Muslim visitors and tourists visit many great mosques

across the world in Egypt, Turkey, Oman, Bahrain, and Malaysia, etc. Some Muslims (and Mosque Tour Guides) take this rare opportunity to educate the visitor about Islam and clarify common misconceptions they might have about the religion. And Allah knows best.

12. How are we sure the Qur'an we have today is the same as that used by the Prophet and his Companions?

The Qur'an is historically the only scripture that was written down completely during the lifetime of its prophet. The entire Qur'an was revealed over a period of about 23 years. The Prophet (ﷺ) dictated it to his several literate companions. Recorded text would be read back to Prophet (ﷺ) to eradicate scribal errors.

It was also memorized and recited regularly every day in prayers (*salat*) and on other occasions. Many of his companions had memorized the entire Qur'an and they taught it to many more. The Qur'an's rhythmic style and eloquent expression make it easy to memorise (and is alluded to in Qur'an 54:17).

Through writing and memorization by hundreds and thousands of people, the Qur'an has remained the same and intact. The oldest copy of the Qur'an dated to the time of the Prophet's companions is found in the Museum of Tashkent in Uzbekistan. Another early copy is found in the Topkapi Museum in Istanbul, Turkey. These copies and others discovered by archeologist are identical with Qur'ans in circulation today. Even non-Muslim historians confirm that the Qur'an recited today is identical with that recited at the time of the Prophet (ﷺ) and his companions. According to John Burton the Qur'an as we have it today is *"the text which has come down to us in the form in which it was organised and approved by the Prophet...."*

What we have today in our hands is the mushaf of Muhammad." (*The Collection of the Qur'an*, 1977). According to another Orientalist, *"It seems reasonably well established that no material changes were introduced and that the original form of Mohammed's discourses were preserved with scrupulous precision."* (H.A.R. Gibb 1969, *Mohammedanism*).

13. Is it true that Islam was spread by the sword?

The idea that Islam was spread by the force of the sword is one of those lies spread about Islam simply to discredit it. It is sufficient to hear what even non-Muslim Historians have said about this. According to the Historian, **De Lacy O'Leary**, for example, "History makes it clear... that the legend of fanatical Muslims sweeping through the world and forcing Islam at the point of the sword upon conquered races is one of the most fantastically absurd myths that historians have ever repeated." Historian **Edward Gibbon** (in his *History of the Saracen Empire*, London, 1870), reports that, "The greatest success of Muhammad's life was effected by sheer moral force *without the stroke of a sword*." Another scholar, **James A. Michener** (in his book *Islam: The Misunderstood Religion*, Reader's Digest (American edition), 1955) writes, "No other religion in history spread so rapidly as Islam... The West has widely believed that this surge of religion was made possible by the sword. But no modern scholar accepts that idea and the Qur'an is explicit in support of the freedom of conscience."

Very simply put, if Islam was spread by the sword, then why did Islam permit Muslims to marry Christian women even if they would not accept Islam? Why were there non-Muslims living peacefully in Medina

throughout the life of the Prophet Muhammad (ﷺ)? Why are there still Christian, Jewish, Zoroastrian and other non-Muslim communities with their places of worship that have existed in the Muslim world since the earliest days of Islam? Why did Jewish refugees who were escaping persecution from Christians in various parts of Europe go to Muslim lands such as Morocco and Turkey? What explains the fact that people who conquered Muslims' lands themselves converted to Islam after coming to know it better (e.g. the Mongols in Baghdad)? What explains the fact that the majority of Muslims live in places where not a single Muslim soldier went (e.g. Indonesia, which has the highest Muslim population in the world of more than 150 million)? Which "sword" is it that has made Islam presently the fastest growing religion in the world, especially in the West where Muslims are a minority with no military strength?

Regarding **conquests**, Historian Jane Smith, (in "Islam and Christendom: Historical, Cultural, and Religious Interaction from the Seventh to the Fifteenth Centuries" in The Oxford History of Islam, 1999), writes, "Military expeditions were political in nature and not undertaken for the purpose of forcing conversion to Islam as an alternative to the sword... Conversion was accepted, of course, but not encouraged, and for a number of centuries Christians remained the majority in much of what was nominally Muslim territory." Conquests therefore, where absolutely necessary, were only for state security, and not for forcing anyone to accept Islam. And Allah knows best.

14. Is it true that based on the Qur'an, a man is permitted to beat his wife if she is disobedient?

Domestic abuse is condemned in Islam, whether physical or psychological. If any man hits any woman (or vice-versa) whether they are married or not, in an abusive way (such that it causes injury or leaves a mark on the skin), she can take him to a Shari'ah court and he will be charged with having caused injury (*jirah*), which is an offence under the punishment of "equitable retribution" (*qisas*). Depending on the severity of the injury, the judge may give him a heavy fine as punishment. He may even grant a divorce since there is fear for the wife's safety whereas it is the husband who is even expected to protect his wife. The fact that the man is married to the woman does not reduce her dignity and legal rights in Islamic law what-so-ever. Family life is expected to be characterized by tranquility, love and mercy (Qur'an 30:21). That is why Muslim scholars interpreting Qur'an 4:34 which appears to sanction some level of "beating" if it will prevent a divorce, make it clear that such an act must be mild (*ghayra mubarriah*), "with a handkerchief", and not be abusive. The practice (*sunnah*) of the Prophet Muhammad (ﷺ) was to never beat anyone. And he said "the best among you will never beat!" Even if divorce is inevitable in a particular relationship, it should be peaceful, with compassion, and never violent. (Qur'an 2:229). And Allah knows best.

15. Is it true that a Muslim woman's testimony in court is half that of a man's?

A judge is to decide on the credibility of any witness based on his knowledge of the character and competence of the witness. According to Ibn Qayyim al-Jawziyyah, no

number of witnesses can be imposed upon a judge if he does not trust them.

Besides the evidence available, the most important factors to a judge in deciding whose testimony is more credible or trustworthy than the others, are the character (or integrity) of the witnesses and their competence (or expertise) – and not their gender. Gender however may only feature if in a particular instance or situation, the competence, expertise or exposure in a particular issue or field is tied to gender. This is due to the fact that at various times in certain cultures specific professions and trades were the domain of a particular gender, therefore one gender was regarded as being more competent than the other as a witness in that field. Midwifery, knitting, catering, food processing, kindergarten, or handling children, etc. were in many cultures generally the domain of women. Meanwhile, professional fishing, hunting, military combat, security, lumbering, and even violent crimes were mainly the domain of men. Some of these are however changing in many places.

Consequently, in cases where a woman's competence or exposure was greater than that of a man's, her testimony was stronger – such as in disputes involving child-birth or identification, fostering or breastfeeding, etc. In some of these cases, scholars would not even accept a man's testimony because these issues were culturally outside a man's expertise.

In cases such as in the authentication of hadith narrations from the Prophet (p) - the second primary source of Islamic law - where a woman was as competent as a man, her testimony was the same as a man's. In fact, if the hadith related to the actions of the Prophet (p) at home,

the narrations by any of his wives would be more credible because she was obviously more competent to speak on such a topic compared to any of his other male Companions.

And in cases where a man's competence or exposure was greater than that of a woman's, his testimony was stronger – such as in cases related to violent crimes, some financial transactions besides simple buying and selling (Qur'an 2:282), etc., a man's testimony would be more credible than a woman's because this was an area men were generally more exposed to.

This is important to clarify, because the existence of witnesses, their numbers, their credibility, the writing down of such contracts by trustworthy people (as in Qur'an 2:282), all contribute to the objective (*maqasid*) protection of rights and justice. The apparent gender bias therefore was more about competence for the purpose of justice than about gender itself. And Allah knows best!

Today, where some men are as exposed or even more exposed and competent in fields that were traditionally the domain of men, and vice-versa, it has become more important for judges to more carefully bear in mind the higher intents (*maqasid*) of Shari'ah regarding justice and protection of rights in every case when deciding on the competence and number of witnesses required to prove a case.

In spite of the fact that the Qur'an (such as in the case of *li'an* forms of divorce – see Qur'an) and a number of hadith show that a woman's testimony can be as credible or even more credible than a man's depending on the case, some scholars have unfortunately concluded that a woman's testimony is always double that of a man's. And Allah knows best.

16. Are Muslim women allowed to go out for professional work where they mix with other men?

The subject of women going out to work or anything else comes under the category of *mu'amalat* (social transactions) in Islamic jurisprudence. The underlying governing principle here therefore is that “everything is permissible except what may be prohibited by an explicit text of the Qur'an or authentic sunnah”, or by what clearly contradicts an explicit objective of Shari'ah. In the absence of unambiguous evidence to the contrary, freedom and permissibility (*ibaha*) is assumed as the default ruling on issues under *mu'amalat*.

Islam's guidance for gender interactions seeks to promote positive and beneficial relations while reducing negative consequences.

Islam prescribes neither unrestricted mixing, nor absolute segregation of sexes – such as being segregated by a curtain or wall. What Islam teaches is that the mixing should be done in a good Islamic atmosphere. Individuals concerned should also respect rules guiding morality and decency as taught by the Qur'an and Sunnah. Domestic confinement was in fact described in Qur'an 4:15-16 as a punishment for immorality (*fahisha*), and therefore not a normal state of affairs as can easily be seen in the lives of the female companions of the Prophet (p) who went out for their legitimate needs.

As mentioned earlier, women at the time of the Prophet (p) and the Companions went where men went. They went to the mosques, the markets, the farms, weddings, festivals and even the battle fields.

According to Ibn Qayyim, men and women together welcomed the Prophet and his companions with songs as they returned to Medina after the Battle of Tabuk. Several

ahadith in *Sahih al-Bukhari* and *Muslim*, for instance, narrate the wedding of Umm Usayd and Abu Usayd Al-Sa'adi at the time of the Prophet, where the bride (Umm Usayd) was serving male guests including the Prophet (ﷺ). According to Ibn Hajar al-Asqalani and Ibn Hazm, the Caliph Umar actually appointed a woman, Shaffa bint Abdullah bin Abdul-Shams, as chief administrator of the market place in Madina where both men and women did business.

It is also permissible for a woman to speak with a man privately about an issue of concern to either of them, so long as it is done in a public place where others may see them. This is exemplified by a hadith narrated by Abu Dawood, Bukhari and Muslim where a woman in Madina wanted to speak privately with the Prophet (ﷺ), and he asked her to pick any of the streets of Madina and they would speak there.

Among the most important guidelines for interaction between men and women in Islam is that they should observe modesty in behaviour and dress, no physical contact, no privacy away from the public eye (unless there is a “*mahram*” or chaperone with her) and, as always, the interaction should be for legitimate reasons, with pure and clean intentions. References to these can be found in Qur'an 24:30-31; 33:32, etc. and in numerous hadith on dressing and behaviour.

Indeed, there are many areas of public life which call for joint efforts, as Allah says believing men and women are *awliya'* (protectors, guardians, allies) of each other (Qur'an 9:71). Those men and women involved in any joint activity should observe the limits of what is permissible and avoid what may lead to what is prohibited or what may cause undue gossip, in order to

facilitate maximum benefit to themselves and society.
And Allah knows best.

For further reading:

- Da'wah Institute of Nigeria, *Should Muslim Women Speak?* Islamic Education Trust, Minna, Nigeria, 2010;
- Da'wah Institute of Nigeria, *Muslim Women in the Public Space*, Islamic Education Trust, Minna, Nigeria, 2011; Afzalur Rahman, *The Role of Muslim Woman in Society*, Seerah Foundation, London, 1986; Sofie Anne Roald, *Women in Islam: The Western Experience*, Routledge, London and New York, 2001; Hassan Turabi, *Women in Islam and Muslim Society*, Milestones Publishers, London, U.K., 1991.
- Abdul Muin Abdul Rahman, *Witness in Islamic Law of Evidence*, Pelanduk Publications, Selangor Darul Ehsan, Malaysia, 1999; Mohammad Fadel, *Two Women, One Man: Knowledge, Power, and Gender in Medieval Sunni Legal Thought*, in *Journal of Middle East Studies*, Vol. 29, No.2 (May, 1997), pp.185-204, Cambridge University Press, USA.; Feisal Abdul Rauf, *Islam: A Sacred Law - What Every Muslim Should Know About Shari'ah*, Yayasan Dakwah Islamiah, Kuala Lumpur, Malaysia, 2002, p.105-6; Ahmad Anis, *Women and Social Justice - some Legal and Social Issues in Contemporary Muslim Society*, Institute of Public Policy Studies, Islamabad, Pakistan, 1991, p.65; Jamal Badawi, *A Women's Testimony*, available at <http://www.muslima.ca/woman/womaninislam.html>;
- Taha Jaber Al-Alwani, *The Testimony of Women in Islamic Law*, available at <http://www.alhewar.com/TahaTestimony.htm.1999>.

- Afzalur Rahman, *The Role of Muslim Woman in Society*, Seerah Foundation, London, 1986;
- Aliah Schleifer, *Motherhood in Islam*, The Islamic Texts Society, U.S.A., 1996; Kutaiba S. Chaleby, *Forensic Psychiatry in Islamic Jurisprudence*, International Institute of Islamic Thought, Herndon, Virginia, USA: 2000; Jasser Auda, *Maqasid Al-Shari'ah as Philosophy of Islamic Law: A Systems Approach*, International Institute of Islamic Thought, London, 2008, p.226; Sofie Anne Roald, *Women in Islam: The Western Experience*, Routledge, London and New York, 2001; Zaidan, *Al Mufasssal fi Ahkam al Mar'ah*, Mu'assasat al Risalah, Beirut, 1993.
- Khaled Abou El-Fadl, *Speaking in God's Name: Islamic Law, Authority and Women*, One World Publications, U.K., 2001, p.185-188.
- Sofie Anne Roald, *Women in Islam: The Western Experience*, Routledge, London and New York, 2001;
- Hassan Turabi, *Women in Islam and Muslim Society*, Milestones Publishers, London, U.K., 1991.
- Muhammad Asad, *The Message of the Qur'an*, Dar Al-Andalus, Gibraltar, 1980, p.4, footnote 6 and 7; Jeffrey Lang, *Losing My Religion*, Amana Publications, Maryland, USA, 2004, p.110-118
- Fiqh al-Sunnah, DIN
- Jamal Badawi: *Women's Testimony*.
<http://www.muslima.ca/woman/womaninislam.html>
<http://www.alhewar.com/tahatestimony.htm>
- Dr. Taha Jaber Al-Alwai: *The Testimony of Women in Islamic Law*. <http://www.alhewar.com/tahatestimony.htm>
- Paul Lunde, *Patterns of Moon, Patterns of Sun*, Saudi Aramco World Magazine, November/December 2009 – (www.saudiaramcoworld.com); Hafiz Abdullah

Muhammad, *The Best of Times*, IPCI Islamic Vision, Birmingham, UK., 2002;

www.wikipedia.org/wiki/Lunar_Calendar &

www.wikipedia.org/wiki/Lunisolar_Calendar

Tariq Ramadan, *Radical Reform: Islamic Ethics and Liberation*, Oxford University Press, Oxford, 2009; Anne Sofie Roald, *Women in Islam: The Western Experience*, Routledge, London and New York, 2001; Sheikh Ali Gomaa, *Responding from the Tradition: One Hundred Contemporary Fatwas by the Grand Mufti of Egypt*, Fons Vitae, Louisville, KY, USA, 2011, p.271; Ibn Hazm, *al-Muhalla bi al-Athar*, Dar al al Fikr, Beirut.

Yusuf Al-Qaradawi, *The Lawful and the Prohibited in Islam*, Al-Birr Foundation, London, UK., 2003, p.167-170; Yusuf Al-Qaradawi, *Fiqh of Muslim Minorities*, Al-Falah Foundation, Cairo, Egypt, 2003; Hammudah 'Abdalati, *The Family Structure in Islam*, American Trust Publications, Plainfield, Indiana, USA, 1977

RECOMMENDED WEBSITES

These online resources have very useful information and products on Islam. This list is, however, far from being exhaustive, as new websites appear on the internet daily. Other Islamic websites may be even more informative than the above listed, and whereas these websites are recommended, not all the views and opinions expressed in them necessarily reflect those of DIN or the IET.

www.altafsir.com

www.discoverislam.net

www.ietonline.org

www.irf.net

www.islam.about.com

www.islam-guide.com

www.islamic-awareness.org

www.islamicgarden.com

www.islamicity.com

www.islamicweb.com

www.islamonline.net

www.islamunveiled.com

www.jannah.com

www.jannah.org

www.masud.co.uk

www.muhammadith.com/index.html

www.muslimtube.blogspot.com

www.renaissance.com.pk

www.shamela.ws (Arabic)

www.soundvision.com/info

www.sunnipath.com

www.uga.edu/islam

www.witness-pioneer.org/

www.zaytuna.org