

ISLAMIAT NOTES BY ROSHAN WADHWANI

1. Zakat
2. Fasting
3. Prayer
4. The Day Of Judgement
5. Belief In Risalat
6. Tauheed
7. Jihad
8. Sharia Law
9. Ijtihad
10. Rights Of Minorities (Posted By Agha Zuhaib)
11. Islamic Social System
12. Judicial System Of Islam
13. Political System Of Islam
14. Rights Of The Citizens In Islamic State (Posted By Syeda Sabaht)
15. Purdah In Islam
16. Charity And Alms Giving (Posted By Syeda Sabaht)
17. Importance Of Hajj (Posted By Syeda Sabahat)
18. Women In Islam
19. Polygamy In Islam
20. Human Rights In Islam
21. Non-Muslims' Rights In Islam

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## **Zakat:**

### **Outline:**

- Definition Of Zakat
- Zakat In The Light Of Quran And Hadith
- Objectives Of Zakat
  - i) Purification Of The Soul
  - ii) Help Of The Poor
  - iii) Support Of Islam
- Importance Of Zakat

### **Definition Of Zakat:**

**“And observe prayer, and pay the poor-rate and bow with those who bow.”  
(Al-Baqara: 43)**

The Arabic word Zakat means purity and cleanliness. The word Zakat is derived from word “Tazkia”. In religious terminology, Zakat means that a Muslim who is in possession of certain amount of wealth or more, is required by his religion to spend 1/40 of it at the end of year on the poor, the needy and the wayfarer, an on such other items of charity and good doing, as are prescribed for it by God and the Prophet.

### **Zakat In The Light Of Quran And Hadith:**

Among the fundamental tenets of Islam Zakat occupies a great importance and it is the third pillar of Islam. At several places in the Quran Zakat has been enjoined on Muslims side by side with Namaz.

**“Be steadfast in prayer and practice regular charity.”**

The Holy Quran says:

**“....those who spend their wealth  
By night and by day,  
Secretly and openly,  
Therefore for them is their reward with their Lord.  
And there is no fear on them,  
Nor shall they grieve.  
(Al-Baqara: 274)**

**And Again:**

**“The attribute of those who spend their wealth in God’s way,  
Is like the attribute of a grain,  
Which grows into seven spikes,**

**In each spike a hundred grains;  
And God multiplies it for whom He pleases;  
For God is Vast, Knowing.”  
(Al-Baqara: 261)**

The Holy Quran says that those who give charity should not make show of it.

As:

**“O’ ye who believe!  
Render not void your charity,  
By (show of) obligation and injury,  
Like him who spends his wealth  
For the sake of show of mankind,  
And he does not believe in God ,  
And the Future day,  
His attribute is,  
As the attribute of a smooth rock,  
With some soil thereon,  
Then it catches a heavy rain  
Which then leaves it as bare stone;  
Nothing which they earned is of any avail.”  
(Al-Baqara: 264)**

The Holy prophet said about the Zakat that:

**“I have been commanded to fight against people till they testify that there is no god but Allah, and they establish prayer and pay Zakat and if they do it, then blood and property are guaranteed protection on my behalf and their affairs rest with Allah.” (Muslim)**

If any Muslim refused to pay Zakat, an Islamic government was duty bound to punish him. In the times of Caliph Abu Bakr some of the tribes refused to pay the poor-due. He declared war against them:

**“By Allah I would fight definitely against him who makes a distinction between the prayer and Zakat.” (Muslim).**

The above mentioned quotations from the Quran and the Hadith are sufficient to signify the position of the poor-due in Islam. They make it abundantly clear that the edifice of Islam cannot be raised without full regard to the poor-due. It was actually for this, that the poor-due was included among the pillars of the Faith.

### **Objectives Of Zakat:**

#### **i) Purification Of The Soul:**

Zakat relates to a person’s individual capacity. The alms giver cleanses his heart from greed and acquires fear of Allah. Allah has said:

**“He shall be saved from Hell fire who is God fearing and who gives riches to others for the purification of the soul.”  
(Al-Lail: 17-18)**

In this verse Zakat has been described as a means of purifying the soul. Holy Prophet has proclaimed the Love of the world is the root of all the evils. Love for the world may have many aspects but in essence it is one. Emancipation of the heart from temporal love is nothing but its purification. If the poor due yields the freedom of the soul it proves that it has quality of purifying the soul. Free from the love of worldly things, one strives to seek the pleasure of God and the welfare of the After Life. He inclines more towards the pious deeds.

### **ii) Help Of The Poor:**

The secondary objective of the poor-due is the help of the poor. it provides necessities to the poor Muslims. The Holy Prophet (PBUH) said:

**“Verily, Allah has ordained the payment of Zakat on them (Muslim). It will be taken from the rich and returned to the poor.” (Muslim)**

It is true that the primary objective of the poor-due is the purification of the soul but it is equally true that unless it serves the needs of the poor, its real purpose will remain unattained. This duty can be done when the poor-due reach their hands. That is the reason why the Quran has regarded the poor-due as a right of the poor on the affluent class of the society.

### **iii) Support Of Islam:**

Muslims have been repeatedly exhorted in the Quran to this effect:

**“And strive with your wealth and your live in the way of Allah.”**

It is admitted on all the hands that the protection and support of religion is not an ordinary matter. As such expending of personal wealth for this purpose has great importance. While enjoining Holy War the Quran says:

**“Spend your wealth in the cause of Allah and be not cast by your own hands to ruin.”  
(Al-Baqara: 195)**

It signifies that non-supply of funds for the protection and support of religion is tantamount to inviting destruction both in this world and in the Hereafter. Something that offers protection from destruction, both in this world and the After Life, can never be regarded as a matter of little importance.

### **Importance Of Zakat:**

Zakat is the backbone of economic system of Islam. The Holy Quran speaks Charity as next too prayer in the series of worships and says that prayers without charity are useless.

**“Woe to the prayer ones, who are unmindful of their prayers, who make a show of prayers and withhold the acts of Charity.”**

Zakat helps in amelioration of condition of the poor and to put in other words more clearly Zakat gives economic security to the Muslim community and prevents the accumulation of wealth in a few hands.

It is the duty of the rich to pay Zakat and right of the poor to receive Zakat. The rich shall maintain the poor and the needy so that they may not beg, steal or sleep hungry. The institution of Zakat aims at solution of the problem of destruction of wealth.

Hazrat Umar bin Abdul Aziz used to say **“prayer carries up half way to God, fasting brings us to the door of His palace and alms procure us admission.”** This is the importance of Zakat.

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## Fasting/Saum/Roza

### Outline:

- Definition Of Fasting
- Significance Of Fasting
- Individual Benefits
  - i) Spiritual Benefits
  - ii) Physical Benefits
  - iii) Moral Benefits
- Collective Benefits
  - i) Social Benefits
  - ii) Economic Benefits
- Conclusion

### Definition Of Fasting:

Saum (Fasting) is the fourth pillar of Islam. The word “Saum” means “to be at rest”. It implies abstention which includes refraining from eating, drinking and sexual intercourse for a certain period of time, generally from dawn to dusk.

The Holy Quran says:

**“O’ ye who believe!  
Fasting is prescribed for you,  
As it was prescribed for those who preceded you,  
That you may be reverent:  
For a certain number of days.  
Then for anyone of you who is sick,  
Or on journey  
There is then the same number of other days.  
And for those who find it hard to bear,  
There is redemption by feeding the poor,  
.....the month of Ramzan is one,  
In which, was sent down the Holy Quran,  
A guidance for mankind.  
.....then let him amongst you,  
Who is present in this month fast therein.”  
(Al-Baqara: 183-185)**

Fasting is obligatory upon every Muslim adult (baligh) who is in possession of his sense (aqil) and who is fit physically (Qadir).

The month of Ramzan has been fixed for fasting-this month being the month of revelation of the Holy Quran. The word ‘Ramzan’ has been derived from “**Ramz**” meaning “**to burn**” (to burn selfish desires). There are also many other fastings in addition to fasting during Ramzan, but the

Ramzan fasting is obligatory and is of the highest importance.

### **Significance Of Fasting:**

The significance of fasting lies in the fact that it trains the minds of men and elevates their moral aptitude. It restrains the passions but abstinence and thus the fast achieve control over his physique and mind. It (Fast) restrains man from mean and selfish desires as well as worldly thoughts.

Fasting is primarily a spiritual discipline aiming at Divine nearness. The Fasters are spiritual wayfarers.

**“Whoever fasts during Ramzan having faith in Me and seeking My pleasure.”**

**“Fasting is a shield, so the faster should not indulge in foul speech and surely the breath of a fasting man is pleasanter to Allah than the odour of musk.” (Holy Prophet).**

Finally, fasting inculcates uniformity, in this type of institution throughout the Muslim world. The poor and the rich become same in status in the Holy month of Ramzan, at least in the matter of meal.

### **Individual Benefits Of Fasting:**

#### **i) Spiritual Benefits:**

Fasting has immense spiritual value, for it is basically a spiritual exercise and discipline. It brings man closer to God and removes all barriers between him and his Lord.

**“O’ ye who believe! Fasting is prescribed to you—so that you may fear Allah( and bring your taqwa).” Al-Quran.  
(Al-Baqara: 183)**

The very purpose of fasting, in this verse of Quran, is described as the attainment of taqwa. Believers are commanded to observe fasting in the month of Ramzan so that through it they may be able to attain nearness to God. A fasting is observed for God. Only He knows whether a person is fasting or not, it brings man very close to his Creator.

Fasting reminds one throughout the day that he is abstaining from food, drink and other pleasures of life in obedience to the command of God. There is none to see and check whether he is eating or drinking or enjoying other pleasures of life. He abstains from all these things with the full knowledge that God is always with him and always sees and hears him doing everything, and that nothing can be hidden from Him. Thus fasting develops a very strong sense of nearness and closeness to God and of His presence everywhere.

#### **ii) Physical Benefits:**

Fasting also has a physical usefulness. During the course of fasting one improves health. “The

capacity of digestive organs improves. The better is the growth of man.” When the digestive organs get rest during fasting, their power and strength for more work increases. During fasting one bears the pangs of hunger and thirst and thus hardens life for any difficult time. The power of resistance increases and one can face hardships smilingly.

### **iii) Ethical/Moral Benefits.**

The ethical importance of fasting lies in this fact that one refrains not only from foul actions but also from foul words. Hadith refers;

**“The fasting is shield which saves from indulging in foul words and foul deeds.”**

In the Holy month of Ramzan, the Muslims generally remain pure and try to pastime in pious actions, pious thoughts and in pious association. Hadith refers when the month of Ramzan arrives,

**“The doors of Heaven are opened and the doors of Hell are closed and the devils are put into chains.”**

The doors of Heaven are opened for them because they rise above the physical desires and devote themselves to the service of Allah and of Humanity. The doors of Hell are closed for them because they shun all evils which may lead them to Hell. The devils are chained because they have conquered the lower passions which are an easy prey to the devils. The month of Ramadan is suited **“for spiritual advancement, for attaining nearness to God.”**

### **Collective Benefits:**

#### **I) Social Benefits:**

During the month of Ramadan, all Muslims rich and poor, gather in the mosques at the time of iftari and additional tarawih prayer at night. In fact, it is a time of great festivities in the mosques. They feel, experience and see brotherhood in practice in the mosques every day during this month.

Fasting has a great social impact when all Muslims, rich and poor, from every walk of life, fast together. They come together in large number for iftari and for tarawih prayers in the mosques and sit together. It helps to bring them closer to each other, thrilled and filled with sentiments of love and brotherhood.

At the end of Ramadan, there is the festival of Eid-al-Fitr, when the Muslims gather together to offer a two Rakat Eid Prayer as a token of gratitude and thanksgiving to their Lord for having successfully completed the month of fasting. Ramadan and the festival of Eid will not benefit Muslims unless they enable the poor members of the Muslims community to have enough money to celebrate the Eid. The Holy Prophet (PBUH) has laid great stress on the payment of Fitrana before the celebration of Eid. He even told his followers that the non-payment of this poor-due will render their fasting null and void.



In short, the month of Ramadan brings great economic benefits for the Muslim community especially for the poor. It brings the Blessings of God in the form of wealth and food in the homes of the poor people.

### **Economic Benefits:**

Among other benefits, fasting has enormous economic benefits for the Muslims community. During the month of Ramadan, the rich people spend very generously on the poor people to win the pleasure of God. Their generosity and charity enable the poor section of the Muslim community to receive sufficient funds during this month to meet their needs for at least a part of the year.

Then people who, owing to sickness or old age, cannot fast, are asked to feed the poor in compensation. Many rich people, who are sick or too old to fast, lavishly feed the poor people during this month.

**“For those who can do it but with hardship, is a ransom, the feeding of the one that is in need; But he that will give more, of his own free will, it is better of him.”  
(Al-Baqara: 184)**

### **Conclusion:**

The purpose of fasting is manifold. Allah mentioned in the Holy Quran, that the fasting is prescribed for the believers as it was prescribed for the people before them, so that they may acquire self-control and God-consciousness. Therefore, the purpose of the fasting is to develop God-consciousness, self-control, improvement of health by reducing or eliminating impurities from the body, and to become aware of the plight of the poor, hungry, and the sick. Ramadan is a month of spiritual consciousness and high sense of social responsibility. The fulfilment of one's obligations during the month is rewarded by 70 times.

## Prayer/Salaat/Namaz

### Outline:

- Introduction/Philosophy Of Salaat
- Importance Of Salaat In The Light Of The Quran And Hadith
- Benefits Of Salaat
  - a) Individual Benefits
  - b) Collective Benefits
    - i) Social Organization And Social Discipline
    - ii) Mosque As Community Centre
    - iii) Mutual Cooperation And Help
    - iv) Equality And Brotherhood
    - v) Training In Jihad (Holy War)
    - vi) Respect For The Rights Of Others
    - vii) Tolerance
    - viii) Unity

### Introduction—Philosophy Of Prayer:

**“And keep up the prayer; it restrains from the indecency and evil.”**  
(Al-Ankabut: 45)

This word as used in the Holy Quran is formed from the word ‘Salat’ and ‘Tasliat’ and in the Arabic dictionary it means “To pray.” But in Islamic terminology it conveys the way of expressing worship by man to his real Creator and object of worship in the special manner taught by God to the people by His Apostles.

Prayer is the first and foremost duty of every Muslim and Quran Majeed repeatedly urges that every Muslim should perform this duty. It is obligatory for five times a day. Salat is the practical proof of our faith in Allah and Islam.

### Importance of Prayer In the Light Of Quran And Hadith.

Prayer is vital in Islam. Quran has repeatedly emphasized this point.

**“And keep up the prayer, give the stated alms and bow with those who bow.”**  
(Al-Baqara: 43)

**“And keep up the prayer: It restrains from indecency and evil.”**  
(Al-Ankabut: 45)

**“And keep up the prayer.....”**  
**(An-Nur: 56)**

**“Keep up the prayer; give the stated alms: hold strongly to the cord of faith in Allah.”**  
**(Al-Hajj: 78)**

**“And seek help (of God) with perseverance and prayer.”**  
**(Al-Baqara: 45)**

**“O’ ye who believe! Strengthen yourselves with perseverance and prayer.”**  
**(Al-Baqara: 153)**

**“He all of you attentive toward Allah (Him) and reverence Him; And keep up the prayer.”**  
**(Ar-Rum: 31)**

Unless a man performs his prayer regularly, he cannot be a true Muslim. According to Dr. Hakim Islam considers prayer to be the dividing line between belief and unbelief. Islamic prayer is purified of all low and irrational elements and prescribed as a great help in building up of character by remembering God. Prayer is remembrance of God by man. It is a communion between God and man—an interaction between the Divinity within and the Divinity overhead. Prayer is a means of spiritual illumination and its aim is to know God and seek His help in man’s attempt.

**The Holy Prophet says:**

**“He whom this prayer does not save from what is obscene and evil; will recede away from God.”**

Holy Prophet (PBUH) regarded prayer as the noblest of all devotions. It has been rightly said ‘prayer is an index to ethical culture.’ The Holy Quran says:

**“Successful indeed are the believers, who are humble in their prayers.”**  
**(Al-Mu’minum: 1-2)**

**Benefits Of Salat:**

**Personal Benefits:**

i) Prayers keep this observation fresh in the minds of individuals that a man is not sovereign but

sub-ordinate to the creator of the universe.

ii) Prayer develops a sense of responsibility in man.

iii) Prayers are the means of distinguishing between those who have a sense of responsibility or who have not.

iv) It creates a complete system of thought by which a virtuous character is developed.

v) Prayers develop a practical sense enabling a person to take decision on a course of action with firm belief.

vi) Prayers bring a man nearer to God. There is no better means of achieving bliss about which it has been said,

**“Prayers are the zenith of believers.”**

vii) Prayers are the means of purifying heart and developing the soul.

### **Mutual/Collective Benefits:**

#### **i) Social Organization And Social Discipline:**

Prayers not only help in building individual character but also in establishing a community structure and spirit. Daily Prayers keep the flame of this spirit going. This is why prayer in congregation is made obligatory. The gathering of believers in mosque five times is the basis of community organization of the Millat-i-Islamia. Prayer is discipline more strict than the army but without any coercion. It is a voluntary discipline imposed to win the pleasure of God.

#### **ii) Mosque As Community Centre:**

When Muslims meet together in mosque for prayer, they feel and share one another's problems and sufferings. They get the opportunity to know their brethren more closely and acquaint them of their needs and problems. This fraternity promotes sincerity, brotherhood, honesty, willingness to help and piety amongst them.

#### **iii) Mutual Cooperation And Help:**

This regular assembly for daily prayer also provides opportunities for cooperation. People of different social and economic status meet one another in the mosque and learn each other's problems. In Islamic tradition, they will learn and cater for the needs of those in difficulty and suffering.

#### **iv) Equity And Brotherhood:**

Prayers in the congregation are the training in brotherhood, equality and fraternity. During prayer, all Muslims stand in prayer their God as equals. There is no distinction between the rich and the poor, the white and the black, the Arab and the non-Arab, they all stand in rows to offer their prayer to God.

**v) Training in Jihad (Holy War):**

There seems to be a close relationship between prayer and jihad. Any army must possess discipline to achieve any marked battle success. For without discipline the army spirit will disintegrate. Islam offers prayer as a training for discipline even in Holy War.

**vi) Respect For The Rights Of Others:**

Prayer also teaches respect for other people and their rights. The believers go to the mosque regularly five times daily and meet all types of people who gather there for prayers. They stand together shoulder to shoulder like a solid cemented structure and present a striking example of discipline, cohesion and affection. This develops in them love and respect for other people and their rights.

**vii) Tolerance:**

True believers also become tolerant through the daily routine of prayer. They have to prepare for prayer, perform ablution and then join other believers in the mosque for prayer. It needs a lot of endurance to stick to this rigorous discipline everyday all the year round. It also enables an individual to endure and tolerate the hardship and sufferings he has to undergo in his life.

**viii) Unity:**

Prayer is the strength behind unity. The establishment of unity is the greatest social ideal of Islam. It unites men of different languages, ethnic groups, colours, and nationalities. When they hear the call of the Muezzin, they all gather together as brothers for prayer. It is, in fact, the most vital and effective way of uniting believers into one solid block.

# The Day Of Judgement

## Outline:

- **Meaning Of The Judgement Day**
- **Islamic Concept Of Life Hereafter**
- **Signs Of The Day Of Resurrection**
- **Importance Of This Faith**

## Meaning Of The Judgement Day:

The judgement day is the appointed time, when the whole mankind and Jinn will be raised after death, and judged by Allah according to His Law, which has been contained in His Holy Books. The fortunate persons among mankind and Jinn who succeed on that Day, will enter Allah's paradise, while the unfortunate ones will be thrown into Hell.

## The Islamic Concept Of Hereafter:

Belief in life hereafter is the third basic postulate of Islam. The world according to Islam, is a place of trial and man is being judged in it. he will have to give account of all that he does herein. Life on this earth will, one day, come to an end, and after death a new world will be resurrected. It will be in this life after death that man will be rewarded or punished for his deeds and misdeeds. Those who live in the present world a life of obedience to the Lord will enjoy eternal bliss in the hereafter while those who disobey His commands will have to garner the bitter fruits of their disobedience.

## **The Holy Quran says:**

**“Towards Him is the return of you all,  
The promise of God is sure fact,  
Surely he originates and make,  
Then He causes it to return again,  
In order that He may reward  
Those who believe and do good with justice;  
And as to those who choose disbelief,  
There is for them a boiling water and a painful agony,  
On account of what they disbelieved.”  
(Younus: 4)**

And again:

**“And naught is the life of this world,  
But a play thing and vanity,**

**And certainly the future home  
Is better for those who practice reverence.  
Do you not understand it then?”  
(Al-An'am: 32)**

The appearance of the 'Last Day' has been vouchsafed by God in the following verse.

**“And those who are given knowledge and faith, will say, certainly tarried according to the ordinance of Allah till the Day of Judgement, so this is the day of Resurrection but you did not know.”  
(Ar-Rum: 56)**

### **Signs OF The Day OF Judgement:**

The day of Judgement is known to God alone, and no one else is entitled to receive any hint about this secret. The following signs will precede the Day of Reckoning.

- i) Disbelief among man.
- ii) Spread of sensuality among men.
- iii) Sedition and tumults
- iv) Great distress in the world
- v) Rising of sun in the west
- vi) A monster will emerge from Mount Safa
- vii) Coming of Dajjal, who will be slain by God through the hand of Jesus
- viii) A smoke will fill the whole earth
- ix) Three eclipse of Moon
- x) Coming of Al-Mehdi.

As regards the future existence the Holy Quran speaks in following manner,

**“And that which comes after (al-Akhirat) is certainly much better for thee than which has gone before.”  
(Ad-Dhuha: 4)**

### **Importance Of The Faith:**

This faith is not without effect rather it has a great effect in moulding human character. It awakens in man the sense of a higher life, and thus makes his life more useful. The man who sincerely believes in future life shall try his best to lead his life honestly in this world, so that he may attain the higher life in the next world. The faith in future life implies that every action, however, secretly it be done, must have its fruit and therefore this belief serves both as an impetus to the good and noble deeds and restraint upon evils. This faith leads man to the right path and prevents him from evils. The faith in future existence awakens the sense of moral responsibility,

while disbelief in it weakens this sense. Thus, the faith in future life is a great means of establishing peace and order in the world.

Secondly, this faith teaches us with that human life has an aim and this aim is to attain a higher life after death, which can be achieved only by good deeds and actions done in this world. Lastly, this faith serves as a great source of consolation to the disappointed and distressed who believe that they will be allowed to attain the higher life after death which is the aim of every human being.

As regards future the Holy Quran speaks in the following terms;

**“Fear Allah and ye know ye have to go to Allah. If ye die ye will get eternal life (while to battle in the cause of religion and truth). Whatever ye give in charity ye will get full compensation and ye will not be tormented (in life hereafter)”**

It means that the importance of this is expressed in the Holy Quran itself.

MEGA  
LECTURE



# **Belief In Risalat**

## **Outline:**

- **Definition Of Nabi**
- **Proofs From the Quran And Hadith**
- **Conclusion**

## **Definition Of Nabi:**

The word Prophet or Nabi means “**An ambassador between Allah and the rational being from amongst creatures.**” Thus the second part of the Kalima, signifies that God has not left man without guidance for the conduct of his life. He has revealed His commands through His prophets. Thus, in Islamic teachings Risalat means transmitting or reaching the commandment of Allah revealed to a chosen by Him to the Creature of God. These commandments and percept may be in the form of a verbal message or practice of a prophet and these are to be conveyed to people by an Apostle, this is called Risalat or Prophethood.

The belief in the finality of Prophethood bears as much importance as other convictions of faith, because without verbal acceptance and inner conviction of this faith no one enters the fold of Islam.

## **Proofs From The Quran And Hadith:**

**The Holy Quran says:**

**“Mohammad is not the father of any man among you, but he is the Messenger of Allah, and the seal of the Prophets, and Allah is aware of all things.”**  
**(Al-Ahzab: 40)**

The second basic postulate of Islam is to believe in the Prophethood of Muhammad and to accept the religion presented by him, and to follow his commands.

**The Holy Quran says:**

**“O’ thou Prophet!  
We have surely sent thee as a  
witness and as bringer of  
glad tidings and as a warner.  
And as one who summons towards  
God with His commands and  
as a light-giving sun.  
and give glad tidings to the  
faithful that for them is great**

**grace from God.”**  
**(Al-Ahzab: 45-47)**

The Muslims must have faith not in Prophet Mohammad (PBUH) alone but also in all other prophets who appeared before Prophet Mohammad (PBUH). “Righteousness is this that one should have faith in Allah; and the Last Day and the angels, the books and the prophets.” (Al-Quran). All the prophets belong to one community and they were all raised for the same purpose and their teachings were essentially the same.

Mohammad is the last prophet and as such the final model for mankind. To believe in him means to accept his authority as representative of the Supreme Lord and follow his example in thought and behaviour. Belief in him involves the acceptance of Sharia, the Path, he conveyed and implement that in all walks of life. Thus the will of God is fulfilled on the earth.

**The Quran said:**

**“Every Messenger who was sent by Us was sent for the purpose that he should be obeyed under the sanction of Allah.”**  
**(An-Nisa: 69)**

And that for the last prophet it is explicitly stated that:

**‘Nay, O, Mohammad! By your Lord, They are not believer until they accept you the final arbiter in all their disputes and submit your decision whole heartedly without headache.’**  
**(An-Nisa: 65)**

The test of acceptance in God and prophets lies in conducting all human affairs in accord with the Law revealed by Allah.

**“And those who do not make their decisions in accordance with that revealed by God, they (in fact) are disbelievers.”**  
**(Al-Ma’ida: 44)**

It was announced by Prophet (PBUH) that:

**“I am the last messenger, there will be no messenger after me.”**

Therefore, after the advent of the last Prophet, the message of Islam has come to its perfection. There will be no prophet after as he was the seal of prophets.

**Conclusion:**

Above stated facts prove that “Faith in the finality of prophet” has got fundamental value. Together with faith in the oneness of God, it is imperative also to have faith that Muhammad (PBUH) of all the prophets came in the last and God completed His Commands and messages through him, and also that his Prophethood was not for a particular people, but he was chosen as an Apostle for the entire world. The canons communicated through him are to last till Doomsday and these percept and practices were made to be followed as Quranic injunctions in all times. No deviation from this is ever permissible. Under these circumstances if any one claims himself to be a Prophet, he is a liar, imposter and Dajjal. Anyone following him is an infidel.

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# Tauheed

## Outline:

- Definition
- Significance Of Tauheed
- Effects Of Tauheed
- i) Width Of Vision
- ii) Self-respect
- iii) Modesty And Humbleness
- iv) Virtuous And Upright
- v) Satisfaction Of Heart
- vi) Determination
- vii) Peace And Contentment
- viii) Obedience
- Conclusion

## Definition:

Tauheed means belief in the unity of God. The starting point of Islam is this belief in the unity of God. Tauheed is a revolutionary concept and constitutes the essence of the teachings of Islam. It means that there is only one Supreme God of the Universe. He is Omnipresent, Omnipotent and the Sustainer of the world and mankind.

## Significance Of Tauheed:

The Holy Quran has laid greatest stress on the doctrine of unity of God. The first and foremost principle of Islam is the belief in unity of Allah. Unless a man believes in unit of God, he cannot be a Muslim.

Allah said;

**“O’ Mankind! Worship your Lord, who created you and those before you, so that you may ward off evil. Who has appointed the earth a resting place for you, the sky a canopy, and who causes water to pour down from the heavens, thereby producing fruits as food for you? So, do not set up rivals to Allah, when you know better.”**

**(Al-Baqara: 21-22)**

There are a number of verses in the Quran which clearly explain the oneness of God. In Surah Baqara, book says;

**“And your God is one; There is no other God. He is the most merciful and Benevolence.”**

**(Al-Baqara: 163)**

This is the basic tenet to which Muhammad (PBUH) asked to adhere. The Doctrine Of divine Unity is a standing protest against polytheism, dualism, atheism and idolatry. And it generally means that Allah is one and Eternal; there is no other God but Allah who is the Supreme Being, Creator and Lord of all. He alone is to be worshiped and From Him lone help and mercy are to be sought.

The unity of Allah implies that Allah is one in His person, One in His attributes, and One in His work. His Oneness in His person means that there is neither plurality of God, nor plurality of persons in the Godhood; His Oneness in His attributes implies that no other being possess one or more Divine attributes in perfection; His Oneness in His work implies that no one can do what God has done or can do. The Doctrine of Unity of Allah has beautifully been summed in the small verse of the Holy Quran in the following manner.

**‘Say thou, “He: Allah is one: Allah is He on whom all depend, He begets not nor is He begotten; and none is like Him.”**  
**(Al-Ikhlās: 1-4)**

### **Effects Of Tauheed:**

#### **i) Width Of Vision:**

A believer of this Kalima (La illah ill Allah) can never be narrow-minded. He believes in Allah who is the Creator of the heavens and the earth, the Master of the East and the West, the Sustainer of the entire universe. After this belief he does not regard anything in this universe as stronger to himself. He knows that everything belongs to God whom he himself belong. So, his vision is enlarged, his intellect horizon widens and, his outlook become liberal.

#### **ii) Self-respect:**

This belief produces in man the highest degree of self-respect and self-esteem. The believer knows, that Allah alone is the possessor of all power, or harm a person, or provide for his needs, or give and take away life. This belief make him indifferent to, and independent of all power other than those of Allah. He never bows his head in homage to any of Allah’s creatures nor did he stretch his hands before anyone else except Allah.

#### **iii) Modesty And Humbleness:**

Along with self-respect this belief also generates in man a sense of modesty and humbleness. It makes him uncontentious and unpretending. A believer never becomes proud, haughty or

arrogant. The boisterous pride of power, wealth and worth can have no room in the heart, because he knows that whatever he possesses has been given by Allah and Allah can take away just as He can give.

**iv) Virtuous And Upright:**

This belief makes man virtuous and upright. He has the conviction that there is no other means of success and salvation for him except purity of soul and righteousness of behaviour. This belief creates in man the consciousness that unless he lives rightly and acts justly he cannot succeed.

**v) Satisfaction Of Heart:**

The believer does not become despondent and broken hearted under any circumstances. He has a firm faith in God who is the Master of all the treasures of the earth and the heavens, whose grace and bounty have no limit, power are infinite. This faith imparts to his heart a great consolation, fills it with satisfaction and keeps it filled with hopes.

**vi) Determination:**

This belief provides in man a strong degree of determination and trust in God. When he makes up his mind and devotes his resources to fulfil Divine Commands in order to secure Allah's pleasure, he trusts that he has the support and backing of Allah. This belief makes him strong and firm like a mountain and no amount of difficulties, impediments and hostile opponents can make him give up his resolution.

**vii) Peace And Contentment:**

This belief in this faith creates an attitude of peace and contentment, purges the mind from envy and greed, and keeps away the idea of resorting to unfair means for achieving success. The believer understands that wealth is in Allah's hands and He gives it out more or less as He likes, that all power, reputation, authority, everything is subjected to His will, and He bestows them if He wills, and man's duty is only to struggle and endeavour fairly. He knows that success and failure depends upon Allah's will, if He wills to give no power in the world can prevent Him from doing so, if He does not will, no power can force Him to give.

**viii) Obedience:**

The most important effect in this belief is that it makes man obey and observe Allah's Law. One who has belief in it is sure that Allah knows everything hidden or open and is nearer to him even his own Jugular vein. If he commits a sin in a secluded corner and in the darkness of night, Allah

knows it, He even knows our thoughts and intentions, bad or good we can hide from everyone but we cannot hide anything from God. We can evade everyone, but we cannot evade Allah's grip. The firmer a man's belief in this respect, the more observant will he be in Allah's Commands, and will shun everything Allah has forbidden and carry out Allah's behest in solitude and in the darkness of night, because he knows that Allah's police never leaves him alone. It is for this reason that the first and the most important condition for being a Muslim is to have faith in La illah ill Allah.

**Conclusion:**

In the teachings of Mohammad (PBUH) faith in one Allah is the most important and fundamental principle. It is the bedrock of Islam and the mainspring of its power. All other beliefs, commands and laws of Islam stand firm on this very foundation. All of them receive strength from this source. Take it away and there is nothing left in Islam.

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# Jihad:

## Outline:

- **Meaning Of Jihad**
- **Importance Of Jihad**
- **Kinds Of Jihad**
  - i) **Jihad With Self**
  - ii) **Jihad By Wealth**
  - iii) **Jihad By Knowledge**
  - iv) **Jihad By Sword**
- **Conditions For Physical Jihad**
- **Necessity Of Jihad**
- **Conclusion**

## Meaning Of Jihad:

The word Jihad's literal meaning is to strive for anything good, including striving for peace and the welfare of humanity.

Jihad word is derived from **Juhd** means to make an effort. From Islamic point of view it means efforts for establishment and expansion of Din-e-Islam. Jihad signifies a vast meaning. It means **“to make the utmost possible efforts for the uplift of Islam.”** It comprises every kind of sacrifice including laying down of life in the cause of Allah. A Mujahid is a person who strives hard for the glory of Islam. Mujahid sacrifices his wealth, his time and even his own life in the cause of Allah.

## Importance Of Jihad:

Jihad is obligatory on every Muslim of the world. Both the Quran and the Hadith stress its importance. Owing to its importance a space has been allotted to it along with “Five pillars of Islam.”

**“And do not say to those who have laid their lives in the cause of Allah that they are dead, but in fact, they are living, although you do not understand.”**

**(Al-Baqara: 154)**

The great sacrifice in the cause of Allah is made in Jihad, because a loss of few lives, some thousands, some lacs, or even more does not count anything as compared with the dreadful calamity that may befall mankind as a result of the victory of evil over good, and of aggressive atheism over the religion of Allah i.e. Islam for, as a result of it, it is not only the religion of Islam that will suffer but the whole world would become the abode of evil, immoralities and perversion and sin. In order to escape this greater calamity Allah has, therefore, commanded the Muslims of the world to sacrifice their lives and properties for His cause.

### **Kinds Of Jihad:**

Following means and ways come under the heading of Jihad.

- i) Jihad With Self
- ii) Jihad By Wealth
- iii) Jihad By Knowledge
- iv) Jihad By Sword

### **Jihad With Self:**

The Quran has explained that a man has to make efforts to control on his self-desires. It is also one of the types of Jihad. **The Quran says:**

**“Whoever makes efforts, and surely he makes efforts for his self.”**

The Prophet of Islam once said that to control on one's own desires is great Jihad than to wage war against the enemies of Islam. Once the Prophet said to a man who returned from Jihad but now you have joined **“Jihad-e-Akbar”**. It means he has to keep himself away from evils and self-desires. One has to sacrifice ones comforts and luxurious life. To pray or the fast in summer or winter or at the sleeping time is also Jihad with oneself.

### **Jihad By Wealth:**

The people who possess property is bestowed by Allah, therefore one must spend in the way of Allah. The movement for the promotion and propagation of Islam requires financial aid. For this collective cause, it is Jihad, for those who spend their wealth in the name of Allah. In the earlier days of Islam, there are a number of examples, in which people gave their property for the cause of Islam. **The Quran says;**

**“And those believe and migrate and make effort with their property and self in the way of Allah have great reward with Allah. Such persons are successful.”**

At other place, the Quran defines that Jihad is better for pioussness, therefore to achieve that highest virtue; one may sacrifice one's wealth and self.

**The Book says:**

**“And make efforts in the way of Allah with your wealth and life that is better for you, that you may become pious.”**

### **Jihad By Knowledge**

Ignorance is the cause of all evils. Knowledge is the light, which shows the right path. So through learning and seeking knowledge, one comes to know the purpose of life. The Quran is the basic source of knowledge which shows the true perspective of life. This is the guide Book for the whole humanity. Through learning Al-Quran, one comes to know the right path.

It is compulsory for every Muslim to learn and to teach Quran to others. On the basis of the Quranic knowledge, one must make efforts to convince the infidels with argument and discussion. It is also Jihad. **The Book says:**

**“And do not obey the infidels and make efforts with it (Quran) to them for great Jihad.”**

It is a great Jihad to convert non-Muslim to Muslim through teachings of Al-Quran.

### **Jihad By Sword:**

There are two words used in the Holy Quran. One is Jihad and the other is Qital. It has been already explained that Jihad means to make an effort in the way of Allah, and Qital means to fight with the enemies of Allah. Therefore Jihad in terms of fighting is one of the types of Jihad.

Armed Jihad is most loved by god because in it a Muslim is prepared to sacrifice his property, his time, his energies and even his life i.e. everything.

**The Quran says:**

**“Then let those fight in Allah’s way who sell this world’s  
Life for the Future;  
And as to him who fights in Allah’s way.  
Then should he be killed.  
Or should he conquer,  
We shall, then, give him a great reward.  
And why should you not fight in Allah’s way?  
(An-Nisa: 74-75)**

**“Those who believe, fight in Allah’s way.”  
(An-Nisa: 76)**

**“Fight thou then in Allah’s way.”  
(An-Nisa: 84)**

A Muslim who sacrifices his life in the war (Jihad) is called Shaheed. He is not dead but alive. The Quran is testimony of it:

**“And do not say of those who have laid down their lives in the cause of Allah that they are dead, but in fact they are living, although you do not know.”  
(Al-Baqara: 154)**

Armed Jihad is the most difficult kind of Jihad, and is only possible where there is an Islamic-state in existence. For the defence of an Islamic-State such Jihad is necessary. If fight is not waged to check trouble (Fitna) against religion. Din cannot be protected and trouble mongers would fill this whole earth with Fitna and Fasad and it would be difficult to take the name of Allah. Therefore, for the protection and longevity of the faith, armed Jihad is necessary.

### **Conditions For Physical Jihad:**

A war waged regardless of the prescribed pre-conditions will have no value. It will not be Jihad at all. Nor it would be entitled to any reward. It will be instead a cause for displeasure of Allah.

The pre-conditions for physical Jihad are as follows:

- i) Those who go for Jihad must be free and independent Muslims and must have a collective system of their own and must be led by a Caliph or Amir (Chief). In the absence of such a system, any act of war (Jihad) is forbidden. An act of war, even of a defensive nature can only be taken in a free atmosphere under the leadership of an authorized leader.
- ii) Sufficient force to combat with the enemy is necessary because the Divine Injunction repeatedly emphasizes:

**“No one should be charged beyond his capacity.”**

On the basis of this principle, it has been ordained in the Quran:

**“So keep your duty to Allah as best as you can.”**

iii) Jihad should be exclusively for the sake of Allah and the sole aim of those engaged in Jihad should be no other than the service of the religion and the glorification of Allah. The single aim of those who participate in Jihad should be only the eradication of evil and the promotion of goodness and justice. This entire struggle should be done with one and the only objective of winning the pleasure of Allah.

The Holy Prophet (PBUH) was asked **“O! Messenger of Allah: if a man wished to fight for Allah but at the same time has also some worldly gain in view, how will he be viewed by you?”**

**The Holy Prophet replied:**

**“He will not get any reward.”**

Similarly, Holy Prophet also declared the principles:

**“He is not one of us who fight under some prejudice and he is not one of us who dies for some prejudice.”**

### **Necessity Of Jihad:**

Islam is not a religion of mere dogmas and ceremonies. It has come to perfect the whole life of humanity. The religion Islam has been introduced to eliminate cruelties and lawlessness from the world. There are always some anti-social elements. Therefore, Jihad is necessary to give lessons to such persons.

Jihad is necessary for every Muslim because their mission is to spread Islam throughout the world. To make efforts for pleasing Allah is the purpose of Allah. Jihad is the basic source for achieving that purpose.

### **Conclusion:**

It is now made clear that a true believer (Mumin) is identified by his efforts to obliterate the false Din and establish a true Din in its place. If he strives in this direction and exerts his full strength in this endeavour and even stakes his life and suffers all sorts of loses, then he is true Muslims irrespective of success or failure in his efforts.

# Sharia

## Outline:

- Definition Of Sharia
- Purpose Of Sharia
- Sources Of Sharia
  - i) The Holy Quran
  - ii) The Sunnah
  - iii) The Ijma
  - iv) The Qiyas
- Conclusion

## Definition Of Sharia:

The word Sharia literally means **“open bright, straight and clean path.”** But in religious sense it is meant for those laws and orders which present code for obedience to one God, one prophet.

Shariah is the Divine Law which was pronounced through the Holy Prophet to mankind. The technical definition of “Sharia” is **“That Divine Law which establishes common beliefs, corrects line of actions, teaches good character, brings welfare to family life and strengthens state affairs and finally is approved by a prophet.”**

## Purpose Of Sharia:

The purpose of Sharia is to see that **“the great workshop of Allah should go on functioning regularly and gloriously and that the man should make full use of all his powers, make everything in this world serve him, make full use of all the means provided for him in the earth and in the Heavens, but should not use intentionally or in ignorance to harm himself or to harm others.”**

Its objective is to show the best way to man. The violation of it amounts to sin. Sharia deals with all aspects of life of a Muslim both religious and secular. The religious and secular rights and duties have been divided under four heads:

- i) The rights of God
- ii) The rights of man
- iii) The rights of other individuals
- iv) The rights of all creatures

The technical term of Sharia is referred to in the Holy Quran, thus:

**“We gave thee a Sharia in religion; follow in and do not follow those who do not know.”**  
(Al-Jathiya: 18)

And again:

**“To everyone (people) of you, We have given a Shra; and minhadj (a clear path).”**

### **Sources Of Sharia:**

There are four sources of Sharia:

- i) The Holy Quran**
- ii) The Sunnah or practices of the Holy Prophet (Hadith)**
- iii) The Ijma**
- iv) The Qiyas**

These four sources also constitute Islamic jurisprudence or Fiqah. Sharia is the Law of Allah. It is binding upon Muslims and man has to accept it without question.

### **The Holy Quran:**

The first authentic origin of Islamic Law is the Holy Quran which is voice of God.

**“This is a scripture that We have revealed unto thee, full of blessing that they may ponder its revelation, and that men of understanding may reflect.”**

**(Sad: 29)**

In fact, the Quran is the real fount of Islamic Law. All the basic Islamic Laws ‘Sharia’ is given in it. The detail about worshipping and human rights is described in it. In Islamic law Quran enjoys the same status as the constitution may have in state laws.

In the Quran it is said for mankind: **Say; I follow only that is inspired in me from my Lord. This (Quran) is insight for your Lord, and guidance, and a mercy for people who believe.**

**“Lo! We revealed thee the scripture with the truth, Allah thou mayst judge, between mankind by that which Allah showeth thee.”**

That’s why Quran is considered the main source of Sharia. At another place in Quran it is said:

**“Lo! This Quran gives the guidance of that way which is straightest.”**

**(Al-Isra: 9)**

The value of Quran among human life affairs is like an order. It means a Muslim is that man whose all affairs are dealt under the light of Quran. It said:

**“Who so judgeth not by that which Allah, has revealed such are disbelievers.”  
(Al-Ma’ida)**

### **Hadith Or Sunnah:**

The Hadith or Sunnah is the secondary source of Muslim Law. The **Hadith literally means ‘saying’ and Sunnah means “a way or rule or manner of acting or mode of life.”** Sunnah, we mean **“actions of the Holy Prophet and Hadith is the record of Sunnah.** Sunnah of the Holy Prophet comprises **“his deeds, utterance and unspoken approval.”**

We know that the Quran deals with the broad principals and instructions of religion going in details in a very rare case. **“The details were generally supplied by the Holy Prophet, either by showing in his practice how an injunction shall be carried out or giving an explanation in words.”**

The Holy Prophet had to pass through different grades and conditions in his life with a view to furnish instructions to misguided people of the world. **“His trials and difficulties, struggles and battles, his happiness and enjoyments and everything which occurred during his Apostolic career, were not but dictations from the Almighty; so that these things may be so many torch-lights for the guidance of all classes of men who were groping in utter spiritual darkness.”**

### **The Holy Quran says:**

**“Certainly, you have got in the Apostle of Allah an excellent example for him, who hopes in Allah and the latter days and remembers Allah much.”**

The chief characteristic of the Holy Prophet was that, he not only gave practical rules for guidance but also gave practical illustrations of all those rules.

All those rules are collectively called the Sunnah of the Holy Prophet recorded in the Hadith which is the secondary source of Muslim Law. It is narrated in **Sahih Muslim** that:

**“Allah is connected with the community by His Quran and Muhammad (PBUH) by his Sunnah.”**

In **Sahih Bukhari** it appears:

**“He who is tired of my Prophet’s Sunnah, does not belong to me.”**

Therefore every Muslim requires, in addition to the Quran, guidance of the Sunnah and Hadith in life.



## Ijma

Ijma constitutes the third source of Muslim Law. It is defined as **“the consensus of opinion of the companions of the Holy Prophet or of the Muslim jurists on a quest of Law.”**

According to some jurists Ijma is the consensus of opinion of the companion of the Holy Prophet only; while some other maintains that it is an agreement of the Muslim jurists on any matter of the faith. A third group holds that Ijma is the agreed opinion of the Muslim jurists of the First three centuries of Hijra.

Ijma literally means **“agreeing upon” or “uniting in opinion”**. Ijma is inferred in three ways, Firstly, by Qaul or word i.e. when the Mujtahids express their opinion on the point in question; secondly, by F’al or deed i.e. when there is unanimity in practice and, thirdly, by Sukut or silence, i.e. when the Mujtahid do not agree with the opinion expressed by one or more of them.

Ijma came into existence after the death of the Holy Prophet. During his life every question whatever might have been its nature, was decided by the Holy Prophet. But after his demise and with expansion of Islam and growing interests of theological and juristic speculations; there arose complexities in various matters for which there were no clear directions or decision in the Holy Quran and the Sunnah. Therefore, there was the necessity of finding out new rules and regulations to decide those matters. To find out new rules on the basis of Quran and Hadith there were mutual consultations among the companions of the Holy Prophet.

After the death of the Holy Prophet when there was any dispute on any question for which there were no directions in the Quran the Sunnah, then the companions of the Holy Prophet or the Muslim jurists of that age exercising their individual judgment gave their decision in accordance with the Quran and Sunnah. The decision on which all the companions or Muslim jurists or majority of them agreed is called Ijma.

The authority of Ijma is based on the verse of the Holy Quran and the traditions of the Holy Prophet.

The Holy Quran says:

**“Do not like those who separated and divided after they had received the clear proofs.”**

And again:

**“Obey the Prophet and those who have authority among you.....”**

Hadith Sharif refers:

**“It is incumbent upon you to follow the most numerous body.”**

**“Whoever separates himself from the main body will go to the Hell.”**

**“He who opposes the people’s decision will die the death of man who died in the days of ignorance.....”**

**“If anything comes to you for decision, decide according to the book of Allah, if anything come to you which is not in the Book of Allah, then look into the Sunnah of The Holy Prophet, if anything comes to you is not in the Sunnah of the Holy Prophet, then look to what the people unanimously agreed upon.”**

Ijma is of two kinds, **Ijma-i-Azimah and Ijma-e-Rukhsah**. When the Mujtahids give their consent on particular point is Ijma-i-Azimah. When the Mujtahids do not agree upon any point but the community as a whole accepts the decision given by some Mujtahids is called Ijma-e-Rukhsah.

### **Qiyas:**

Qiyas is the fourth important source of Islamic Law. Qiyas literally means **“comparing with” or “judging by comparing with a thing.”**

Qiyas is generally described as analogical deduction. It is an analogical deduction from the three sources of law, namely the Quran, the Sunnah and Ijma. Abu Hanifa, one of the four great Imams used to make profuse use of Qiyas.

Qiyas is used in those cases which are not discussed in the Quran, or the Ijma or the Sunnah. For instance, when the Holy Prophet was sending Muaz bin Jabal as a Governor, he asked him, what he should do if any new problem arose. He said that he would follow the Quran, if it is not clear in the Quran, he would follow the Sunnah of the Holy Prophet and if it failed to satisfy him, he would use his own judgement. The Holy Prophet appreciated his reply and encouragement to exercise his own judgement.

Besides the Quran and the Hadith, Ijma and Qiyas are the two important sources of Islamic law. The basis of these two sources is the Quran, the Sunnah and the individual judgement.

Important sections of Muslim Laws such as rules regarding the caliphate, administrative measures etc. are based on Ijma and Qiyas.

**Conclusion:**

Total and unqualified submission to the will of Allah is the fundamental tenet of Islam. Islamic law is therefore the expression of Allah's command for Muslim society and, in application, constitutes a system of duties that are incumbent upon a Muslim by virtue of his religious belief. Known as the Shari'ah (literally, the path), the law constitutes a divinely ordained path of conduct that guides the Muslim towards a practical expression of his religious conviction in this world and the goal of divine favour in the world to come.

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# Ijtihad (Interpretation)

## Outline:

- Introduction
- Definition Of Ijtihad
- Use Of Ijtihad
- Conditions Possible For Ijtihad
- Specialists Of Ijtihad
- Steps To Develop A fresh approach To Ijtihad
- Necessity Of Ijtihad In Life

## Introduction:

The true origins of Sharia are in fact Quran and Sunnah. But the position of Ijtihad (Interpretation) is implicit in the origins of Sharia which guides us within limits set by the Quran and the Sunnah.

## Definition Of Ijtihad:

The root meaning of Ijtihad (Derived from jahada) is to strive, to make an effort. Ijtihad means to strive intellectually to comprehend problems facing the Islamic world and to find out their solution in keeping with basic principles and values of Quran. Ijtihad has been called by many scholars, including Allama Iqbal as “the dynamic spirit of Islam.”

## Use Of Ijtihad:

All great Imams and founders of different schools of Islamic law practised Ijtihad in finding out the solutions of various problems they tackled with in their own times.

Technically, Ijtihad was first used by Muaz bin Jabal, when he was appointed as a governor of Yemen by the Holy Prophet (PBUH) of Islam. When asked how he would govern when he did not find clear ruling in the Quran or the Sunnah, he said “**Ana ajtahidu**” i.e. “**I’ll strive**” (to understand the problem myself and find a way out). The holy Prophet approved his reasoning.

Ijtihad was a very much a living process in early Islam; its gates re shut, many scholars maintain, around the times at the sack of Baghdad in 1258 by Mongol hordes. Ironically, it was a half century after that when Ibn Taymiyyah, defining his own Hanbali school of Islamic law, issued a fatwa on Jihad. Thus, the gates of Ijtihad were closed and that of aggressive jihad flung open.

## Conditions Possible For Ijtihad:

This is very difficult job to cope with and at the same time this is also of very important nature.

A suitable knowledge and common sense for drawing conclusion is necessary for Ijtihad. So generally great emphasis is laid upon being a man of letters and sublime aesthetic sense. It is a wrong impression that every man can interpret Sharia in its true sense because a man should feel its full responsibility for all the time. Because the man who gives a decision of some daily life problem not only affects the life of others but also peoples life after death.

### **Specialists Of Ijtihad:**

There are three specialists of Ijtihad.

- i) Only that man is capable of Ijtihad who has complete hold on Quran and Sunnah.
- ii) He should be able to apprehend the pith and marrow of the issue and also to reach the deepest core of the problem.
- iii) He must be of very good character and conduct and in whom people can repose their confidence easily.

### **Steps To Develop A fresh approach To Ijtihad:**

Here are few basic steps in developing a fresh approach and throwing open gates to Ijtihad.

- i) Firstly, at least a few Ulema and Muslims intellectuals (and there are many who have been trained in the traditional Islamic literature of Tafseer, Hadith and jurisprudence and who feel need for change) must show courage and come forward to develop a fresh approach, defying powerful vested interests manning religious establishment as it were.
- ii) Secondly, we must transcend all existing schools of Islamic Law and develop a unified Law applicable to all the Muslims. This will also give greater meaning to the otherwise hollow slogans of Islamic unity. It does not mean that we reject all provisions of schools of law but that we select from all those that which is best in them and keeping in view with the Quranic principles and values.
- iii) Thirdly, a new Ijma (consensus) must be developed on issues that are peculiar to our age and time. If the Ulema could do in the first three centuries of Islam, why not us today? The past Ulemas' Ijma was limited to their own schools; today is a globalised world so a much wider consensus across all the schools of thought will have to be developed. Modern means of information and communication technology have made it much easier.

### **Necessity Of Ijtihad In Life:**

Ijtihad basically is inevitable for human being till they are not involved in life routine. And a man is involved in life routine he faces many times many problems in performing his duties and tries to get some problem solving method and in a Muslim society a Muslim is always prone to have some sort of better solutions of problems of life routine and he obviously falls with Ijtihad. And it is impossible to live without Ijtihad in modern world of miseries.

# Islamic Social System:

## Outline:

- Introduction
- Islamic Mode Of Life
- Basis Of Islamic Society
  - i) Equality
  - ii) Fraternity
  - iii) Wedding Bond
  - iv) Welfare Environment
  - v) Concept Of Responsibility
- Rules And Regulations Of Islamic Society
  - i) Mutual Relationship Of Members Of Family
  - ii) Relationship
  - iii) Mosque
  - iv) Respected Traditions
  - v) Education System
  - vi) Limits And Legal Codes

## Introduction:

Man is a social animal. His nature is always inclined to love that's why he likes to live collectively with other people. He is helpless in this regard forever. God has given man wisdom and intellect only to live within a society. When a man is born he always looks forward to people who look after him. When he comes to an age he stands in need of necessities of life. He always remains in need of someone or something and if he is cut off from all these things he will be totally for nothing.

## Islamic Mode Of Life:

Islam has its own stable and firm mode of life which has certain and regulations. It has full code for justice on equal lines. Society is a name of united people thus Islam never ignores the basic rights of an individual as well as of a group. Islam looks all the individuals and groups from same angle.

Islam is a religion which favours the separate identity of an individual. It never considers a man only a spare of any system but considers an individual an important part of it. For the perfect training of an individual within a society Islam provides full chance to furnish his talents:

The Holy Quran says;

**“Whoso doth good it is for his soul, and whoso doth wrong it is against it.”**  
(Fussilat: 46)

Islam lays great emphasis upon the acquisition of knowledge. The Holy Prophet (PBUH) was particularly taught a Quranic verse:

**“And Say, My Lord! Increase me in knowledge.”  
(Ta-Ha: 114)**

And the Holy Prophet (PBUH) himself said: **It is the duty of every Muslim man and woman to acquire knowledge.**

The acquisition of knowledge is mainly for reformation of practical life. That’s why Islam has stressed for the quest of knowledge. Quran in this regard openly says:

**“And that man hath only that for which he maketh effort.”  
(An-Najm: 39)**

Islam sees Muslim Ummah as the central Ummah or an Ummah for God, therefore, every person is responsible for continuous struggle for the solidarity of religion and for the sacrifice of his life for the sake of the propagation of religion.

The environment of Islamic society also provides a chance for the betterment of the world hereafter.

### **Basis Of Islamic society:**

#### **i) Equality:**

The first and most important basis of Islamic society is that all the human beings are from same pedigree. All the mankind is the children of Adam (RA). Brotherhood, colour, countries, forefathers, language, tribes and other natural things are only for the sake of introduction with each other. But to make these differences the basis of differences between each other is totally wrong. Because Islam preaches unity and equality among the mankind at all levels. In the Quran, it is said:

**“O’ mankind! Lo! We have created you male and female, and have made you nations and tribes, so that ye may know one another. Lo! The noblest among you, in the sight of Allah, is the best in conduct. Lo! Is knower and Aware.”  
(Al-Hujurat: 13)**

#### **ii) Fraternity:**

All the Muslims are brothers for each other. The relation due to religion is considered to be the greatest of all. Quran says:

**“The believers are not else brothers.”  
(Al-Hujurat: 10)**

At another place in the Quran it is said:

**“And holdfast, all of you together, to the cable of Allah, and do not separate.”  
(Al-Imran: 103)**

### **iii) Wedding Bond:**

Men and women are two different pillars of a society. Both have their own cult and personality. Both take part in building of social set-up. There is equality between men and women on the legal basis. Both have same rights and responsibilities in this regard. In a family structure, male is considered leader and supervisor of the affairs. Generally every man and woman is just like brother and sister and they have no right to be but wedding is the only way through which they get united and share each other's problems. This is the very legal method by which they are valid for each other. Here they lay the basis of a separate family.

### **iv) Welfare Atmosphere:**

The atmosphere of the society must be developed on the basis of welfare, cooperation, help, and share in sorrows, sacrifice and brotherhood. When the people meet they must pray for each other's salvation. Every man must wish for his brother hat he likes for himself. All the evils must be avoided. Cooperation must be rendered in good deeds. Quran says:

**“Help ye one another unto righteousness and pious duty. Help not one another unto sin and transgression.”  
(Al-Ma'ida: 2)**

**“Be thou kind even as Allah hath been kind to thee, and seek not corruption in the earth.”  
(Al-Qasas: 77)**

Moreover, the Quran says:



**“And spy not, neither backbite one another.”  
(Al-Hujurat: 12)**

All these verses mean that Islam wants to make society congenial for everyone.

#### **v) Concept Of Responsibility:**

Islam gives the concept of fulfilling some responsibilities-to propagate good deeds, to deter evil deeds and to help each other.

The Holy Prophet (PBUH) said that the man who lives among others and shows patience on the misdeeds done to him by others is better than the man who does not live among the people and is not patient over excesses done to him.

After these instructions Islam has also given a system of basic human rights including rights of brothers, family members, relatives, neighbours, common men, and minorities. Even the rights of animals and plants are also determined in Islamic system.

#### **Rules And Regulations Of Islamic Society:**

There are some rules and regulations which Islam has authorized to develop a society of these are discussed briefly as under:

##### **i) Mutual Relationship Of Members Of Family:**

Family is the first and basic institution of human social training. That's why the importance of a family in Islamic society is very great. First step of Islamic society is the formation of which is a pure and legitimate relation between a man and woman. This relation makes a unity within itself.

Here a new generation comes into being with it many new relations are also generated. Finally all these relations spread over to form a complete society.

##### **ii) Other Relations:**

There are much more in the family stock to deal with Kith and Kin outside one's family. Islam wants to see all these to share each other's sorrows and happiness. In Quran there are many places where emphasis is laid upon good behaviour towards relatives. But it does not mean that there should be encouragement against Islam and its traditions. Islam has also set hereditary rules to strengthen existing relations.

##### **iii) Mosque:**

Mosque is symbol of unity among Muslims and it reflects the tone of existing relations. It also works as a permanent institution for the social ties. It is only mosque which can make Islamic social plan successful.

**iv) Respected Traditions:**

In an Islamic society sacred traditions must be guarded at all costs and the policy must also be framed upon these lines because this process does not break link with its past. But it is not meant for that no new tradition will be set up. Fast changes in routine life automatically change the boring old traditions. There is no need of change via revolution or revolt.

**v) Education System:**

The real reformation of an Islamic society is only possible through its education policy. Because to transfer one's traditions and knowledge one must ponder over the faults of one's education policy. Education is also one of the greatest pillars of Islamic society.

**vi) Limits And Legal Codes:**

There are many ways to cope with the evils and sins of any society but rules and regulation to curb evil-doers are also must. Islam also has such system with proper rules and regulations. These rules are made to save the citizens from evil-doers and sinners. Islam has set particular penalties and punishments to deal bad elements with an iron hand. No one is greater or smaller in the eyes of Islamic law. The Holy Prophet once said,

**“If my daughter steals something, by God I will cut her hands too.”**

# Judicial System Of Islam

## Outline:

- The Quran On Justice
- Concept Of Justice In Islam
- Principle Of Justice Under Islam

## The Quran On Justice:

According to Islam, God is Sovereign, and He is Most Just. Man as the vicegerent of Allah is enjoined to do justice even though it may be against himself. According to Islam, justice is next to piety. There are numerous verses in the Holy Quran enjoining Muslims to do justice. Some of these verses are quoted here under:

**“God commands that when you judge between man and man, judge with justice.”**  
(An-Nisa: 58)

**“Allah has sent down the Book in truth, so that you may judge between men as guided by God”**  
(An-Nisa: 103)

**“Allah commands justice, the doing of good and liberality to kith and kin. He forbids all shameful deeds, injustice and rebellion.”**  
(An-Nahl: 90)

**“We sent down with Our Apostle the Balance of Justice, so that man may stand forth in justice.”**  
(Al-Hadid: 25)

**“If you judge, judge in equity between them for Allah loves those who judge in equity.”**  
(Al-Ma’ida:45)

## **Concept Of Justice In Islam:**

The concept of justice in Islam is radically different from the concept of justice under other orders. For Greek concept of justice was that of remedial justice. The Roman concept of justice was that natural justice, while the Anglo-Saxon concept of justice is that formal justice. In Islam, justice is symbolised by “balance” and, this stands for absolute fairness. In Islam, justice is not

merely a formal function of the State; it is a religious obligation. The concept of justice in Islam accordingly stands at a higher pedestal as compared with the concept of justice under other orders.

### **Principle Of Justice Under Islam:**

From the verses of the Holy Quran concerning justice quoted above, we can deduce some principle of justice which distinguishes Islam from other orders. Some of these principles are as follows:

- i) Justice must be substantial and not merely formal, which means that justice should be done not only in accordance with law (i.e. formal), but it should be done in such a way that it results in absolute justice and complete fairness (i.e. substantial).
- ii) In Islam the doing of justice is not the concern of the judge alone; but it is the responsibility of the community as well. Every member of the community is involved in the process. If any injustice is committed to any person's knowledge he cannot stand apart as a silent spectator even though he is not personally affected.
- iii) Justice according to the Islamic concept demands a very high sense of moral standard, so that person has the courage to be a witness even against him if he has done any wrong.
- iv) According to Islam, justice is next to piety. As such the doing of justice is not merely a legal obligation or a moral duty; it is a religious imperative.
- v) In an Islamic State, justice is to be done in the name of Allah and Allah is fully aware of the intentions of men. In Islam, therefore, administration of justice is not based merely on the overt act; the motive behind such act is also to be taken into account.
- vi) Justice in Islam is not blind, it is very much enlightened.
- vii) Islam stands for absolute equality before law, and the equal application of law. In Islam, no one enjoys immunity and no discrimination is permissible in the application of the law. Unlike the secular concept, "The King can do no wrong", the Head of the State in an Islamic order is accountable before law for any wrong that he may have done.
- viii) Under Islam, law and equity, are not two different concepts as in the Anglo-Saxon law. As such there are no separate courts of equity in Islam, nor there any different principles to govern the grant of equitable remedies. Specific performance is the rule and not an exception under the Islamic system of justice.
- ix) In the matter of criminal justice, the principle adopted under the Islamic system is preventive rather than primitive. The aim of the Islamic system is to prevent the committing of crime and not merely to punish the offenders. Islamic State is not concerned merely with the punishment of offenders; it is under an obligation to create conditions which would prevent the commission of crime. In Islam, Justice is the basic obligation of the State and has therefore to be administered

free. No court fees can be levied under the Islamic system.

x) Islam does not recognize the Anglo-Saxon concept that “Ignorance of law is no excuse.” In an Islamic State, the State has to ensure that no one should suffer because of the ignorance of law.

xi) Under Islamic system, there can be no exploitation or professionalization of the Judicial process; if a lawyer knows that his client is guilty he cannot plead his case.

xii) In secular orders, justice long drawn out time consuming process. According to Islam, “Justice delayed is justice denied.” Islam stands for speedy justice.

xiii) In Islam, the laws of natural justice are of special significance. In Islam no one can be condemned or subjugated to any disability without being heard. In Islam if an unjust order has been passed by a judge because of any bias, it is the judge who should be removed and not merely his decision as in the secular orders.

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# Political System Of Islam:

## Outline:

- Introduction
- What Is An Islamic State?
- Purpose Of Islamic State:
- Basis Of Political System In Islam
- Main Features Of Islamic Political System
  - i) Sovereignty Of Allah
  - ii) Khalifah Of Mankind
  - iii) Legislation By Shura
  - iv) Accountability Of A Government
  - v) Independence Of Judiciary
  - vi) Equality Before Law

## Introduction:

Religion and politics are one and same in Islam. They are intertwined. We already know that Islam is a complete system of life and politics is very much a part of our collective life. Just as Islam teaches us how to say Salt, observe Saum, pay Zakat and undertake Hajj, in the same way it also teaches us how to run a state, form a government, elect councillors and members of parliament, make treaties and conduct trade and business.

## What Is An Islamic State?

The State is defined by Garner in these words, “The state, as a concept of political science and public law, is a community of persons more or less numerous and permanently occupying by a definite proportion of territory, independent, or nearly so of external control, and possessing an organized government to which the general body of inhabitants render habitual obedience.” Whereas in the Islamic State sovereignty rests with God who delegates political authority to some selected person. Here public law is the Quranic law. The Islamic State cannot frame any laws against the injunctions of the Quran and the Sunnah. Islamic State is a welfare State.

## Purpose Of Islamic State:

The main object of the Islamic State is to promote good and stop the evils. The Muslims should be forced to act upon the injunctions of the Quran and the Sunnah. The Islamic state guides its citizens in all aspects of life including religious. It should promote good and order so that the law of justice by God must prevail everywhere.

## Basis Of Political System In Islam:

The political system is based on two realities:

- i) The personal position of Allah vis-à-vis this universe, particularly men: He is not only their Creator and Supporter but also their real Master.
- ii) The personal position of Man: He is not only created and supported by Allah (Sustainer of all the worlds) but is also His humble slave and His vicegerent on this earth.

### **Principles Of Islamic Political System:**

The Islamic Political system is based on the following principles:

#### **i) Sovereignty Of Allah.**

Sovereignty means source of power. In Islam, Allah is the source of all powers and laws.

**“Legislation is not but for Allah. He has commanded that you worship not except Him.”**

**(Surah Yusuf: 40)**

**Say, “Indeed, the matter completely belongs to Allah.”**

(Al-i-Imran: 154)

It is Allah who knows what is good and what is bad for His servants. His saying is final. All human beings unitedly cannot change His laws. The Quran says:

**“As for the thief-male and female-chop off their hands. It is their reward of their action and exemplary punishment from Allah. Allah is Powerful, Wise.”**

**(Al-Ma’ida: 38)**

According to Islam, this order is unchangeable by any parliament or government which claims it to be an Islamic state. There are many more laws in the Quran concerning our life and those laws must be put into practice by an Islamic state for the greater good of human beings.

#### **ii) Khalifah Of Mankind (Vicegerency Of Man):**

Man is the vicegerent or the agent or the representative of Allah on earth.

**“And it is He who has made you successors upon the earth and has raised some of you above others in degrees [of rank] that He may try you through what He has given you. Indeed, your Lord is swift in penalty; but indeed, He is Forgiving and Merciful.”**

**(Al-An’am: 165)**

Allah is the sovereign and man is his representative. Man should do as Allah commands him to do. But he has a choice either to obey or disobey Allah and because of this freedom of choice he will be tested on the Day of Judgement. In the political sense, Khalifah means that human beings would implement the will of Allah on earth as His deputy or agent. As Allah's agent human beings will carry out the will of Allah on His behalf as a trust (Amanah). Khalifah is a trust. An agent is always expected to behave as his master wants him to behave.

**“Then We made you successors in the land after them so that We may observe how you will do.”  
(Yunus: 14)**

### **iii) Legislation By Shura (Consultation):**

Islam teaches us to run government to make decisions and legislations by the process of Shura. Shura means to take decision by consultation and participation.

**“And whose affair is [determined by] consultation among themselves.”  
(Ash-Shura: 38)**

This is one of the most important parts of the Islamic Political system. There is no scope of disposition in Islamic political system. The Quran and the Sunnah will be the basis of all legislation in Islam.

### **iv) Accountability Of A Government:**

The Islamic Political System makes the ruler and the government responsible firstly to Allah and then to people. The ruler and the government will be elected by the people to exercise power on their behalf. We must remember here that both the ruler and the ruled are the Khalifah of Allah and the ruler shall have to work for the welfare of the people according to the Quran and Sunnah. A ruler is a servant of the people of Islam. Both the ruler and the ruled will appear before Allah and account for their actions on the Day of Judgement. The responsibility of the ruler is heavier than the ruled. An ordinary citizen in an Islamic State has the right to ask any question on any matter to the ruler and the government.

### **v) Independence Of Judiciary:**

In the Islamic Political System, the judiciary is independent of the Executive. The head of the State or any government minister could be called to court if necessary. They will be treated no different from other citizens.



**“O you who have believed, be persistently standing firm for Allah, witnesses in justice.”  
(Al-Ma’ida: 8)**

**“O you who have believed, be persistently standing firm in justice, witnesses for Allah, even if it be against yourselves or parents and relatives. Whether one is rich or poor, Allah is more worthy of both.”  
(An-Nisa: 135)**

**“Indeed, Allah commands you to render trusts to whom they are due and when you judge between people to judge with justice.”  
(An-Nisa: 58)**

There are many Quranic injunctions about justice. One of the main functions of the Islamic system is to ensure justice to all citizens. The ruler and the government have no right to interfere in the process of justice.

#### **vi) Equality Before Law:**

The Islamic Political System ensures equality of all citizens before the law. Islam does not recognize any discrimination on the basis of language, colour, territory, sex and descent. Islam recognizes the preference of one over the other only on the basis of Taqwa. One who fears Allah most is the noblest in Islam.

**“O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted.”  
(Al-Hujurat:13)**

roshan do explain following points in the same systems it will save your time

1:duties of ruler

2:- right of citizens in islamic state

3:- right of minorities has already explained in the previous page.

# Islamic concept of charity

By Bilal Ahmed Malik

POVERTY next to sickness is the biggest threat to humankind. Extreme poverty has existed everywhere in the world during various stages of history, and still continues to exist in many parts of the world. Islam as the last of the Divine messages of Allah has also taken a very comprehensive view of poverty, and the Quran and Sunnah have recommended numerous measures to alleviate its pain and anguish in a society. Islam encourages its followers to spend money for Allah's Sake whenever they are capable of doing so, and it stresses on the great virtues of giving a charity.

Thus, of all Islamic virtues emphasised in the Quran, charity is perhaps the one mentioned most frequently. The Holy Book repeatedly enjoins upon Muslims to give generously to the poor, so that inequality of wealth is somewhat eliminated. The Quran states that for Muslims, Prayer and Zakat are of comparable significance. That is why the two are often mentioned side by side. There are innumerable verses in the Quran which urge Muslims to be mindful of the poor, helpless and needy. These verses leave no doubt about the importance of Zakat and Sadaqa for the legal, moral and economic betterment of the Muslim Ummah.

The following are some verses of the Quran that deal with this issue.

**“Establish worship, pay the poor due, and bow your heads with those who bow”(Quran2:43).**

**Pay the poor due, and hold fast to Allah. He is your Protecting Friend. A blessed Patron and a blessed Helper! (Quran 22:78).**

In the following verses, those who spend freely in Allah's cause are being praised by Him.

**“The steadfast, and the truthful, and the obedient, those who spend and (hoard not), those who pray for pardon in the watches of the night”. (Quran 3:17).**

The following people are yet again mentioned by Allah, as being righteous:

**“Such as persevere in seeking their Lord's countenance and are regular in prayer and spend of that which We bestow upon them secretly and openly, and overcome evil with good. Theirs will be the sequel of the (heavenly) Home.(Quran 13:22).**

While putting emphasis on charity the Quran further specifies the categories of people who are to be considered appropriate recipients of generosity.

Following are some verses that explain this point further:

**“They ask thee (O Mohammad) what they shall spend. Say: That which ye spend for good (must go) to parents and near kindred and orphans and the needy and the wayfarer. And whatsoever good ye do, lo! Allah is aware of it.(Quran 2 :215).**

**(“Alms are) for the poor who are straightened for the cause of Allah, who cannot travel in the land (for trade). The unthinking man accounteth them wealthy because of their restraint. Thou shall know them by their mark: They do not beg of men with importunity. And whatsoever good thing ye spend, lo! Allah knoweth it.” (Quran2;273).**

In the above mentioned verse the Quran states that “Charity is for those in need.” This is general principle which enjoins us to help people in need, be they good or bad, on the right path or not, Muslims or non-Muslims. We are not supposed to judge in these matters.

The ends in charity, as reiterated here, should be God’s pleasure and our own spiritual good. This verse in the first instance was revealed in Madina, but it is of general applications.

The concept of charity in Islam is thus linked with justice.

It is not limited to the redressal of grievances. It implies apart from the removal of handicaps, the recognition of the right that every human being has to attain the fullness of life.

In the verse below, the Quran clearly specifies the amount that is to be spent in charity and almsgiving.

**“And they ask thee what they ought to spend. Say: that which is superfluous.**

**Thus Allah maketh plain to you (His) revelations, that haply ye may reflect “(Quran 2:219)**

Allah provides incentives to people by promising them great rewards, so as to encourage them to practice charity.

**“Who is it that will lend unto Allah a goodly loan, so that He may give it increase manifold? Allah straiteneth and enlargeth, Unto him ye will return.”(Quran 2 :245)**

There are certain parameters and ethical boundaries set by the Quran that a person must not cross while practising charity.

The act of charity must be accompanied by humility and must not be executed as a favour to the one receiving it. The following verses elucidate this point.

**“O ye who believe! Render not vain your almsgiving by reproach and injury, like him who spendeth his wealth only to be seen by men and believeth not in Allah and the Last Day.**

**“His likeness is as the likeness of a rock wheron is dust of earth; a rainstorm smiteth it, leaving it smooth and bare. They have no control of aught of that which they have gained. Allah guideth not the disbelieving folk.” (Quran 2:262, 263, 264.)**

The Quran also brings to light the importance of spending only that which is good, towards a charitable cause. Most individuals give away in charity only items which they deem not fit for their own use. Allah warns against this attitude.

**“O ye who believe. Spend of the good things which ye have earned, and of that which we bring forth from the earth for you, and seek not the bad (with intent) to spend thereof (in charity) when you would not take it for yourselves save with disdain; and know that Allah is Absolute Owner of Praise.” (Quran 2:267).**

**“Ye will not attain unto piety until ye spend of that which ye love. And whatsoever ye spend, Allah is aware thereof.”(Quran.3: 92)**

The Quran also recommends that charity be given privately, not only to prevent engendering arrogance on the part of the person giving alms, but also to preserve the interest of the receiver, as it might cause the latter embarrassment.

**“If ye publish your almsgiving, it is well, but if ye hide it and give it to the poor, it will be better for you, and will atone for some of your ill-deeds. Allah is informed of what ye do.”(Quran 2:271)**

The Quran in above mentioned verse, warns us against spending “to be seen of men”. This is false charity.

Alms-giving with this motive is worse than not giving away anything at all.

Allah also urges creditors to forego their debts as almsgiving, if the borrowers are experiencing hardship. This is indicated by the following verses:

**“And if the debtor is in straightened circumstances, then (let there be) postponement to (the time of) ease;. and that which ye remit the debt as almsgiving would be better for you if ye did but know.”(Quran 2: 280).**

Charity is a virtue that the Quran urges Muslims to display in times of abundance as well as in times of adversity.

The following verse illustrates this further:

**“Those who spend (of that which Allah hath given them) in ease and in adversity, those who control their wrath and are forgiving toward mankind; Allah loveth the good” (Quran 3:134).**

Last but not least; Muslims are urged not to let anything distract them from the remembrance of Allah, the performance of Salat and the paying of Alms.

**“Men whom neither merchandise nor sale beguileth from the remembrance of Allah and constancy in prayer and paying to the poor their due; who fear a day when hearts and eyeballs will be overturned” (Quran 24:37)**

From the above verses, it is evident, that the Quran regulates with specific injunctions, the virtues of all Muslims, when they come in giving charity to the poor. Thus honesty and truthfulness demand that a person should act unselfishly.

Unfortunately, the accumulation of worldly riches for one's own benefit is a common practice, often leading people to succumb to dishonest temptations.

In order for honest charity to be effective it has to be genuine, and not a mere act of expediency resulting from fear or injury or a mere showoff of wealth. Charity must also be a habit of mind, rather than something practiced as a result of a need or something to show off ones wealth.

Since charity is purely for the sake of God, it has value only if something good and valuable is given. It should be lawfully earned or acquired by the giver. It should include such things as are of use and value to others. Charity is, in the words of the Prophet, to place a thing in the palm of God.

# Islam's concern for the poor

By Dr Abdul Karim

Poverty alleviation has, of late, become a matter of increasing concern both at the international and national level. Islam can be rightly described as a religion of and for the poor, meeting their essential requirements with dignity and self-respect so that they may make full use of God-given faculties.

The Holy Prophet (PBUH) said,

**"If you want my pleasure, look after the poor. You will deserve Allah's help and His provision, if you look after the poor." "Look for me among the weak, for you are helped and provided for because of the weak among you" (Abu Daud).**

**"These people of ours are helped because of their weakness, their callings, their prayers, and their sincerity" (Muslim).**

"

**Certainly Allah will not bless a people who do not give the rights of their weak." "Those people will not be purified whose weak cannot get their right without much difficulty" (Ibn Maja).**

Islam is perhaps the first religion which gives the poor a right of share in the wealth of the rich and establishes an institutional mechanism to make financial assistance available to them to cater to their basic needs.

The Quran says:

**"And in their wealth was a share for the one who asked for help and for one who could not." (51:20).**

The share of the poor is, however, not to be asserted by their own fancy or that of their leaders through collective bargaining via militant trade unions, which can create discord and class conflict.

It must be determined in accordance with the guidance provided by Allah in the most even-handed manner, every one being equally dear to Him as His creation. Islam makes the rights of the poor the obligation of the rich for which they are made answerable to Allah.

For this, a complete and very effective institutional framework has been provided which combines both compulsory and voluntary action on the part of the individual.

According to the Quran, the ideal society is the one in which, **"it is provided for thee that thou wilt not hunger therein, nor wilt thou be naked. And thou wilt not thirst therein, nor wilt thou be exposed to the sun" (20:119-20).**

The Holy Prophet said,

"

**a son of Adam is entitled only to three things; dwelling to live in, a garment to cover his nakedness and a piece of bread and water." The scope of the Islamic concept of basic needs is wider than the current western one which is restricted to roti (food) kapra (clothes) and makan (house).**

Allah has also included water, which is so vital for life and whose neglect is causing serious health and environment problems, particularly in developing countries.

A very important feature of the Islamic system is that, unlike the western concept of the modern welfare state providing the social safety net, it makes this the joint responsibility of the state and the individual.

While the state is bound by the elaborate system of zakat, the individuals are urged to supplement it with voluntary charity the scope of which is practically unlimited - the constraint being the means available and the desire to do good seeking Allah's pleasure. Allah has promised a corresponding reward for this supererogatory act of virtue.

It is in the Quran:

**"As to the men that give alms and the women that give alms, and those who lend to Allah a goodly loan it will increase manifold for them and there will also be an honourable reward" (57:19).**

**"Never shall you attain to righteousness unless you spend out of that which you love; and whatever you spend Allah surely knows it well" (3:93).**

**"And they ask thee what they should spend. Say, 'What you can spare.' Thus Allah makes His commandments clear to you that you may reflect upon this world and the next" (2:220).**

According to a hadith in Muslim, the Holy Prophet pointed out so many specific things to spare for charity that the companions felt that they had no right over anything they had in surplus.

Muslims are urged in the Quran to **"eat ye thereof and feed the distressed, the needy" (22:29), "and feed him who is needy but contented and him who supplicates" (22:37)**. Muslims are expected not only to help the poor themselves, but also urge others to do so.

**"He is not a believer who eats to the fill when his neighbour is hungry" (Mishkat). "A town in which a person spends a night on an empty stomach forfeits Allah's protection."**

It is for the Muslims to devise a system in which compulsory levy for the poor and voluntary charity are dovetailed to form an integrated system avoiding duplication, ensuring that nothing is amiss and that there is no room to pass the buck. This presupposes understanding, harmony and trust between the government and public.

According to the Quran, **"Surely all believers are brothers" (49:11)**.

The Holy Prophet said, **"On the Day of Judgment, Allah, the Exalted, will call: Where are those who loved each other to My glory? Today I shall give them shelter in the shade of My mercy. Today there is no shade besides My shade." "By Him in Whose hand is my life, you will not enter Paradise unless you believe, and you will not truly believe unless you love one another" (Muslim)**.

It is unfortunate, rather tragic, that the prevailing culture in Muslim countries is not of mutual trust between the government and the public but alienation to the point of active confrontation. This is characterized by the government not hesitating to play tricks with the public and the public, in return, doing its best to cheat the government.

The government and the public in Muslim societies ignore Islamic teachings in their mutual relationship. The Holy Prophet said, **"Each one of you is a shepherd and is responsible for his flock. The man who rules over the people is a shepherd and is responsible for his flock."**

**"Any man whom Allah has given the authority of ruling some people and he does not look after them in an honest manner, will not have even the smell of Paradise." "There is no governor who rules Muslims and dies, having played false with them, but Allah will forbid him Paradise." (Bukhari)**.

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## Purdah System:

God proclaims in the Surah Noor of the Holy Quran:

**“And say to the believing women that they lower their gaze and guard their modesty, so that they should not display their beauty and ornament except that appear there of (must ordinarily appear) that they should draw their veils over their bosoms and not display their beauty except to their husbands.”**

**(Nur: 31)**

A similar injunction regarding Purdah is contained in Surah Al-Ahzab of the Holy Quran:

**“O Prophet! Tell thy wives and daughters, and the believing women, that they draw upon them their head coverings a little. In this way, it is more probable that they will be recognized (as gentle women) and not be annoyed (molested).”**

**(Al-Ahzab: 59)**

It is an admitted fact that the eyes are the messengers who bring the message to the minds of the onlookers. It is the full view of the fair sex's face and curves of the body that arouse the feelings of love and stir the emotions in one's heart. Islam, therefore, enjoins believing men and women to keep their eyes down. They are forbidden to cast evil and critical glances at fair sex. But when women walk about without their veils, displaying their beauty and costly costumes, men are naturally attracted. The unhealthy conditions prevailing nowadays in our society have created many problems.

Islam has prohibited the free mixing up of the sexes for the reason that a woman unconsciously submit to the flattery and advance of a man. She is overpowered by sentiments and emotions rather easily. It is a familiar fact that in America and Western countries there is much moral degeneration and chaos. The free mixing up of young boys and girls in colleges, clubs, ball-rooms and hostels provide vast opportunities of petting, necking and scandalous behaviour. They indulge fearlessly and unhesitatingly in wicked practices. The free intermingling of the sexes has dragged women into the quagmire of pleasure, sensuality and luxury. By the segregation of the two sexes and keeping them apart through the observance of seclusion (purdah). Islam has minimised the chances of moral lapse and hateful deeds to a great extent. In this way the honour of a woman is saved. She cannot be humiliated and molested. When veiled, her beauty and ugliness invites no criticism from the wicked-minded persons.

Apart from view point of morality. Women, who do not wear veil, have to worry a lot for their make-up and costly fashionable dresses. On the other hand, a veiled lady may wear simple and uncontentious dress and go about her business without any fear of curious remarks and uncalled for criticism. She needs not get crazy after preposterous fashions and gaudy dresses. In fact, a veil is a blessing for a virtuous woman. It is travesty of the truth that purdah-observing women are consigned to the four-walls. On the contrary they are at liberty to go out for shopping, attending marriages of their relatives and seeing their kith and kin. The young girls can attend

their schools and colleges and other institutions. The veil in no way hinders them from decent pursuit, educational activities and smile recreations.

In the West, women are renouncing the role of woman and have to pay heavily for it as it lead them finally to the negation of life itself. They are thus losing their grace and charm, sweetness and modest trait. Allama Iqbal denounces the attitude of Western women in the following verse.

**Jis ilm ki taateer se zan hoti hai nazan,  
Kehte hn us ilm ko arbaab-e-nazar maut.  
(The knowledge that make woman unwoman, the wise people call it a death)**

**And again**

**Ruswa kia is daur ko jalwat ki hawas ne,  
Roshan hai nigah, 'aaina' dil hai mukadar.  
(The greed of display in society has degraded the present generation, the glance is bright  
but the mirror of mind is dirty).**

The purdah-observing Muslim ladies are safe, respected and honoured in their homes. They are free from the burden and responsibility of earning their livelihood by adopting arduous profession and competing with men. They do not attend clubs, ball-rooms and cocktail parties. Home provides them with all the comforts and they lead respectable life. They are free from the contamination of evil communication and the unchaste and immoral needs.

## Purdah and Islam

Women are not required to observe the kind of purdah many say they must in our society.

*By Anees Jillani*

A FOREIGN journalist friend working in Pakistan was perplexed after visiting the family of Salmaan Taseer's assassin near Islamabad. She was intrigued that the men from the assassin's family while talking to her did not look at her even once.

She is not the first westerner who has mentioned this, as many regard this either as an insult or a sign that the other person does not like her. This is also unlike what the same woman experiences in the streets when nearly everybody stares at her. So how does one explain this phenomenon?

The Holy Quran says that

**“Say to the believing men that they should lower their gaze and guard their modesty: that will make for greater purity for them: And Allah is well acquainted with all that they do”  
(24:30)**

It also states:

**“And say to the believing women that they should lower their gaze and guard their modesty; that they should not display their beauty and ornaments except what (must ordinarily) appear thereof; that they should draw their veils over their bosoms and not display their beauty except to their husbands, their fathers, their husbands' fathers, their sons, their husbands' sons, their brothers or brothers' sons, or their sisters' sons, or their women, or the slaves whom their right hands possess, or male servants free of physical needs, or small children who have no sense of shame; and that they should not strike their feet in order to draw attention to their hidden ornaments. ... (24:31).**

The cited verse clarifies many things. For instance, it is not stated that the women should cover their faces. If their faces had to be covered then there was no reason for them and for the men to lower their gaze. Secondly, they are directed not to display their beauty and ornaments except what must ordinarily appear. This direction can be interpreted in many ways. One interpretation could be not to ostensibly display one's beauty and ornaments but the woman need not conceal what is ordinarily visible.

Thirdly, bosoms must be covered with a veil. This perhaps explains the dupatta in South Asia which provides adequate veiling. Another verse (33:59) says almost the same thing that

**“believing women ... should cast their outer garments over their persons (when outside): that is most convenient; that they should be known (as such) and not molested....”** This condition, too, is relaxed in the case of men or older women.

The question is where does the head-to-toe-covering come from? It is clearly an attempt by men to subjugate women and keep them within strict limits. Otherwise, there is nothing in the above verses which can lead to such a strict interpretation. Islamic hijab is best seen in the ehraam of women pilgrims, with the body covered by loose clothing and the face clearly visible, as ordained by God.

Women are not required to observe the kind of purdah many say they must in our society. Modestly dressed, they can work alongside men and appear in photographs and in the electronic media. Ogling is not permitted for reasons of decency and modesty. The Holy Quran in another verse (33:32), says that **the wives of the Prophet (PBUH) are not like any of the other women** and in the next verse (33:33) tells them to

**“...stay quietly in your houses, and make not a dazzling display, like that of the former times of ignorance; and establish regular prayer, and give regular charity; and obey God and His Apostle. And Allah only wishes to remove all abomination from you, ye members of the family, and to make you pure and spotless.”**

The wives of the Prophet were thus the only exception to the general rule of veiling applied to believing women. Could one then argue that the condition is inapplicable to ordinary women whom the Saudi government, for instance, tries to restrict and not even permits to drive? The last part of the cited verse (24:31), along with the directions to the Prophet’s wives not to make a dazzling display clearly prohibits women from striking **“...their feet in order to draw attention to their hidden ornaments....”** Does this mean that there is a case for outlawing dance or even walking in such a fashion that women’s hidden ornaments are heard?

I think not, and here’s why: dance recitals and catwalks held in many Muslim countries are hardly the scenes of lewd behaviour. Where such behaviour ensues, there are laws to deal with rowdiness and those laws are enforced, with men and women enjoying equal freedoms. Thus modern-day laws have ensured that vice is not the necessary outcome of striking parity between men and women in what they do in a public space.

This is an indication that times have changed and human societies have evolved to a degree where segregation can be a matter of personal choice but need not be the norm, as is the case in the vast majority of Muslim countries today. A strict enforcement of purdah by the state, as done in Saudi Arabia, Iran and during the former Taliban regime in Afghanistan, is no longer required to keep order in society. Women today are educated and work alongside qualified men in professional capacities.

An unsaid code of decent behaviour in the public sphere is observed without any coercion in most Muslim societies where the state does not force women behind a head-to-toe purdah. Therefore, it should not be a matter for the state to be concerned with, but that of the individual's choice.

MEGA  
LECTURE

## Purdah: Quranic and social

*By Asghar Ali Engineer*

*Friday, 17 Apr, 2009*

A FEW days ago I read in a newspaper based in Lucknow that a Muslim lady, about 50 years old and head of a Muslim women's welfare organisation, declared her candidature for the forthcoming parliamentary election in India. She wanted to contest in order to project women's problems in parliament.

It was also reported that as soon as her candidature was declared, she began to receive phone calls from some maulvis that women were supposed to be purdah-nashin (one who wears the veil and stays at home), and are not supposed to contest elections. She did not pay much heed and was determined to contest the election.

A few years ago, a Muslim woman candidate, under the 33 per cent reservation, filed her nomination for the municipal election from Deoband, which is the seat of the famous Islamic seminary Darul Uloom.

A fatwa was issued back then that a woman could not contest elections as she was supposed to observe purdah. She too did not care and fought the election but was told to wear the veil while campaigning. Now the question arises: is observing purdah as traditionalists say obligatory as per the Quran, or is it a social custom, which is strictly observed in certain families?

I have read many articles in the Urdu press which glorify purdah and maintain it to be no obstruction in carrying out a normal day's activities; many argue that it enhances women's capacity to work. However, the truth remains that we tend to accept anything in the name of Islam and begin to praise or justify it.

It is also to be noted that there are different types of purdah observed in different Islamic countries or communities. Women wear the abaya in Saudi Arabia which covers a woman's entire body from head to toe. In Iran women are required to wear headscarves to cover their head only. In the subcontinent some Muslim women wear the burka covering their entire face and body, others with their eyes showing. Others wear the burka but do not cover their face.

Thus, the kind of purdah we observe differs from country to country and from one community to the other. What is the Quranic position? In Arabic, the veil is called 'hijab' which means to cover, to hide or to stand in between. The Quran does not use the word 'hijab' for women in

general. Instead it exhorts women not to display their *zeenah* (adornments, charms) publicly (verse 24:31).

This was to check rich and neo-rich women displaying their most charming dresses and embellishments publicly. However, they were permitted to do so before all those men and women who were their close relations, and men they were not allowed to marry. The Quran nowhere requires women to cover their faces or much less sit at home. Verse 31 of Chapter 24 begins by exhorting both men and women to lower their gaze when they meet each other. If women were required to wear the veil, covering their face, where was the question of lowering their gaze?

The word 'hijab' has been used in the Quran only for the wives of the Prophet (PBUH). Verse 33:53 exhorts men not to enter the Prophet's house except when invited, and not to linger on talking to his wives; if at all one had to ask for something, it should be done so from behind a hijab. This was because some tended to linger on after dining to indulge in talk with the Holy Prophet and his wives.

What some of us make our women observe in the name of hijab or being *purdah-nashin* is more of a social custom from the tribal, feudal ages when all sorts of restrictions were imposed on women, and it was thought that the position of women was at home to serve their husbands and children. Even most orthodox ulema agree that verse 24:31 does not imply that women cover their faces. In fact, there is consensus (*ijma*) that women should only cover their heads and other parts of body, except the face and the two hands, as observed at Haj.

Since the crucial word in the Quranic verse is '*zeenah*', and not 'hijab', ulema agree that women can not only keep their faces exposed but also apply *kohl* to their eyes and wear rings on their fingers. The Quran places no restrictions on women such as we find in many Muslim societies today. They are free to move, exercise their rights and even earn a living.

One does not find a culture of *purdah*, as observed today, anywhere in the Quran. Women are supposed to be active members of society alongside men. They even took part in battles during the Prophet's time. In fact it was a woman who saved the Prophet's life in the battle of Uhad by taking the sword's blow on herself. They also took part in public debates, and Hazrat Umar even appointed a woman as a market inspector.

Let us thus follow the Quran and not the social customs and traditions of yore which only reflect certain mediaeval values more than the actual Quranic injunctions. Let us not paralyse half the Muslim population in the name of Islam. If women too become active members of Muslim society, the order emerging will be much more dynamic and socially healthier.

# The Burka Debate

*By Asghar Ali Engineer*

*Friday, 15 Jan, 2010*

This is for the first time that women would be penalised for wearing the burka. Earlier France banned Muslim girls from wearing the hijab in schools. It argued that these religious symbols interfered with the state's commitment to secularism and the French culture. In fact nothing happens without political ideology behind it. This measure is being championed by rightwing politicians who are exploiting anti-Islam feelings in France among a section of the people under the cover of secularism.

However socialists are opposed to any ban on the burka though they are not in favour of women wearing the burka. They feel women should be discouraged rather than banning the burka (which includes covering the face). Socialist spokesman Benoit Hamon announced that wearing the burka was not desirable but he did not favour a ban which would amount to an inconsistent ad hoc measure. "We are totally opposed to the burka. The burka is a prison for women and has no place in the French Republic," he said. "But an ad hoc law would not have the anticipated effect."

The stand taken by the socialists appears to be quite logical. One cannot stop women from wearing the burka through a ban. It is quite undemocratic to punish one for wearing a certain type of dress. It is anti-democratic and anti-secular for a multicultural society. Let it be very clear that to cover the entire body, including the face, is not necessarily an Islamic way. The Al-Azhar in Cairo has banned such a cover under an Islamic edict.

The ulema hold different views on the subject. A majority of them hold that covering the face and hands is not prescribed by the Quran or Sunnah. Only very few theologians and jurists want women to be fully covered. To compel women to so cover their bodies and face is indeed against women's rights and dignity. And a woman should be a free agent to decide for herself what to wear within decent limits and the cultural ethos.

However, this freedom also includes the right of women to cover their face, if they so desire and if they think it is a requirement of their religion. When I was lecturing at Bukhara University in a class of women students all of whom were wearing skirts with their heads uncovered, two women came fully covered including their faces. All other women demanded that these two burka-clad women be thrown out.



I told them to imagine that the burka-clad women were in a majority and two women had come wearing skirts with their heads uncovered, and the majority of the burka-clad women had demanded that those two women be thrown out — how would they feel? I, therefore, argued against getting violent just because someone dresses unlike us. We should have a dialogue with them and persuade them, if we can.

There could be a number of reasons why one prefers to wear a certain kind of dress. Maybe there is coercion by parents or husband which is undesirable. Or maybe one thinks it is a religious requirement or one tries to assert one's right. Or maybe one is trying to fight cultural alienation. Certain dresses also become identity markers. Many Muslims who migrate from Asia and Africa experience a cultural shock when they see French or other European women wearing scanty dresses like bikinis. Thus they feel all the more compelled to wear their traditional dress.

Also, in France and several other European countries migrants are marginalised and feel alienated which pushes them into practising their own cultural norms. And then it is also to be remembered that all Muslim women in France do not wear such dress covering themselves fully. In fact many Muslim women have integrated themselves in French society by taking to western dressing.

A ban will only build up resistance among traditional Muslim women and they would try to defy the law resulting in social tension. It would be far better to resort to persuasive ways to discourage the more traditional women from wearing the all-covering burka.

Persuasion alone will not work unless backed by other measures, economic as well as social, to fight the alienation of religious and cultural minorities.

Thus, one needs multi-pronged measures to contain this problem. The Muslim ulema and intellectuals living in France also have to adopt creative ways to interpret Islamic traditional sources to address emerging conditions. It is necessary to revisit traditional sources which were rooted in a medieval, tribal/feudal culture.

## **Women in Islam:**

### **Outline:**

- **Introduction**
- **Status Of Women In Islam**
  - i) **The spiritual Aspects**
  - ii) **The Social Aspect**
    - a) **As A Child**
    - b) **As A Wife**
    - c) **As A Mother**
  - iii) **The Economic Aspect**
  - iv) **The Political Aspect**

### **Introduction:**

In the midst of darkness that engulfed the world, the divine revelation echoed in the wide desert of Arabia with a fresh, noble and universal message to humanity,

**“O, Mankind! Keep your duty to your Lord who creates you from a single soul and from it created its mate (Of the same) and from them twain spread the multitude of men.”**

**(An-Nisa: 1)**

The position of Islam regarding the status of women is explained in various term such as politically, socially, spiritually and economically.

### **Status Of Women In Islam:**

#### **I) The Spiritual Aspect:**

The Holy Quran gives a clear-cut evidence that woman is completely equated with man in the sight of God in terms of rights and responsibilities. The Quran says:

**“Every soul will be held in pledge for its deeds.”**

**(Al-Muddaththir: 38)**

**“Whoever works righteousness, man or woman and has faith verily to him. We give a new life good and pure, and we will bestow on such their reward according to the beat of their actions.”**

**(An-Nahl: 97)**

**Woman, according to the Quran is not blamed for Adam’s first mistake. Both were jointly wrong in their obedience to God both repented, and both were forgiven.**

(Al-Baqara: 36-37, Al-Araf: 20-24)

In terms of religious obligations such as Daily Prayers, fasting, poor-due and pilgrimage, woman is no different from man. In some cases indeed, the woman has certain advantages over man e.g. the woman is exempted of Daily Prayer and fasting during her menstrual periods and 40 days after her child birth and she is also exempted of daily prayers and fasting during her pregnancy when she is nursing the baby, if there is any threat to her health and her baby's.

The attendance of congregational for women is optional while it is mandatory for men.

Dear Brother one more thing I would like to acknowledge you here that you have mentioned that during the menstrual period fasting is exempted and also 40 days after child birth. Here we should not use the word exemption because it means free from obligation, because a menstrual woman has to complete her fasts after completion of that period. We should say that woman during menstrual cycle has *Provisional Immunity*. As soon as any woman completes her menstrual cycle than she is liable to complete those fast which has been missed by her during menses and similar case with child birth issue. Only prayers are 100% exempted. It is mentioned in Shaikh Muslim

**Book 003, Hadith Number 0662. (Sahih Muslim)**

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**Chapter : It is obligatory for menstruating woman to complete the abandoned fasts, but not the abandoned prayers.**

Mu'adha said: I asked 'Aisha: What is the reason that a menstruating woman completes the fasts (that she abandons during her monthly course), but she does not complete the prayers? She (Hadrat 'Aisha) said: Are you a Haruriya? I said: I am not a Haruriya, but I simply want to inquire. She said: We passed through this (period of menstruation), and we were ordered to complete the fasts, but were not ordered to complete the prayers.

## **ii) The Social Aspect:**

### **a) As A Child And Adolescent:**

Despite the acceptance of social custom of female infanticide among some Arabian tribes the Quran forbade this custom and considered it as crime like another murder.

**“And when the female is buried alive-is questioned, for what crime she was killed.”**

**(At-Takwir: 8-9)**

The sayings of Holy Prophet about above customs are following:

**“Whoever has a daughter, and does not burry her alive, does not insult her, and does not prefer his son over her, God will enter him into Paradise.”**

**(Ibn'.Hanbal.No: 1957)**

**“Whoever supports two daughters till they mature, he and t will come in the Day of Judgement as this (and he pointed with his two fingers).”**

The right of females to seek knowledge is not different from that of males. The Holy Prophet said,

**“Seeking knowledge is mandatory for every Muslim man and woman.”**

**(Al-Bayhaqi)**

#### **b) As A Wife:**

Among the most impressive verse in the Quran about marriage is the following:

**“And among His signs is this: that He created males for you from yourselves that you may find rest, peace of mind in them, He ordained between you Love and mercy, Lo, herein are signs for people who reflect.”**

**(Ar-Rum: 21)**

According to the Islamic laws women cannot be forced to marry with anyone without their consent.

At the time of marriage besides all other provisions for her protection, it was specifically ordained that the woman has the full right to Mehr, a marriage gift, given to her (by husband) and that such ownership does not transfer to her father or husband.

The rules for married life in Islam are clear and in conformity with upright human nature. In consideration of the physiological and psychological make-up of a man and woman, both have equal rights and claims on one another, except of one responsibility, that is leadership. This is a matter which is natural in any collective life and which is consistent with the nature of man.

**“And they (women) have right similar to those (of men) over them, and men are a degree above them.”**

**(Al-Baqara: 228)**

Men’s role of leadership in relation to the family does not mean the husband’s dictatorship over her wife. Islam emphasizes the importance of taking counsel and mutual agreement in family decisions. The Quran says:

**“.....If they (husband and wife) desire to wean a child with mutual counsel and consultation, there is no blame on them.....”**

**(Al-Baqara: 233)**

Over and above her basic rights as a wife comes the right which is emphasized by the Holy Prophet.

**“the most perfect believers are the best in conduct and the best of you are those who are best to their wives.”**

**(Ibn Hanbal No. 7396)**

The women’s right to seek an end for unsuccessful marriage is recognized. Marriage may be dissolved if she proves before the court that she has been ill-treated by her husband and he has failed to give her sustenance allowance agreed upon between them.

### **c) As A Mother:**

Islam considered kindness to parents next to the worship of God.

**“Your Lord has decreed that you worship none save Him, and that you be kind to your parents.’**

**(Al-Isra: 23)**

Moreover, Quran has a special recommendation for good treatment of mothers.

**“And we have enjoined upon man (to be good) to his parents, His mother bears him in weakness upon weakness.”**

**(Luqman: 14)**

A man came to Muhammad (PBUH) asking:

**“O, Messenger of God! Who among the people is worthy of my good company?” The Prophet said, “Your mother” The man said, “Then who else?” The Prophet said, “Your mother.” The man said, “Then who else?” The Prophet said, “Your mother.” The man said, “Then who else?” Only then did the Prophet say. “Your Father.”**

**(Al-Bukhari and Muslim)**

A famous saying of the Prophet is:

**“Paradise is at the feet of Mother.”**

**(An-Nisa, Ibn Hanbal, Ibn Majah)**

### **iii)The Economic Aspect:**

According to Islamic law, women’s right to her money, real estate and other such properties is fully acknowledged. This right undergoes no change whether is single or married. Before Islam, she was deprived of her right of independent ownership. But in Islam, she retains her full rights to buy, sell, mortgage or lease any or all property.

With regards to women’s right to seek employment, it should be stated first that Islam regards her role in society as a mother and a wife as the most sacred and essential one. However, there is no decree in Islam which forbids woman from seeking employment. Whenever, there is necessity for it, especially in positions which fit her nature and in which society needs her most, e.g. the professions such as nursing, teaching (especially for children) and medicine. Moreover, there is no restriction on befitting from her exceptional talent in any field.

In addition Islam is restored to women the right of inheritance in some cultures. Her share is completely hers and no one can make claim on it, including her father or husband. Her share in most cases is one-half of the man’s share. With no implication that she is worth half of man. This variation in inheritance rights is only consistent with the variations in the financial responsibilities of man and woman-according to the Islamic Law. Man in the Islam is responsible for the maintenance of his wife, his children and in some cases of his needy relatives esp. of females. Woman on the other hand, is far more secure financially, and far less burdened with any claims on her possession. (She has no obligation to spend on her family out of such properties or out of her income after her marriage). She is entitled to the Mehr which she takes from her husband at time of marriage. If she is divorced, she may get an alimony from her ex-husband.

### **v) The Political Aspect**

Fair investigations in the teachings of Islam and into the history of Islamic civilization give a clear evidence of women’s equality with men what we call today “political rights”.

This right include the right of election as well as nomination in the political offices. This also

includes the right to participate in public affairs. Both in the Quran in the Islamic history we find many examples of women participating in serious discussion and even argue with the Holy Prophet himself.

During the Caliphate of Umar Ibn-e-Khattab, a woman argued with him in the mosque, proved her point, and caused him to declare in the presence of the people, **“A woman is right and Umar is wrong.”**

Although not mentioned in the Quran, one Hadith of the Holy Prophet is interpreted to make woman ineligible for the position of head of the State. It is Translated as:

**“A people will not prosper if they let a woman be their leader.”**

This limitation, however, has nothing to do with the dignity of women or with her rights. It is rather, related to the natural difference in the biological and Psychological make-up of men and women.

According to the Islamic law, the Head of the State is not mere a figure-head. He leads people in the prayers, especially on Fridays and Festivities; he is continuously engaged in the process of decision making pertaining to the security and welfare of the people. This demanding position, or any similar one, such as commander of the Army, is inconsistent with the Physiological and Psychological make-up of women in general.

It is a medical fact that during their monthly periods and during their pregnancies, women undergo various physiological and psychological changes. Such changes may occur during an emergency situation, thus affecting her decision.

It is more logical to explain the present situation in terms of the natural and indisputable differences between man and woman, a difference which does not imply any supremacy of one over the other. The difference implies rather the complementary roles of both the sexes in life.

## Rights of women in Islam

By Syed Imad-ud-Din Asad

It is a general concept in the West that in the eyes of Islam woman is inferior to man. They staunchly believe that there is no such thing as “rights of woman” in Islam. This misconception is partly due to their lack of access to the Quran and the Traditions, and partly due to the irresponsible attitude of certain Muslim jurists and groups.

In fact, Islam is the only system which contains provisions that ensure equality between man and woman. No religion, no system has done even a fraction of what Islam has done to secure her rights and ensure a status for her that is at par with that of man. The status accorded to woman by Islam is unique and has no parallel in any other society.

If, on the other hand, we look at the western woman, we find that her rights were not acknowledged voluntarily or out of kindness or compassion. The early Greek philosophers had very disparaging views of women. They argued that women were not full human beings and were by nature deficient. The West inherited this thought and we find it persistent throughout the Middle-Ages. This concept was not discarded even during the Age of Enlightenment. Writers of that period, like Rousseau and Voltaire, looked at women as a burden.

In his book “Emile”, Rousseau proposed a different form of education for women because he believed that women were unable to comprehend what men were able to do. In other words, he believed women had lesser intellectual abilities than man. It was in the 1800s that the first feminine movement emerged in the West. The first laws that allowed women to own property also appeared in the same century. As time moved on, certain circumstances also aided women in their struggle for their rights such as shortage of manpower in times of war, demands of industrial development, etc., gave them the opportunity to learn, to work, to earn, to appear as an equal to man. They were forced by circumstances and in turn they forced themselves through and acquired a new status.

Still, the present set of rights that the Western woman attained after a long effort, fall short of those of her Muslim counterpart. Islam has granted rights to woman that suit her nature and disposition, and give her full security and protection. Also, in declaring man and woman as equal human beings, Islam is centuries ahead of the western legal systems.

However, while discussing the rights of man and woman, the distinction between equality and similarity must be kept in mind. Man and woman have been created equal, not identical. In Islam, the rights and responsibilities of a woman are equal to those of a man, but they are not necessarily the same. Both have been fashioned differently from each other, so their roles are



also different. The variation in their functions does not imply that one is inferior to the other.

Here, it must be mentioned that if certain rights of woman are being ignored, restricted, or denied in present-day Islamic states, it is a fault of the Muslims — governments and people — who are not enforcing them, not Islam's. Let's have a brief look at some of the rights granted by Islam:

**1. Reward for good deeds:** The Quran makes no difference between man and woman regarding the bestowal of reward for the good deeds performed by him or her: "Whoever does good, whether male or female, and is a believer, We will certainly make him live a happy life, and We will certainly give them their reward for the best of what they did." (16:97) "Surely the men who submit and the women who submit; and the believing men and the believing women; and the obeying men and the obeying women; and the truthful men and the truthful women; and the patient men and the patient women; and the humble men and the humble women; and the charitable men and the charitable women; and the fasting men and the fasting women; and the men who guard their chastity and the women who guard their chastity; and the men who remember Allah and the women who remember Allah - Allah has prepared for them forgiveness and a mighty reward." (33:35)

**2. Freedom of expression:** Man and woman are equally entitled to freedom of expression. Women not only expressed their opinion freely, but also argued and participated in important discussions with the Prophet (PBUH) and other Muslim leaders. There were occasions when women expressed their views on matters of public interest and stood in opposition to the Caliphs, who then accepted their sound arguments.

**3. Right to education:** Woman is equal to man in the pursuit of education and knowledge. The Prophet declared: "Search for knowledge is a sacred duty imposed on every Muslim man and woman."

**4. Right to inherit:** Man and woman have been given equal right to inherit from the parents and the near relatives: "Men shall have a portion of what the parents and the near relatives leave, and women shall have a portion of what the parents and the near relatives leave..." (4:7)

A woman's right to inherit is as much protected by law as that of a man. If the deceased wishes to deprive her by making a will in favour of other relations or any other cause, the law will not allow it. However, it must be remembered that whereas the right to inherit of both man and woman is equal, their shares in the inheritance may differ. In certain cases, a woman gets half of what a man in her position would get. The cause of this variation is the financial responsibilities and liabilities with which man has been burdened, not woman.

As compared to Muslim man, Muslim woman is financially secure and provided for. If she is a

wife, her husband is the provider; if she is a mother, it is the son; if she is a daughter, it is the father; if she is a sister, it is the brother; and so on. If she has no relations, then it is the responsibility of the state to maintain her. In no case she will be left helpless. Whereas, a man, except in one or two cases, is supposed to not only look after his family and other needy relations, but also to make financial contributions to good causes in society. Thus, a larger share in the inheritance does not depict the supremacy of man over woman, but it is rather a concession granted to him in lieu of his financial burden.

**5. Right to earn:** Islam has given man and woman equal rights to contract, to enterprise, and to earn and possess independently. The Quran says: "...For men is the benefit of what they earn. And for women is the benefit of what they earn. And ask Allah of His grace..." (4:32)

Women conducted trade and business even during the time of the Prophet. In fact, his first wife was a successful and famous business woman of Makkah.

**6. Legal protection:** In the eyes of Islam, a woman's life, property, and honour are as sacred as those of a man. If she commits an offence, her penalty is no less or more than a man's in a similar case. If she is wronged or harmed, she gets due compensation, equal to what a man in her position would get.

**7. Right to contract marriage:** Contrary to prevalent belief, in Islam, there is no concept of forced marriages of women. Parents have no right to force their daughters to marry against their will. Just as a woman has the right to choose her spouse, she also has the right to seek divorce from him.

**8. Right to participate in public life:** Islam does not ask woman to confine herself to her house. It gives woman the right to participate in public life along with man. History shows that women played active role in all walks of life. Women not only participated in trade, but even took part in battles. They were never shut behind iron bars or considered worthless creatures.

Laila Al-Ghifaria would nurse the wounded in battles. Suffiah Bint Abdul Muttalib even fought and killed the enemies. Women were also rewarded with booty in the same manner as Muslim men. The Second Caliph of Islam, Umar, appointed a woman, Shaffa Bint Abdullah, to supervise the market. He would often consult her and held her in high esteem. Under the Fatmids, a woman, Arwa Bint Ahmad, even served as the Governor of Yemen.

### **Conclusion:**

The verdict of Islam on the inter se status of man and woman is the only complete, logical, and practical declaration pertaining to the matter, as it always handles the issue by making a distinction between equality and sameness. The Quran, the Traditions of the Prophet, and the

attitude of the early Muslim scholars prove that the position and rights of woman are equal to those of man. In fact, Islam has safeguarded the rights of women by putting them into practice as essential articles of Faith.

## **Equality of Men and Woman in Islam, and their complementary nature to one another**

In one sense, equality between men and women is possible and reasonable because they are both human, with similar souls, brains, hearts, lungs, limbs, etc. In another sense, equality between men and women is impossible and an absurdity due to their natural differences in physical, mental, emotional and psychological qualities, inclinations and abilities. Between these two we must tread to illuminate how they are equal, and how they are complimentary.

If total equality between all members of the same gender is impossible due to natural differences in strengths and other qualities, regardless of whether the gender is masculine or feminine, then it is definitely impossible between the two genders. Allah, the Exalted and Almighty, says in the Glorious Qur'an:

(And of everything We have created pairs, that you may remember (the Grace of Allah).)[51:49]

Even atoms exhibit this dual quality with inter-related and complementary roles played by the positive and negative particles and ions, yet each is an integral part of the whole system of the so called binary basis of all life. Most living beings have male and female sexes for reproduction. As the science of biology teaches us, all mammals have similar traits in their molecular and glandular structures that determine differences in gender. These basic physical, psychological and sexual traits have their definite effects on other spheres of life.

It is natural for a man to need and find fulfillment with a woman and for a woman with a man, since they are created one from the other and for one another. They both are inseparably bound to each other. Neither can they find fulfillment except when in the company of the other as legal and honorable mate and spouse, as Allah (The Almighty) says in His Majestic Book, the Qur'an, mentioned in the two verses cited in the preface:

(O Mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily, the most honorable of you in the Sight of Allah is the believer who has Taqwa (piety and righteousness). Verily, Allah is All-Knowing, All-Aware.)

[49:13]

In many instances Islam treats women as equals to men. Some of them are given below. In the coming sections we will expand on these themes in various contexts throughout the book.

### **1) Equality in Basic Humanity**

Both the male and the female are equal in terms of their humanity. Islam does not categorize women, for instance, as the source of evil in the world for some & original sin that caused Adam (Peace be Upon Him) to be dismissed from Paradise, or to be the cause of evil in the world by setting loose a Pandora's box of vices, as some other religious doctrines and fables teach.

Allah, the Exalted and Almighty, states in the Glorious Qur'an:

(O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife (Eve), and from them both He created many men and women...)  
[4:1]

Allah also states in the Glorious Qur'an:

(Does man think that he will be left neglected without being punished or rewarded for the obligatory duties enjoined by his Lord (Allah) on him? Was he not a mixed male and female discharge of semen pouring forth? Then he became a clot; then (Allah) shaped and fashioned (him) in due proportion, and made him into two sexes, male and female. Is He not able to raise to life those who are dead?)  
[75:36-40]

Allah illustrated in the verses that He created both sexes from one single source. There is no difference between the two sexes in terms of qualifications in humanity, and each complements the other as the two genders of the species. Islam has abolished and abrogated all the previous unjust laws that demoted women as inferior in quality and nature. The Prophet of Allah (Peace be Upon Him) said:

Verily, women are the twin halves of men.  
[Abu Dawood #234 , Tirmidhi #113 & others]

### **2) Equality in Religious Obligations**

Equal religious duties and rituals are required from both women and men. Testimony of Faith (Shahaadah), Prayer (Salah), Obligatory Charity (Zakah), Fasting (Saum), and Pilgrimage (Hajj) are equally required of both genders. In some cases the requirements are a bit easier on women to alleviate their special cases of hardship. For instance, in consideration of her health and physical condition, menstruating women or a woman in the state of postnatal bleeding and recuperation are absolved from the duty of prayers and fasting. She is required to make up the days of fasting missed due to menses and postnatal bleeding, but not her prayers, as that would be too burdensome.

### **3) Equality in Rewards and Punishments**

Both males and females have similar rewards for obedience and penalties for disobedience in this world and the Hereafter. As stated by Allah in the Glorious Qur'an:

(Whoever does righteous acts, whether male or female, while he is a believer, verily, to him We will give a good life, and We shall pay them certainly a reward in proportion to the best of what they used to do.)

[16:97]

And the Lord Most Majestic says:

(Surely for men who submit to Allah and for women who submit to Allah, for believing men and for believing women, for devout men and devout women, for truthful men and truthful women, for steadfast men and steadfast women, for humble men and humble women, for charitable men and charitable women, for fasting men and fasting women, for men who guard their chastity and women who guard their chastity, for men who remember Allah much and for women who remember Allah much, for all of them Allah has prepared forgiveness and a mighty reward.)

[33:35]

#### **4) Equality in Preservation of Honor and Nobility**

Women have the same moral obligations and are entitled to the same general rights as men in guarding chastity, integrity and personal honor and respect, etc. No double standards are allowed. For instance, those who falsely accuse a chaste woman of adultery or fornication are publicly punished, just as if a man is slandered. Allah, the Exalted, states in the Glorious Qur'an: (And those who accuse chaste women, and produce not four witnesses, flog them with eighty lashes, and reject their testimony forever. Indeed, they are those who are disobedient to Allah.)

[24:4]

#### **5) Equality in Financial Dealings and Property Ownership**

Women are equally qualified and allowed to engage in financial dealings and property ownership. According to Islamic law women can own, buy, sell and undertake any financial transaction without the need for guardianship, and without any restrictions or limitations - a situation unheard of in many societies until modern times.

#### **6) Best of you is the Best to his Womenfolk**

Islam indicates that a man who honors, respects and deals with women justly and integrally, possesses a healthy and righteous personality, whereas a man who mistreats them is an unrighteous and unrespectable man. The Prophet of Allah (Peace be Upon Him) said: The most complete believer is the best in character, and the best of you is the best to his womenfolk.

[Tirmidhi #1162 and verified]

### **7) Equality in Education and Cultivation**

Islam entitles women to the same rights as men in terms of education and cultivation. The Prophet of Allah (Peace be Upon Him) said, as reported and authenticated by the scholars of prophetic traditions:

Seeking knowledge is compulsory for each and every Muslim (i.e. both male and female).  
[Ibn Majah #224 al-Baihaqi and verified]

Muslim scholars collectively agreed that the word Muslim when used in revealed scriptures includes both male and female, as we indicated in parenthesis. Thus, Islam entitles women to the same right of education in order to understand the religious and social obligations, and obligated them both to raise their children in the best manner, in accordance with the right Islamic guidance. Of course women have certain obligations in bringing up their children that are commensurate to their abilities and men have complementary obligations to finance, protect and maintain according to their added responsibilities in the family unit.

The Prophet (Peace be Upon Him) said:

Whoever takes care of two girls until they reach puberty, he and I will come on the Day of Resurrection like this.” The Messenger of Allah (peace be upon him) then joined his fingers to illustrate this.

[Muslim #2631]

About female slave girls, the Prophet of Allah (Peace be Upon Him) said:

Whoever has a female child with him (under his guardianship from slavery), and trains her in the best behavior, and teaches her well, and then frees and marries her, will have a double reward.

[Bukhari #97 & Muslim #154 ]

### **8) Equality in Social Responsibilities**

Men and women have similar obligations and responsibilities to reform and correct the society to the best of their capability. Men and women shoulder the responsibility of enjoining good and forbidding evil equally, as Allah, the Exalted, states in the Qur'an:

(The believers, men and women, are helpers, supporters, friends and protectors of one another, they enjoin all that is good, and forbid all that is evil, they offer their prayers perfectly, and give Zakah (Obligatory Charity) and obey Allah and His Messenger. Allah will bestow Mercy on them. Surely Allah is All-Mighty, All-Wise.)

[9:71]

### **9) Right to Receive Fair Share of Wealth**

Men and women have set and determined rights to receive their fair share of wealth, just as they are obliged to give Zakah (Obligatory Charity) according to the set calculation. All Muslim scholars unanimously agree upon this. A woman has her set share of inheritance, as will be discussed in more detail later, which was a right unthinkable in many societies.

Allah (The Almighty) says:

(There is a share for men from what is left by parents and those closely related, and there is a share for women from what is left by parents and those closely related, whether the wealth be small or large: a legal mandatory share.)

[4:7]

**10) A woman, just like a man, can give someone the right of seeking refuge and security among the Muslims**

Allah, the Exalted, says:

(And if one of the polytheists seeks refuge, give him until he hears the words of Allah, then take him to his place of security.)

The Messenger of Allah (Peace be Upon Him) said:

And the protection of Muslims is one, and the least among them can give protection; and whoever usurps the right of a Muslim then the curse of Allah and His angels and all the people is upon him, and no repentance or ransom will be accepted from him

[Bukhari #3008]

This is also proven by the famous story of Um Hani' (Mother of Hani') when she gave protection to a polytheist who sought refuge with her on the day of the conquest of Makkah after her relative threatened to kill that person (for some past enmity) so the Messenger of Allah (Peace be Upon Him) said,

We protect and give asylum to whomever you give asylum O Um Hani'.

[Bukhari #350]

## **Men and Women have the right to seek education in Islam:**

- **Men and Women have the right to seek education in Islam.**
- **So how come some Muslim extremists ban women from education?**

Education and knowledge are mandatory upon men and women in Islam. Let us look at what Allah Almighty in His Noble Quran and His Messenger Muhammad peace be upon him said: "...Are those equal, those who know and those who do not know? It is those who are endued with understanding that receive admonition. (The Noble Quran, 39:9)"

"...Those truly fear God, among His Servants, who have knowledge: for God is Exalted in Might, Oft-Forgiving. (The Noble Quran, 35:28)"

Narrated Abu Musa Al-Ashari: "The Prophet said, 'He who has a slave-girl and teaches her good manners and improves her education and then manumits and marries her, will get a double reward; and any slave who observes Allah's right and his master's right will get a double reward.' (Translation of Sahih Bukhari, Manumission of Slaves, Volume 3, Book 46, Number 723)"

This Saying of our beloved Prophet peace be upon him came when he was gradually eliminating slavery among Muslims. I wonder if women are prohibited to be educated in Islam, then how is the above Saying of our beloved Prophet supposed to NOT contradict that?! It is clear that the right for education in Islam sees no gender discrimination between men and women.

Slavery was practiced before and during the times of Judaism, Christianity and Paganism. Islam came and eliminated slavery. Please see the many articles about the liberation of slaves in Islam.

Narrated AbuDarda': "Kathir ibn Qays said: I was sitting with AbuDarda' in the mosque of Damascus. A man came to him and said: AbuDarda, I have come to you from the town of the Apostle of Allah (peace\_be\_upon\_him) for a tradition that I have heard you relate from the Apostle of Allah (peace\_be\_upon\_him). I have come for no other purpose.

He said: I heard the Apostle of Allah (peace\_be\_upon\_him) say: If anyone travels on a road in search of knowledge, Allah will cause him to travel on one of the roads of Paradise. The angels will lower their wings in their great pleasure with one who seeks knowledge, the inhabitants of the heavens and the Earth and the fish in the deep waters will ask forgiveness for the learned man. The superiority of the learned man over the devout is like that of the moon, on the night when it is full, over the rest of the stars. The learned are the heirs of the Prophets, and the



Prophets leave neither dinar nor dirham, leaving only knowledge, and he who takes it takes an abundant portion. (Translation of Sunan Abu-Dawud, Knowledge (Kitab Al-Ilm), Book 25, Number 3634)"

Narrated AbuHurayrah: "The Prophet (peace\_be\_upon\_him) said: If anyone acquires knowledge of things by which Allah's good pleasure is sought, but acquires it only to get some worldly advantage, he will not experience the arf, i.e. the odour, of Paradise. (Translation of Sunan Abu-Dawud, Knowledge (Kitab Al-Ilm), Book 25, Number 3656)"

In the above Noble Verse and Sayings, we clearly see that knowledge and education are a must on both Muslim men and women. Those who know are better than those who do not know. Those who are rich in knowledge are the most who fear Allah Almighty, through glorifying Him, appreciating Him and Respecting His Mighty Power, for they would have more knowledge about Him than those who don't know.

So education to both men and women in Islam is essential. Without it, Allah Almighty's Servants would have no idea about His "Scientific" Miracles and Signs that He Shows some of it to us through our normal science and logic.

Also, those who seek good knowledge and education will be granted Paradise and the Angels will lower their wings for them with great pleasure, and forgiveness will be asked for them. The learned are considered the heirs of the Prophets.

We also clearly see that the improper worldly knowledge will not cause the person to enter Paradise. So everything we seek knowledge for, better be for good cause to humanity.

### **So how come some Muslim extremists ban women from education?**

Please know that the only country or group of Muslim extremists that ban women from education are the "Taliban" group in Afghanistan. The rest of the 1.4 Billion Muslim populations don't have any laws that prohibit women to be educated or seek the highest academic degrees they desire.

Saudi Arabia is a country, however, that bans women from driving cars. Again, I don't really know where they are getting this rubbish from. Certainly cars didn't exist 1400 years ago. So all of these verdicts that you see today in Afghanistan and Saudi Arabia from banning women to be educated and from driving cars are TODAY'S AUTHORITIES VERDICTS.

I never really understood the Saudi's point, and I guess I never probably will, because Khadijah, Prophet Muhammad's first wife, was a business woman. She actually used to travel on her camel and bargain with men and make deals with them!

Also, Aisha, one of Prophet Muhammad's wives, not only narrated so many of his Sayings, and taught so many Muslims many laws about Islam during his life and after his death, but believe it or not, she actually led an army of 60,000 Muslim men after our Prophet peace be upon him died. That battle was called the "Battle of Camel". It is a very popular battle. Every Muslim knows it.

The problem with the Taliban of Afghanistan, however, is that most of their top leaders are illiterate. They literally don't know how to read and write. The "Mullah Omar" their highest leader is one live example. As we saw in the first section of this article, those who lack education have a problem appreciating GOD Almighty. They are not preferred in Islam, and they could cause a lot of trouble.

I wouldn't expect any good leadership from a leadership such as the Taliban in Afghanistan. So, when they give verdicts against women's education, they are really coming up with their own false interpretations, that to them, seem to be the perfect rules.

Also, the Taliban gave verdicts that all Shia Muslims are infidels, and therefore it is ok to kill any of them. Their followers, who are mostly uneducated, blindly and ridiculously follow their leaders' twisting of Allah Almighty's Commands:

"O ye who believe! Obey God, and obey the Apostle, and those charged with authority among you. If ye differ in anything among yourselves, refer it to God and His Apostle, if ye do believe in God and the Last Day: That is best, and most suitable for final determination. (The Noble Quran, 4:59)"

So to them, since the Taliban is the "authority", then they should blindly follow them. They and their leaders, however, obviously lack a great deal of knowledge about Islam, because Noble Verse 4:59 is talking about obeying the people with authority ONLY in what is Islamic.

This was clearly defined by our Prophet peace be upon him:

Narrated 'Abdullah: "The Prophet said, 'A Muslim has to listen to and obey (the order of his ruler) whether he likes it or not, as long as his orders involve not one in disobedience (to Allah), but if an act of disobedience (to Allah) is imposed one should not listen to it or obey it. (Translation of Sahih Bukhari, Judgments (Ahkaam), Volume 9, Book 89, Number 258)"

History had repeated itself in Afghanistan. 1400 years ago we had so many civil wars because of not so knowledgeable leaders about the Islamic laws took power. It's easy to give a verdict. But a leader in Islam is going to be held very dearly responsible for such verdict, especially if he caused the death of many innocent lives!

## **On Hijab (Covering Head and Face)**

This issue has been sensationalized in the media, especially in some secular countries like France and Turkey which seek to make illegal the wearing of the Muslim headscarf or face veil in public places. We will not delve into all the details of the issue but, given the information above and some additional information below, we will let the readers judge for themselves whether or not the modest clothing and covering of the beauty and adornments of women, mandated in Islamic scriptures, is only for her own honor and protection, or not.

Allah (The Almighty) says:

(O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks (and/or veils) over their bodies. That is better that they should be known so as not to be annoyed and molested. Allah is Ever Oft-Forgiving, Most Merciful.)

[33:59]

This verse clearly states that the reason the woman is obligated to cover herself is to distinguish her to be identified as a respectable Muslim lady, to avoid the annoying glances and glares of the men. As we all know, provocative clothing urges some men to make advances, and expose women to molestation. This may be encouraged and marketed in some societies, but not among the respectable faithful Muslims.

All protective measures should be taken to guard women from excess temptation, which are explained in Islamic jurisprudence. Some of them are related to the women's attire like loose fitting body wrapping, head covering, and according to the authentic interpretations of the scriptures of the Qur'an and Sunnah, the face veil.

Allah (The Almighty) also said:

(And tell the believing women to lower their gaze and guard their private parts and not display their adornment (and beauty), except that which appears thereof (ordinarily) and to draw their coverings over their chests and not display their adornment except to their husbands, their fathers, their husband's fathers, their sons, their husband's sons, their brothers, their brothers sons, their sisters sons, their women, that which their right hands possess (their slaves) or those male attendants having no physical desire, or children who are not yet aware of the private aspects of women. And let them not stomp their feet to make known what they conceal of their adornments. And turn to Allah in repentance, all of you, O believers that you might succeed.)

[24:31]

This verse indicates those males who are categorized as "mahram," as mentioned above, and designates that men and women should lower their gazes in modesty, which is the best self-

protection from natural temptations and mutual attractions that occur between the opposite sexes. And Allah (The Almighty) says, indicating the provocative manners with which the women of pre-Islamic era used to walk about, and calling the believers to appropriate behavior and repentance:

(And stay in your houses, and do not display yourselves like that of the times of ignorance, and establish regular prayers and give obligatory charity and obey Allah and His Messenger. Allah wishes only to remove impurity from you, O members of the family (of the Prophet), and to purify you with a thorough purification. And remember(O you the members of the Prophet's family, the Graces of your Lord), that which is recited in your houses of the Verses of Allah and Wisdom (i.e. Prophet's Sunnah ). Verily, Allah is Ever Most Courteous, Well-Acquainted with all things. Verily, the Muslims men and women, the believing men and women, the obedient men and women, the truthful men and women, the patient men and women, the humble men and women, the charitable men and women, the fasting men and the women, the chaste men and women, and the men and the women who remember Allah much with their hearts and tongues; Allah has prepared for them forgiveness and a great reward (i.e. Paradise). It is not for a believing man or woman, when Allah and His Messenger have decreed a matter, that they should have any option in their decision. And whoever disobeys Allah and His Messenger, he has indeed strayed in a clear error.)

[33:33-6]

We can see that Islamic regulations, although similar to many other cultures where modest dress and behavior is concerned, are yet unique to the highest standards of the Muslim identity of chastity, righteousness, and moral uprightness. Islam protects and safeguards the individuals and the society from awkward situations of unnecessary intermingling between marriageable males and females leading to natural temptations. The Messenger of Allah (Peace be upon Him) said in an authentic tradition:

"Verily for every religion there is a characteristic, and the characteristic of Islam is Haya`a (modesty, shyness, bashfulness)."

[Ibn Majah #4172 and verified]

## Polygamy in Islam

Polygamy (plurality of wives) is one of the controversial questions in the family system of Islam. The following are a few points worth of consideration in an effort to clarify the wisdom of polygamy and when it can be used:

### Introduction

Islam has emphasized that taking advantage of the permission of polygamy is conditional on the observance of several factors and circumstances -as it will be explained later. If the man lacks those material and moral conditions, or he is not competent enough to satisfy all of them, then he will not be eligible to take more than one wife. Also, Islam has emphasized that the basic objective of healthy marital life comes from mutual love and benevolence between the husband and the wife which normally can be found in the form of regular marriage - monogamy. Preservation of that cordiality, stability, and purity in the family life can be seen clearly in the Quranic doctrines as well as in the tradition of the prophet (p.b.u.h):

Quran says:

“And among His Signs is this, that He created for you mates from among yourselves, that ye may dwell in tranquility with them, and He has put love and mercy between your (hearts): verily in that are Signs for those who reflect.”(Quran 30: 21)”

" live with them ( wife or wives) on a footing of kindness and equity” (Quran 4:19)

“And women (wives) shall have rights similar to the rights against them, according to what is equitable; but men have a degree (of advantage) over them. And Allah is Exalted in Power, Wise.” (Quran 2:28)

Prophet Muhammad (P.B.U.H.) said:

"The best man among you is the best with his wife".

”The best of your women are those: Who are loving and kindly; who look after their chastity; Who are not arrogant or disobedient to their husbands; Who are faithful to their husband in their absence.”

Imam Ali (A.S.) said:

"By your chastity protect your wife from casting an evil eye on others stealthily and entertaining an idea of sin".

"Be kind to your wife and treat her well. Kindness will change her for the better, will keep her satisfied and will preserve her health and beauty".

### **Is there a perfect Solution?**

As a realistic religion that legislates real solutions for humanity, Islam avoided any utopian doctrine. In many of its laws, Islam keeps in mind the flexibility of the law and the realistic factors and circumstances. A law can not be 100% good for every person, groups, culture, or country. However, Islam considers the over all values and gaining. If the advantages of a law overcome its disadvantages, then that law would be legislated and vice versa. This concept is driven from Quran: "They ask thee concerning wine and gambling. Say: "In them is great harm (sin) and some benefits for people; but the harm (sin) is greater than the benefits (2:219)."

Polygamy, like any other law, has its disadvantages and advantages on both the husband and the wife. But do those advantages outweigh the disadvantages?

Let the following brief study judge that:

#### **I) Polygamy before Islam**

Polygamy existed before the advent of Islam among several civilizations and religions. All that Islam has done is restricted it and make more organized and civilized.

In his book, History of Civilization (vol.1 p.61), Will Durant says:

The clerics in the Middle Ages thought that polygamy was an innovation of the Prophet of Islam. But that is not the case. As we have seen, it has been practiced in most societies before Islam.

Among the history lots of stories were narrated about men who cheated on their wives or got married with more than one. Take an example from the bible: some people accuse prophets and make them look sinful just not to say they had more than one wife. Isn't that Abraham (peace be up on him) was married Sarah and from her he had Isaac and simultaneously he was married to his made and had from her Ishmael?

The following are some phrases from the bible

"After he left Hebron, David took more concubines and wives in Jerusalem, and more sons and daughters were born to him."

2 Samuel 5:13

"He (Solomon) had seven hundred wives of royal birth and three hundred concubines..."

1 Kings 11:3

"And Lamech took unto him two wives: the name of the one was Adah, and the name of the other Zillah.

Genesis 4:19

"If a man have two wives, one beloved, and another hated, and they have born him children, both the beloved and the hated; and if the first-born son be hers that was hated: then it shall be, when he maketh..."

Deuteronomy 21:15

"if he take him another wife; her food, her raiment, and her duty of marriage, shall her not diminish."

Exodus 21:10

The point here is not to say that monogamy never been practiced or not applicable. However, it is just a wondering that how come the legalized polygamy in Islam is inferior to the unlimited clandestine adultery in other religions and civilizations.

## **II) Polygamy and the wife acceptance:**

### **a) What if a woman does not accept polygamy**

First of all, marriage in one of its phases is a legal contract between the wife and the husband. Both partners have the right to add any condition that they think it will help them to protect their future life. So, if a woman thinks polygamy is against her interest, then she has the full right to announce her objection during the marriage contract as a condition and a right for a valid contract or else it will be nullified. Based on that, the husband has to commit to that condition or he would have no right to keep her as a wife if she decides to get divorced and was approved by the Islamic court, especially if divorcing the husband is controlled by the wife.

### **b) What if the wife's condition is disregarded?**

Like in any other law, a person might misuse the law to seek his/her interest. If a husband, who previously has committed in the marriage contract not to marry another woman, decides to have a second wife, then his current wife has the right to ask for divorce and raise that issue to the Islamic court. But is it fair that the only thing the wife can do is to ask for divorce in this matter.

### **Is that Fair?**

Answering that question is not simple since each case has its own circumstances. First of all, the question would be; why is the husband thinking about another wife, especially when both partners have agreed to dysfunction polygamy in their marriage life. In this case and before divorcing, a social worker assigned by the Islamic Court has to study the case and judges it. For instance, may be the husband wants children and his current wife is barren but yet he still loves her and wants to keep her as a wife in addition to his new one. Furthermore, if the wife is the one who is controlling the divorce process -not the husband- then she can divorce her husband if that avails her. Overall, Same question would be asked. As an American is it fair that I can divorce my wife or she can divorce me at any time.

### **III) Polygamy could be a Natural and social need?**

#### **What if:**

- There are some men by nature need more than one wife and their wives have no problem with polygamy.
- Monogamy is not just a theory and is thoroughly practiced, so no more men were allowed to cheat on their wives. Do you think for that group of people- who never naturally get satisfied by one wife- Monogamy is a solution and is sufficient?
- There are women who have no problem in marrying a man already having a wife especially if a marriage is in their interest.
- The majority of society are women keeping in mind that:
  - o Marriage age of puberty mostly begins earlier in girls than in boys.
  - o The power of proliferation of women ceases at a certain age, after which pregnancy is very rare case, whereas there is no such fixed age for men.

In this case where no enough men, do we tell those women just disregard your emotion and desire or just abuse yourself through unlawful acts like being Homosexual.

### **IV) Homosexuality but not Polygamy!**

It is so ironic that several western countries and some American states legalizing homosexuality under the excuses of genetic and psychological problems or nature, but yet disregarding vehemently any excuse for polygamy.

Keep in mind that in Homosexuality, a homo is destroying the structure of family by emphasizing strongly and exclusively on his/her lust and disregarding other bonds and factors



that could create a continuation of a peaceful tranquil society. In addition to that, Homosexuality makes a person's life under the emergency of lust and desire which starts growing infinitely and calls for desire saturation at any time or any where jeopardizing the pure ordinary relation between any two people.

While in polygamy, the person is restricting himself to more responsibilities and commitments since he has to be just with his wives and treat them co-equally in everything: money, living, emotion, etc. By that, he is just establishing a bigger family and limiting himself to a clear honest accepted relation.

### **V) Polygamy and its Preconditions in Islam**

Islam allows polygamy on some condition and here are some of them:

- a- The wife(s) has no objection about polygamy during or before the marriage contract. And if the husband disregards that, the wife has the right to raise that to the Islamic court.
- b- Equitable treatment for all the wives
- c- Number of wives not to exceed four.

### **VI) Major disadvantages of Polygamy:**

The following are the major disadvantages of polygamy from the Wife Perspective:

- A. Less time with the husband; since his spare time is now shared between two or more wives
- B. Less attention
- C. Jealousy and unshared love; since the woman likes to have full attention and full unshared love from her partner.
- D. Family malfunctioning and Chaos since husband spends less time with the children i.e. less

discipline and guiding.

E. Less money saved or given to the wife and children since money should be shared co-equally with the other family.

F. Population problems that burden the society since both wives (may be more) are going to have children.

G. Unfairness and discrimination; since the husband can have more than one partner while the wife should marry only and exclusively one.

But are the above disadvantages exclusively because of polygamy, or they can be found in monogamy as well. And can any of those disadvantages considered a big obstacle if compared to the advantages of conditional pure polygamy.

The following explain each disadvantage as a case and analyze it to show whether each one is worth it to be considered a case to outweigh the advantage of polygamy.

Over all, the reader has to keep in mind that purity, honesty, justice, and doing good are one of the major attributes that Islam calls for. Therefore, any relation or behavior that is committed by the husband or the wife and it does not fall within those categories, it would be considered a big sin and inhumane act i.e. a major disadvantage:

“Allah commands justice, the doing of good, and liberality to kith and kin, and He forbids all shameful deeds, and injustice and rebellion: He instructs you, that ye may receive admonition” (Quran 16:90)

1. Case “A”: spending less time with the wife might be because of other factors too. For instance, the husband’s job is based on overtime or even it requires lots traveling per year. So, do we say that he is not allowed to get married because there is certain time he is not sharing it with his wife or his children. Therefore, if a person is rich enough, rather than spending his time at work and traveling from one country to another, he can spend that time with another wife in a more aptly and equally controlled way. Keep in mind that, if a husband has more than one wife, he has to spend his time with his wives coequally.

2. Case “B”: Less attention to the wife might occur because of other reasons too. If the husband is so much occupied by his job, business, or studying for sure his wife will not get adequate attention. And if she does get some attention and caring it will not meet her expectations. In this matter, Should we tell those kinds of husbands to divorce their wives or not to get married if

there have not been married yet. Nevertheless, the wife should understand her husband circumstances. She should bare with him the side affect of marrying another wife since she did not from the beginning had objected about the idea of polygamy and made a condition in her marriage contract.

3. Case “C”: That is right and the emotion of woman and her interest should be highly considered by the husband. However, if the conditions of polygamy are satisfied and the husband’s desire is above normal then what would be the solution. Should he just go a head and cheat on his wife with women that usually hang out with any guy. And by that he will be transferring diseases, committing adultery, and threatening the family stability. Especially when cheating on the wife becomes habitual with any lady that clicks on his emotion.

4. Case “D”: Family malfunctioning is a wide general problem and is not exclusively a result of polygamy. Moreover, it is because of unwise decisions and acts regardless of the size of the family. A person might find a disordered family though it just consists of: husband, wife, and one child. But, all of its members are conveniently ignorant and irresponsible.

5. Case “E”: Applying that case in the family is a disaster. And, its argument is so weak because what if there is a big family. Or, what if that family consists of more than 5 or 6 members does. Should the wife start aborting lives to control the budget of the family? Even in the case of using lawful birth control ways, it would be forbidden in Islam if they are used because of the fear of poverty. The Muslim, above all, has to rely on God, in any aspect of life , because God is the one that bestowed upon him/her before any one else, and because of His bestowing and wisdom you have the tools and abilities to make money: “Kill not your children for fear of want (poverty): We shall provide sustenance for them as well as for you. Verily the killing of them is a great sin” Quran 17:31. Therefore, that case is a big deal for those who really weigh things based on money and materialism but it is not so with pious people if the money were coequally and wisely shared. Nevertheless, money is not everything. The husband who is rich now might be poor tomorrow. And the husband whose job is very good today might be jobless one day. But Moreover, the Muslim, above all, has to rely on God, when he is involved in any thing, because God is the one that bestowed upon him/her before any one else, and because of His bestowing and wisdom you have the tools and ability to make money: “Kill not your children for fear of want (poverty): We shall provide sustenance for them as well as for you. Verily the killing of them is a great sin” Quran 17:31.

6. Case “F”: That argument could be used in any big family even if it falls under the Monogamy practice. Organizing the population is fine with Islam as long as no abortion is involved even in the early the development phases when the fetus still in like fertilized egg or zygote. So, a husband who has two families with acceptable number of kids rather than having big family with numerous numbers of children will not threat population.

7. Case “G”: That might sound a fair complain and objection but if we research it and analyze it, it would not be that valid and practical. It is just a utopian objection that is driven by emotional reaction.

First, because Islam considers the husband as the main supervisor in the family though the wife has it important supervisory role: “Men are the protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means. Quran 4. 34” It is the husband’s responsibility to find a job, work hard, make money, make the life of his wife and family comfortable and if the wife is working, the money that she makes will be her exclusively and has the full right not to spend it on the husband. Also, while men emotionally -and even physiologically- more rigid and they are more prepared for hard circumstances and environment women usually are more emotional, benign, and sensitive. Such factors, in addition to some others, make the husband more reliable to be in the charge of supervisory.

Second, the wife is more toward one-to-one exclusive loving relation. Her complex emotions make her more comfortable in being dedicated to one person i.e. one husband; especially if she feels that her husband is the person that can offer her protection, love, honesty, and tranquility. And that might be the explanation why usually women are more jealous than men. They, generally speaking, go crazy if they feel or even see the husband looking or talking kindly to another woman.

Third and as described above, the wife-in general-considers emotion as a priority, and if she is getting full attention and love from the husband side, she will not feel comfortable in sharing her emotion with another man nor giving him her body since any physical contact should first pass through the gate of honest, valid emotion. However, some women might not be that way, but as mentioned before the law goes with majority. If there are some special cases then they have to be reviewed by an Islamic Court for proper Islamic solution. On the other hand, the husband, especially in the long run of marriage, might give emotion less attention. He, in general, would be more attracted and attached to physical beauty than emotion; since he sees in that attraction an ultimate satisfaction for his desire. That physiological behavior, which widely seen in men, becomes a threat on the relation with wife if it starts growing or becomes uncontrolled. Since, it will push the husband to have unlawful hidden affairs with other women causing less attention and caring on the wife side. In that situation, when the husband’s sexual desire can not be saturated by just one woman - especially when his wife has pregnancy or menstrual related issues or not emotionally ready when he needs her, what would be the solution?

Fourth, assume the following the husband marries more than one wife and those wives each one of them marries additional husband then what about the children to whom they belong or to whom they listen. And if the husband wants to apply his supervisory role, the wife of two

husbands might end up of two contradicted statement .Also, who is going to spend on the family? Overall, a family, like any other healthy organization, can not have two principals or supervisors. Can a person imagine a country directed by two presidents?

So theoretically it might sound good for the wife to have more than one husband, but since Islam considers the husband as the main supervisor of the family it would not be practical at all.

In general, Polygamy is not allowed if it will become a destructive behavior and carelessness. And the husband who is misusing it, he is basically misusing the law. In such case, the impious human is the problem not the law itself.

MEGA  
LECTURE

## Human rights in Islam

By Syed Imad-ud-Din Asad

It is a popular belief in the West, owing to their deficient knowledge of the Quran and the Traditions of the Prophet (PBUH), that Islam supports values and structures that are incompatible with the principles of human rights. In fact, Islam established the sanctity of human rights and advocated their promotion and enforcement, about 1400 years before the United Nations embodied them in the Universal Declaration of Human Rights.

If we consider human rights as a yardstick for evaluating civilizations, we would come to the conclusion that the world was not very civilized before the advent of Islam. Though there were great civilizations before Islam, they are held high in regard mainly because of their contributions in the fields of arts and sciences — none of them did anything to place human rights in a permanent manner. Advancement in human rights, if there were any, would derive their legality from a particular ruler whoever is in place and his successor would not be bound to extend them: human rights granted by a ruler could be taken away by another if deemed necessary or expedient.

It was in the 16th and 17th centuries that the western political thinkers and jurists educated the masses about the notions of civil liberties and fundamental rights. This awareness prompted the people to strive for their rights resulting in a bitter series of tussles between the rulers and the subjects. Privileges were stubbornly withheld by the rulers, whereas, the subjects fought vehemently for them. Revolutions took place, and with each revolution the people won a new concession. In this way, through the ordeal of bloodshed and struggle, a growing body of rights developed.

Islam, on the contrary, took a significantly different course. First of all, as God Himself had conferred them, the people did not have to violently snatch these rights from some ruler. Secondly, being the rights ordained by God, human rights cannot be abolished or abrogated by any man or group of men. Every Muslim ruler or government must recognize and enforce them as they are part and parcel of the Islamic faith. If one omits to do so, or denies them, or practically violates them while paying lip-service to them, the verdict of the Quran in such a case is clear and unequivocal: “...And whoever judges not by what Allah has revealed, those are the disbelievers.” (5:44). “...And whoever judges not by what Allah has revealed, those are the transgressors.” (5:47) Some of the rights that Islam declares all human beings should possess are:

**Right to life:** The Quran upholds the sanctity of human life and accords full protection to it. All

forms of manslaughter are regarded as heinous crimes. It is said in the Quran: "...Whoever kills a person, unless it be for manslaughter or for mischief in the land, it is as though he had killed all humanity..." (5:32). "...And kill not the soul which Allah has made sacred except in the course of justice..." (6:152).

**Right to equality:** Islam disregards discrimination between persons on the basis of colour, race, nationality, nobility of birth, wealth, political status, gender, etc. Superiority of a person is determined only on the basis of piety, righteousness, and moral excellence. In his farewell sermon, the Prophet declared: "Righteous actions are the only mark of distinction and not wealth, birth, or status in life."

Similarly, the Quran proclaims: "O mankind, We have created you from a male and a female, and made you into tribes and families that you may know each other. Surely the noblest of you with Allah is the (one who is the) most righteous of you. Surely Allah is Knowing, Aware." (49:13)

**Right to justice:** Immense stress has been laid by the Quran on the right to seek justice and the duty to perform justice: "...When you judge between people, you judge with justice..." (4:58) "O you who believe, be maintainers of justice..." (4:135) "O you who believe... let not hatred of a people incite you not to act equitably. Be just; that is nearer to observance of duty..."(5:8)

**Right to respect:** Islam declares that each person, irrespective of his faith, race, gender, or wealth, is worthy of respect. The right to honour and self-respect is inviolable. The Quran says: "And those who malign believing men and believing women undeservedly, they bear the guilt of slander and manifest sin." (33:58)

"O you who believe, let not a folk deride a folk, perchance they may be better than they (are); nor let women (deride) women, perchance they may be better than they (are); neither defame one another, nor insult one another by nick names. Bad is the name of lewdness after faith... Neither backbite one another..." (49:11,12)

**Right to privacy:** An individual's right to domestic and personal privacy has been clearly recognised by the Quran: "O you who believe, enter not houses other than your own houses, until you have asked permission... This is better for you that you may be mindful." (24:27) "O you who believe, avoid most of suspicion... and spy not..." (49:12)

**Right to freedom of religion:** In an Islamic state every citizen is free to profess and practise any religion that he has adopted. Individuals and government have been strictly forbidden to interfere in the religious affairs of non-Muslim citizens. It is said in the Quran: "There is no compulsion in religion..." (2:256). "And if thy Lord had pleased, all those who are in the earth would have

believed, all of them. Wilt thou then force men till they are believers?" (10:99) "And say: the truth is from your Lord; so let him who please believe, and let him who please disbelieve..." (18:29)

**Right to protest against oppression and injustice:** Every citizen of the Islamic state has the right to resist and protest against oppression and injustice. There are numerous Traditions of the Prophet in this regard: "Abu Sayeed reported that the Messenger of Allah said, 'The best jihad is that of one who says a true word before a tyrant'." (Ibn Majah, Tirmizi, Abu Daud). "Abu Sayeed reported that the Messenger of Allah said, 'Whoever from among you comes across a certain undesirable thing, must stop it by his hands. If it is not possible for him, he must stop it by his tongue. And if this also is not possible, he must condemn it in his heart — and this is the weakest position of belief'." (Muslim)

**Right to education:** The pursuit of knowledge is considered a task of great importance in Islam. It is pointed out in the Quran: "...Say (unto them, O Muhammad): Are those who know equal with those who know not? But only men of understanding will pay heed." (39:9)

Following are some traditions of the Prophet that describe the significance of education:

"Anas reported that the Messenger of Allah said, 'Search for knowledge is compulsory upon every Muslim man and woman'." (Ibn Majah). "Anas reported that the Messenger of Allah said, 'Whoever goes out in search of knowledge, is in the path of Allah till he returns'." (Tirmizi).

**Right to earn:** Islam grants an individual the right to do any lawful work and to pursue any lawful profession for earning his livelihood. The rewards of labour belong to the one who has made the effort. The Quran decrees: "...For men is the benefit of what they earn. And for women is the benefit of what they earn..." (4:32)

The right to earn also implies the right to get a job if one has no employment or occupation. The following Tradition of the Prophet is evident of it: "A man came to the Messenger of Allah and requested for alms. The Prophet said, 'Have you got anything in your house?' He replied, 'Yes, I have a woollen carpet... and a cup...' The Prophet said, 'Come to me with both these things.' The man did so. The Prophet took them and asked the people around him, 'Who will buy these two?'... A man said, 'I will take them both for two silver coins.'

The Prophet gave the things to that man and took the coins. He then turned to the man, who had come for help, gave him the coins, and said, 'Buy food for your family with one of them and buy an axe with the other, then come to me with the axe.' The man did so. The Prophet fixed a handle to it and said, 'Go, cut wood and sell it. Come to me after fifteen days.' When the man came to the Prophet after the prescribed time, he had earned ten silver coins... The Messenger of



Allah said to him, ‘This is better for you...’” (Abu Daud)

Following this precedent set by the Prophet, the Islamic state is responsible to provide employment to its citizens if they have none.

Islam has conferred and acknowledged other human rights also. Their details and illustrations can be seen in the Quran, the Traditions, and the teachings of the pious caliphs and other Muslim jurists.

MEGA  
LECTURE

## Non-Muslims` rights

By Syed Imad-ud-Din Asad  
Friday, 25 Feb, 2011

TO many westerners, Islamic law often seems problematic and puzzling. One of the main reasons for this is the variety of contradictory approaches in different Muslim countries regarding the nature of government, fundamental rights, rule of law, rights of non-Muslims, the concept of the welfare state, etc.

Various Muslim regimes, in order to maintain their hold on power, often enact laws and take measures that are inconsistent not only with the western notions of equity and justice, but, more importantly, with provisions given in the basic Islamic texts. Similarly, certain Muslim scholars, trying to gain quick popularity among ignorant Muslim masses in order to further their selfish political ambitions, often make statements that are contrary to Islamic values, as may be ascertained from the Quran and the Sunnah, the two primary sources of Islamic law.

All these factors create a negative image of Islam as people generally make an estimate of an ideology by looking at the behaviour of its adherents.

The status of non-Muslims in Islamic law is a frequently discussed topic. It is a general perception in the West that non-Muslims are second-rate citizens in an Islamic state. However, if we look at the Quran and the Sunnah, we find a different story. In the early and medieval Islamic state, except for the right to political equality, non-Muslims had the same rights as Muslims. Their life, respect and property were as sacred as those of their Muslim counterparts.

Non-Muslims living in an Islamic state were called 'Dhimmis'. The word 'dhimma' means 'pledge' or 'guarantee'. 'Dhimmi', contrary to the prevalent misconception, is not a derogatory term; it signifies that these people were under the protection guaranteed by Allah and His Prophet (PBUH).

There are numerous sayings of the Prophet emphasising that non-Muslim citizens must be treated well and their rights must be protected by the state as well as Muslim members of the community. He once said, "Whoever hurts a Dhimmi, hurts me. And whoever hurts me, he annoys Allah." (Bukhari) Similarly, "Beware! On the Day of Judgment, I shall myself be the complainant against one who wrongs a Dhimmi...." (Al-Mawardi)

Al-Qarafi, the Islamic scholar, while commenting on the responsibility of the Islamic state to Dhimmis said, “It is the responsibility of the Muslims to the people of the Dhimmah to care for their weak, fulfil the needs of the poor, feed the hungry, provide clothes, address them politely and even tolerate their harm.... The Muslims must also advise them sincerely on their affairs and protect them against anyone who tries to hurt them or their family, steal their wealth, or violate their rights.”

At this point, it would be apt to discuss the controversial issue of jizyah. Zakat is a tax collected from Muslim citizens; jizyah was the tax collected from adult, male, non-Muslim citizens. The payment of jizyah entitled non-Muslims to state support and protection, and exemption from military service. If a non-Muslim voluntarily fought for the Islamic state, he was exempt from it. Most importantly, if non-Muslims were unable to pay jizyah, the state still looked after them and protected them just like Muslim citizens.

Thus, jizyah was only a tax and not meant to humiliate non-Muslims. If Muslim citizens paid zakat to the state, there was no harm in collecting jizyah from non-Muslim citizens. Do modern western states not impose taxes on their citizens? They do.

Similarly, lack of political equality between Muslims and non-Muslims is viewed as a huge deficiency in Islamic law by westerners. The fact is that a state based on a particular ideology, like Islam, should be governed by people who adhere to it. In other words, owing to its ideological nature, a non-Muslim cannot become the head of an Islamic state.

Simply speaking, religion and ideology are not that different from each other. Therefore, the requirement of allegiance to Islam is the same as the requirement that an American, in order to hold a public office, undertake an oath to a fundamentally bourgeois constitution. Just as the Sharia signifies certain values, the constitution of the US signifies certain values.

Unlike other beliefs and systems, Islam cannot be accused of conducting forced conversions, witch hunts, inquisitions and holocausts. In fact, Muslim territories often served as a refuge for non-Muslims facing oppression and persecution in other places. Spain, under Muslim rule, was the only place in Europe where Jews could live with safety and dignity. After the fall of Muslim Spain, Jews were expelled from there and they found a sanctuary in another Muslim realm, i.e., the Ottoman Empire.

Muslim India was another example. Despite centuries of Muslim rule, the majority of its population remained non-Muslim. It is a well-known fact that Muslim rulers even made generous donations to temples and other religious places of Hindus and others. It is also interesting to note that, according to Al-Maqrizi, all the famous churches of Cairo were built during Muslim rule.

Considering all these historical facts, the destruction of two statues of the Buddha in Afghanistan, in 2001 by the Taliban government was totally un-Islamic. They did not act in accordance with Islam; it was a deplorable attempt to further their own political interests by manipulating the religious emotions of their ignorant Muslim population.

It is important not to confuse such despicable actions with Islamic values. For instance, if a Jew kills a man, it would be outrageous to say that Judaism makes murderers. Similarly, it would be utterly incorrect to say that the Spanish Inquisition was conducted because the Gospel instructed so.

MEGA  
LECTURE

## ZAKAT

- While defining Zakat, examine its Socio-Economic significance in Islamic Society. (2002)
- Islam pays a lot of stress on the circulation of money. Describe in the light of Zakat system. (2008)
- In Islam the purpose of Zakat is purity of wealth, abolishing poverty, hunger and ignorance but his has not been achieved yet. What practical steps are needed for attaining this end?(2009)

Above is the list of the repeated questions regarding the topic zakat in different years and from different angles..

Here is my outline Keeping all the three questions in veiw:

### ZAKAT

- Definition
- Importance Of Zakat In The Light Of Quran And Hadith
- Kinds Of Property On Which Zakat Is Obligatory
- Recipient Of Zakat
- Persons Who Cannot Be Given Zakat
- Virtue Of Zakat
- Punishment For Not Giving Zakat
- Benefits Of Zakat
  - i) Purification of Soul
  - ii) Purification of Wealth
  - iii) Creates Love in Human beings
  - iv) Solution for Unemployment
  - v) Solution for Unequal Distribution of Wealth

- vi) Wide Circulation of Wealth
- vii) Elimination of Poverty
- viii) Treasury of Islam
- ix) Insurance Company of Muslims
- x) Reduction in Crimes
- xi) Solution for Depression
- xii) Wide Circulation of Wealth

- Social Impact Of Zakat
- Economic Impact Of Zakat
- Islam Concerns for The Poor-Zakat And Poverty Alleviation
- Restabilising The Institute Of Zakat OR Steps To Achieve The Purpose Of Zakat
- Conclusion

Dear Syeda Sabahat rectify the mistakes in outline if any and also simplify it according to the requirement of the question in different years like from above outline what points would be appropriate to add in the question asked in 2002, then in 2008 and lastly in 2009.....waiting for reply...Regards

- Describe the importance and philosophy of FASTING (SAUM) also explain its individual and collective benefits. (99)
- Define the doctrine of "Roza" and explain how to achieve the goals of mutual co-operation and collective justice besides the purification of individual soul through the application of this doctrine. (2007)

### Fasting/Saum/Roza

#### Outline:

- Definition Of Fasting
- Significance Of Fasting
- Individual Benefits
  - i) Spiritual Benefits
  - ii) Physical Benefits
  - iii) Moral Benefits
- Taqwa In Ramazan
- Collective Benefits
  - i) Social Benefits
  - ii) Economic Benefits
- Conclusion

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LECTURE

## AKHIRAT

- Why the faith on the ‘Day of Judgment’ is necessary? How it affects the Human life? (1999)
- Explain with arguments the Self-Reformation (Islam-e-Nafs) and construction of moral according to the need and importance of the faith of the Day of Judgment (Akhirat) (2003)
- Describe the importance of the concept of the “Day of Judgment” and explain the practical results of this notion of the Private and Public life of the people. (2008)

### The Day Of Judgement

#### Outline:

- Meaning Of The Judgement Day
- Day Of Judgement In Different Religions:
- Islamic Concept Of Life Hereafter
- Signs Of The Day Of Resurrection
- The Effects Of The Belief In Resurrection On The Life Of Man:
- How the day of the judgement in Islam is a concept of accountability and justice?
- Importance Of This Faith



i think answer would be like this

\*meaning of akhirat

\*its concept in islam

\*concept of akhirat in other religions.

\*its proofs in quran like surah taha ayat no:55, surah yaseen ayat no:78-79, surah sajdah ayat no:20.

\*why its important to believe on the day of judgement?

\*what would be the result if we will not believe on this day?

- 1)man become irresponsible
  - 2)he would have more love for this world.
  - 3)narrow thinking/prejudiced
  - 4)disloyal to others
  - 5)all his amaal would be ruined.
- and e.t.c

\*its effects on individual life

\*collective benefits.

this is a complete outline for all questions roshan.and remember dear try to write short headings and use synonymes instead of long words.

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## **PRAYER**

- Define the philosophy of Salaat and explain its importance in the light of Quran and Sunnah. Also state its impact on the life of an individual and community. (97)
- Describe the importance and philosophy of prayer. Also explain its individual and collective benefits. (2000)

### **Prayer/Salaat/Namaz:**

#### **Outline:**

- Introduction/Philosophy Of Salaat
- Importance Of Salaat In The Light Of The Quran And Hadith
- Benefits Of Salaat
  - a) Individual Benefits
  - b) Collective Benefits
    - i) Social Organization And Social Discipline
    - ii) Mosque As Community Centre
    - iii) Mutual Cooperation And Help
    - iv) Equality And Brotherhood
    - v) Training In Jihad (Holy War)
    - vi) Respect For The Rights Of Others
    - vii) Tolerance
    - viii) Unity
- Conclusion

## TAUHEED

- Define Tauheed (Unity of Allah) in a scholarly manner describing its significance and effects on human life. (2001)
- Explain the belief of Tauheed in scholarly manner describing its effect on human life. (2004)
- Identify the importance of the concept of "Towheed" and explain the practical results of this principle on the private as well as public aspects of the human life. (2007)

### Tauheed

#### Outline:

- Definition
- Significance Of Tauheed
- Effects Of Tauheed
  - i) Width Of Vision
  - ii) Self-respect
  - iii) Modesty And Humbleness
  - iv) Virtuous And Upright
  - v) Satisfaction Of Heart
  - vi) Determination
  - vii) Peace And Contentment
  - viii) Obedience
- Conclusion

*Is this outline also fit for answer to the following question asked in 2010?*

***Q.4. Stating traditional and rational arguments about faith of Resurrection, discuss the role of this faith in establishing an organised society.***

dear uniter i want to say something before giving answer to your query.

its a common misconception now a days that islamiat paper is not from books its a sort of current affair paper,yes it is but let me tell you one thing that you have to relate the circumstances with islamic knowledge. its very easy.

uniter first of all try to understand the question by dividing it in to 2 parts and then ans. one by one. as in above mention question,there are 2 parts

1st you have to describe the faith of resurrection by arguments

traditional means with the help of verses from quran and sunnah.

rational mean what society thinks about this faith why it is important.

2nd part you have to describe its effects both indiviual and collective,so that you can explain how they are beneficial in establishing an organised society.

i hope it will clear your concept. if you have other query you are most welcome to ask.

### Re-establishing The Institution of Zakat.

Due to a variety of eroding factors, the institution of zakat, which once provided an economic safety net to society, has lost its meaning. Today, it has an ad hoc and irregular function reduced to almost a ritual practiced individually by a small minority of Muslims. Many who pay zakat, unfortunately, do not even know how to accurately calculate it, let alone its potential economic impact on society.

To re-establish the institution of zakat, it is essential that we first understand the importance of zakat in terms of its economic impact upon society. Also, in order to properly apply its rules and regulations to many forms of wealth, we must recognise that there are new categories of wealth (such as intellectual property and other intangible assets) which did not exist in early Muslim society, and for which we need to use appropriate evaluation methods (book value, replacement values, market value, present value of future earnings, etc.) in computing zakat.

Can the institution of zakat achieve its objectives of establishing economic justice and general well being of all members of society through equitable distribution of wealth in today's economic environment? Since there is no contemporary empirical data, this question can be answered only through simulation or extrapolation of the cumulative economic impact of a redistribution of wealth. To test if it is as valid as it was fourteen centuries ago, let's go through a simple accounting exercise. It is a known fact that the collective wealth of 1% population of the Middle East lying in the Western Banks is conservatively estimated to be in the region of over 800 Billion dollars, and earns \$80 Billion annually in net profits (10% rate of return of equity) a 2.5% Zakat on this wealth would produce an annual Zakat of approximately 20 Billion dollars. Mind well this is only 1% population of the Middle East. If some one estimates the total wealth of the 1.25 Billion Muslims and measures the Zakat we can well imagine what an economic impact it can have on the lives of the Muslims alone.

If we were to distribute this money among various categories of recipients of zakat as prescribed in the Quran over, say, every year for the next ten years, the cumulative result of this annual redistribution of wealth will substantially reduce unemployment, expand investment base, eliminate poverty and extreme disparity of wealth between rich and poor by the end of the tenth year. This projection is however based on the premise that this goal is achievable in a reasonable length of time provided the system of collection and distribution of zakat is credible, cost-effective, loophole-free and supported by strong accountability mechanisms to assure its integrity.

## JIHAD

- What is the significance of “Jihad” in the light of Quran and Sunnah? What are its kinds, principles, and conditions? (2001)
- Write down a detailed essay on the importance, necessity and different kinds of Jihad in Islam. (2003)
- "One Man's Terrorist Is Another Man's Freedom Fighter", in Light Of The Preceding Quoted Probe In To Causes Of Terrorism And Separate Both Jihad And Terrorism From Each Other After Giving Solid Arguments. (2006)

### Jihad:

#### Outline:

- Meaning Of Jihad
- Importance Of Jihad
- Kinds Of Jihad
  - i) Jihad With Self
  - ii) Jihad By Wealth
  - iii) Jihad By Knowledge
  - iv) Jihad By Sword
- Conditions For Physical Jihad
- Necessity Of Jihad
- Concept of war in Islam
- Suicide Bombing
- **TERRORISM CANNOT BE JUSTIFIED BY ANY RELIGION OF GOD**
- Islam's Response to Terrorism
- 'One Man's Terrorist is Another Man's Freedom Fighter'
- Conclusion

## One Man's Terrorist is Another Man's Freedom Fighter

Freedom is an end, terror is a means. So to call a combatant a terrorist is to say something about his tactics, his means for achieving his ends, while to call a combatant a freedom fighter is to say nothing about his tactics or means for achieving his ends. It follows that one and the same combatant can be both a terrorist and a freedom fighter. For one and the same person can employ terror as his means while having freedom as his end.

Suppose a Palestinian Arab jihadi straps on an explosive belt and detonates himself in a Tel Aviv pizza parlor. He is objectively a terrorist: he kills and maims noncombatants in furtherance of a political agenda which includes freedom from Israeli occupation. The fact that he is a freedom fighter does not make him any less a terrorist. Freedom is his end, but terror is his means. It is nonsense to say that he is a terrorist to Israelis and their supporters and a freedom fighter to Palestinians and their supporters. He is objectively both. It is not a matter of 'perception' or point of view or which side one is on.

Another Palestinian renounces terrorism and fights for freedom from occupation by the path of negotiation. He is objectively a freedom fighter and objectively no terrorist. A third case might be an Israeli terrorist who blows up a Palestinian hospital or mosque in revenge for Palestinian terrorist attacks. He is objectively a terrorist but objectively not a freedom fighter.

So there are two reasons to avoid 'One man's terrorist is another man's freedom fighter.' The first is that it rests on a confusion of means and ends. Describing a combatant as a terrorist, means not his end; describing a combatant as a freedom fighter, means his end not his means. A second reason to avoid the saying is because the saying suggests falsely that there is no fact of the matter as to whether or not a person is a terrorist. There is: a combatant is a terrorist if and only if he employs terror as a tactic in the furtherance of his political goals. It doesn't matter what his goal or end is. It might be the noble one of freedom from oppression. Or it might be base one of domination and exploitation. What makes him a terrorist is the means he employs.

## ZAKAT

- concept of zakat
- Importance Of Zakat In The Light Of Quran And Hadith

### Benefits Of Zakat

- i) Purification of Soul
- ii) Purification of Wealth
- iii) Creates Love in Human beings
- iv) Solution for Unemployment
- v) Solution for Unequal Distribution of Wealth
- vi) Wide Circulation of Wealth
- vii) Elimination of Poverty
- viii) Treasury of Islam
- ix) Insurance Company of Muslims
- x) Reduction in Crimes
- xi) Solution for Depression
- xii) Wide Circulation of Wealth

- Kinds Of Property On Which Zakat Is Obligatory
- Recipient Of Zakat
- Persons Who Cannot Be Given Zakat
- Virtue Of Zakat
- Punishment For Not Giving Zakat
- Social Impact Of Zakat
- Economic Impact Of Zakat
- Islam Concerns for The Poor-Zakat And Poverty Alleviation
- Restabilising The Institute Of Zakat OR Steps To Achieve The Purpose Of Zakat
- Conclusion



## Charity and Alms giving

**Zakaah literally means to purify and develop. In the terminology of Shari'ah it is the giving of specified wealth with specified conditions to the rightful ones.**

### The Ruling on Zakaah

Zakaah is one of the five main pillars of Islam. It is compulsory upon EVERYONE who fulfills its conditions, for Allah (Subhanahu wa Ta'ala) states;

1. " Then establish prayer and pay Zakaah and obey Allah and His Most Beloved Messenger (Salla Allahu Ta'ala alayhi wa Sallam) and Allah ta'ala is aware of what you do. " Al-Qur'an : 58:13
2. " O believers! give something of your pure earnings and of what WE produce from the earth for you. " Al-Qur'an : 2:267

The Beloved Prophet Muhammad (Salla Allahu Ta'ala alayhi wa Sallam) has stated :

**Islam is based on five things**

1. To testify that none is worthy of worship but Allah (Subhanahu wa Ta'ala) and Muhammad (Salla Allahu ta'ala 'alayhi wa Sallam) is the Messenger of Allah (Subhanahu wa Ta'ala).
2. To establish Salaah.
3. To pay Zakaah.
4. To perform Hajj (pilgrimage).
5. To fast in the month of Ramadan.

Zakaah became compulsory in the second year of the migration. It is Wajib (compulsory) to pay it immediately. To delay its payment without reason is sinful and the testimony of such a person will not be accepted. Zakaah is not Wajib upon the Prophets (alaihis salaam) because all that they own is Wakf (religious endowment) on their behalf.

It is permissible to pay Zakaah before a year has passed on the wealth, even several years before, as long as he possesses the Nisaab (minimum amount of property liable to payment of the Zakaah) for which he is going to pay the Zakaah in advance.

### The wisdom of Zakaah

1. Zakaah purifies one's character from the evil traits of stinginess and greed.

2. Through Zakaah the poor receive help and the needs of dependents and destitutes are fulfilled.
3. Zakaah helps in the provision of public works upon which the well being of society depends.
4. Zakaah prevents wealth becoming centralised in the hands of a few wealthy people. Thus it ensures that the means of life are not restricted to a select group.

### **Making Du'a for the Zakaah payer**

At the time of receiving Zakaah it is Mustahab (desirable) to make Du'a for the Zakaah giver. This is because Allah (Subhanahu wa Ta'ala) said, " ( O' Beloved Prophet - Salla Allahu ta'ala 'alayhi wa Sallam) Take Zakaah from their wealth to purify and clean them therewith and pray for them. Surely your prayers will give them comfort. " Al-Qur'an : 9:103

The Prophet (Salla Allahu alayhi wa aalihi wa Sallam) prayed for the person who sent a beautiful she-camel in Zakaah in the following way, " O Allah bestow blessings on this person and in his camels. "

Imam Shafi'ee (alaihira rahman) states, " When the recipient receives Zakaah it is Sunnah to pray for the giver in the following way; ' May Allah (subhanahu wa ta'ala) reward you for what you have given and may He bestow blessings on the remainder of your wealth. ' (Fiqh as-Sunnah)

### **Persuasion to pay Zakaah**

Almighty Allah says :

1. " And those in whose wealth there is a known right; for the one who asks help and for those who are deprived. "
2. " Those, if We give them control on the land, they would establish prayer and pay the Zakaah and command good and forbid evil. And the consequence of all things is in the hands of Allah. "

The Blessed Prophet (Salla Allahu 'alayhi wa 'aalihi wa Sallam) stated, " Whosoever gives alms equal to one date from his Halaal wealth, and Allah only accepts pure and Halaal items, Allah (subhanahu wa ta'ala) takes it in His Hand and develops (cultivates) it, just like one of you brings up his colt (young-horse), until it is equal to a mountain. " ( Bukhari )

In another Hadith it is stated that " (Allah (subhanahu wa ta'ala) cultivates that morsal of Sadaqah) to such an extent that it develops into the equal of the Uhud mountain. "

**A warning to those who refrain from giving Zakaah**

Almighty Allah says;

1. " On that day their treasures will be heated in the fire of hell, and their foreheads, sides and backs will be branded therewith. (They will be told) This is what you had hoarded for yourselves. Now taste the penalty of such hoarding. "

Al-Qur'an : 9:35

2. " And those who are miser in what has been given to them by Allah, by His grace, should not think that it is good for them; on the contrary it is bad for them. The riches they have piled up shall become their necklace on the Day of Judgement. " Al-Qur'an : 3:180

Some sayings of the Most Beloved Prophet (Salla Allahu ta'ala alayhi wa aalihi wa Sallam :

1. " To whoever Allah (swt) has given wealth and he did not fulfill his right from his wealth, his wealth on the Day of Qiyamah (Judgement Day) will take up the shape of a bald snake, - whose hair has fallen out because of its poison and who would have two black dots on its eyes. The snake will be made into his necklace and it will grab both jaws and say 'I am your wealth, I am your treasure'. " then the Prophet (Salla Allahu alayhi wa aalihi wa Sallam) recited the above verse (3:180) of the Qur'an. ( Bukhari )

2. "For every wealth owner who did not fulfill his right from his wealth, his wealth will come on the day of Qiyamah in the shape of a bald snake, who will have its mouth open. When it comes close towards the wealth owner the wealth owner will run away from it. The snake will call out to him 'come take the wealth which you hid for I dont need it.' When the wealth owner (in despair) sees no other way he will put his hand into the mouth of the snake. The snake will chew his hand like a bull chews something. " (Muslim)

3. Two women wearing gold bracelets came into the presence of the Beloved Prophet (Salla Allahu ta'ala alayhi wa aalihi wa Sallam). The Prophet (Salla Allahu ta'ala alayhi wa aalihi wa Sallam) asked them, " Would you prefer that Allah (subhanahu wa ta'ala) should give you bracelets of fire to wear on the day of Qiyamah ? " They replied, " No, O Blessed Prophet." The Prophet (Salla Allahu ta'ala alayhi wa aalihi wa Sallam) replied, " So give

what is your duty on what you have in your hands. " (Ahmad)

### **The ruling on the one who does not pay Zakaah**

The one who rejects the compulsory nature of Zakaah becomes a Kaafir (disbeliever) whilst the one who acknowledges the compulsion of Zakaah but due to miserliness does not pay it is sinful. Zakaah should be forcibly taken from such a person and he should be reprimanded. If such a person physically resists to pay Zakaah he should be fought until he submits to the will of Allah (Subhanahu wa Ta'ala) and pays Zakaah.

**Hadrat Abu Huraira (Radi Allahu anhu) narrates that after the blessed passing away of the Most Beloved Prophet (Salla Allahu alayhi wa aalihi wa Sallam) and when Hadrat Abu-Bakr (Radi Allahu ta'ala anhu) was the Caliph some Arabs became Kaafir (disbelievers). Hadrat Umar (Radi Allahu ta'ala anhu) said to Hadrat Abu-Bakr (Radi Allahu ta'ala anhu) ; How are you going to fight the people when the Beloved Prophet (Salla Allahu alayhi wa aalihi wa Sallam) said, " I have been ordered to do fight against the people until they read the Kalimah, whoever reads this he has saved his wealth and life from me, except when his life or wealth is taken in the course of justice. And his account is with Allah. " On hearing this Hadrat Abu-Bakr (Radi Allahu ta'ala anhu) replied, " By Allah, I will fight he who differentiates between Salaah and Zakaah, for Zakaah is Haqq (true and right). By Allah if whoever used to pay the child of a goat or a camel's rope in Zakaah during the time of the Noble Prophet (Salla Allahu ta'ala alayhi wa aalihi wa Sallam) and now refuses to pay I declare war on him. " Hadrat Umar (Radi Allahu ta'ala anhu) replied, " By Allah (Subhanahu wa Ta'ala), this (reasoning) is because Allah (Subhanahu wa ta'ala) has opened/widened his chest and it is now clear to me that what he has stated is Haqq (right). "**

### **The Compulsion of Zakaah**

The following are the conditions for Zakaah to become compulsory on a person :

1. To be a Muslim. A disbeliever does not need to pay Zakaah.
2. To be free. A slave does not need to pay Zakaah.
3. To be mature. Zakaah is not compulsory on a wealthy minor.
4. To be sane. Zakaah is not compulsory on the insane.

5. Have perfect/complete ownership. This means must have both ownership and possession of it. Thus if a person owns something but does not have possession over it Zakaah is not compulsory upon it, (e.g. Zakaah is not compulsory on a woman's dower before she gains possession over it).

6. To be the owner of the Nisaab. Nisaab refers to that level (of property) specified by Shar'iah as a standard for Zakaah becoming compulsory. Not only must one own this much but it must also be in excess of debts and fundamental needs (such as clothing, abode, animals for transport, slaves for service, armaments, books for the people of knowledge if they are not for trade. Similarly no Zakaah is payable on the tools for a skillsman, if not for sale.) Nisaab varies for the different commodities - these will be stated below.

7. The passing of a lunar year, even if during the year Nisaab is not maintained. The passing of a year is not a condition on the Zakaah of agriculture and fruit.

#### Notes :

**1. Zakaah is not compulsory on the wealth of minors (children) or insane. Thus one should not demand their guardians to pay Zakaah out of their wealth. This is due to the fact that Zakaah is an act of worship and it is not demanded from minors and the insane.**

**2. The paying of Zakaah will not be complete unless one has the intention at the time of paying or at the time when he separates the Zakaah wealth from his total wealth. But if someone, without the intention of Zakaah, gives all his wealth away in charity the compulsion of Zakaah will be removed (from him).**

**3. It is not a condition for the person receiving Zakaah to know that this is wealth from Zakaah. Thus it is correct for a person to give Zakaah to a poor person but to tell him that this is a loan or a gift.**

#### **Those entitled to Zakaah**

It should be clarified that there are eight types of people who have the right to Zakaah, this is because Allah (Subhanahu wa Ta'ala) says :

" Zakaah is only for those who are poor and needy and those who are employed to administer it,

and for those attracted to Islam, and for the freeing of slaves, and for debtors and for the cause of Allah and for the traveller. That is the duty enjoined by Allah, He is knowing, Wise. (Al-Quran 9 : 60 )

**1. Faqeer (poor) :**

He who has some wealth but which is less than the Nisaab. It is better to give Sadaqah to a learned Faqeer than an ignorant. (al-Fatawa Aalamgiria)

**2. Miskeen (needy) :**

He who has nothing and must beg for food and clothes. For such a person asking for these items is halaal. (Kitaab al-Fiqh)

**3. The workers of the Zakaah organisation :**

Workers of Zakaah refers to those people whom the government appoints to administer Zakaah. This includes people such as those who collect it, manage the organisation and the clerks in the Zakaah offices. Their wages can be taken out of the Zakaah even if they are wealth-owners. This is because they have given their time and thus must be compensated.

**4. Those whose hearts are to be won over :**

There are three types of this ;

**i. Those people whom the Beloved Prophet (Salla Allahu alayhi wa aalihi wa Sallam) wanted to come towards Islam.**

**ii. Those people who had accepted Islam but their faith was weak - the Noble Prophet (Salla Allahu ta'ala 'alayhi wa aalihi wa Sallam) used to give them Zakaah to strengthen their faith.**

**iii. Those who were given Zakaah so as to prevent Muslims becoming the subject of their evil.**

**Note:**

**Since the victory of Islam this entitlement has become nullified. This is proven by the Ijmaa of the Sahaaba (Ridwanallahi ta'ala alaih majmain) during the Caliphate of Abu Bakr (Radi Allahu ta'ala anhu). This is stated on 'Hidaaya'.**

Some Ulama (scholars) state that this item is still valid, for a Caliph of Islam may require to win over the hearts of the people. Hadrat Umar (Radi Allahu ta'ala anhu) seeing the strength of Islam, dismissed this item. Qadhi Ibn al-Arabi (rehmatullahi alaih) states that as Allah (Subhanahu wa Ta'ala) has given Islam strength this item is redundant but when its need arises in the future it becomes valid and these people can be given Zakaah, a Hadith of the Beloved Prophet (Salla Allahu ta'ala 'alayhi wa aalihi wa Sallam) states, "Islam started of as poor and will return to the state it began." (Qurtubi)

#### 5. Slave :

Slave refers to a Muskatab slave, and Muskatab is that slave whose master has entered into a written contract that if the slave pays a certain amount (even if in instalments) the slave will be freed. Such a slave will be given Zakaah so that he can meet his contractual instalments.

#### 6. Debtor :

Such a person who has debts but does not have enough wealth that after paying his debts he will have (wealth equal to) Nisaab.

#### 7. Fi Sabeelillah (in the path of Allah)

This refers to the left behind Ghuzaat (singular Al-Ghazi: one who carries out a military expedition) and those doing Hajj (i.e. that person on whom Hajj became Fard but did not do it when he had the means to. But now he no longer has the means, he can be given enough in Zakaah so as he can fulfil his Fard of Hajj). Fatawa Zaheeriya states that only students of religion come into this category. Ruh al-Ma'aani also has this view.

#### 8. Ibn as-Sabeel (the traveller) :

This means that a traveller who is travelling within Shari'ah (purpose of his journey is not contrary to Shari'ah). Such a traveller can be given Zakaah if during his journey he becomes needy, even if in his own domicile (home) he is wealthy.

#### Notes :

1. It is permissible for many people to give Zakaah to the same needy. Conversely it is

permissible for one person to give Zakaah to a number of needies.

2. A person cannot give Zakaah to those people for whom he is responsible for, like parents, sons, grandsons and wife. This is because it is his duty to spend to fulfil their needs.

3. A person cannot give Zakaah to his own slave, or use it to construct a Mosque or to provide a shroud for a deceased.

4. Zakaah cannot be given to the Banu Hashim due to their noble status. The Banu Hashim also includes the descendents of Ali; Abbas; Ja'far; Aqeel and Harith ibn Abdul Muttalib (Ridwanallahu ta'ala alaihi majamain) (Qudoori). This is because the Blessed Prophet (Salla Allahu 'alayhi wa aalihi wa Sallam) said, " It is not permissible for the family of Muhammad (Salla Allahu ta'ala 'alayhi wa aalihi wa Sallam) to take Sadaqah because Sadaqah is the dirt of peoples wealth. " (Muslim)

MEGA  
LECTURE



### Importance of Hajj

Hajj started with Ibraheem (Peace be upon him) who left his legacy both in the Hanifiyah, the pristine religion of Islam and in Hajj. The legacy of Ibraheem (A) was his millah, way, of true submission to Allah. He was the first one who used the word "Islam". He named anyone holding to the same faith as him a Muslim meaning the one that surrenders and submits to the will of the Creator, Allah. We read in Surat al-Hajj,

**"And strive in His cause as you ought to strive, (with sincerity and under discipline). He has chosen you, and has imposed no difficulties on you in religion; it is the way of your father Abraham. It is He who has named you Muslims, both before and in this (Revelation); that the Messenger may be a witness for you, and you are witnesses for mankind! So establish regular Prayer, give regular Charity, and hold fast to Allah! He is your Protector, the best to protect and the Best to help!" (22:78)**

His submission and total surrender to the Will of Allah is related to his establishment of Hajj. Even if Ibraheem (A) did not remain in Makkah to the end of his life, he laid the foundations of the Ka'bah in the middle of Makkah valley as well as the principles of Tawheed, genuine monotheism, in the heart of his son Ismaeel (A). The latter was also a prophet and a messenger of Allah, who kept the promise to preserve and guard Ka'bah as well as the Islamic faith. Later on, one of his descendents through Kedar - the second son of Ishmael as prophesied in Genesis 25:13 and a few other places - Muhammad (S), who was also a Hanif, rejected the idolatry and paganism brought to Makkah and called to the same faith as his forefathers Ibraheem (A) Ismaeel (A). He was chosen by Allah to be the last Messenger sent as Mercy to the world. He restored that legacy, Islam, and preserved the Ka'bah from the alien beliefs and practices. He reminded people of the religion of Ibraheem (S) and its tenets and called everyone to the religion of Ibraheem (Peace be upon him).

The building of the Ka'bah was made by Ibraheem and his son Ismaeel (Peace be upon them). This house was named "**Ka'bah**" after its cubic shape. It is the center point for Muslims all over the world. When a Muslim wants to pray, he, or she, must face Qiblah - the direction towards Makkah. Hajj also cannot be performed except in Makkah and its vicinity. The al-Masjid al-Haram, holy mosque, was the first mosque built in the world. It is today the most visited place on earth and that is why it is called **al-Bayt al-ateeq** meaning the ancient house. One prayer in this mosque equals one hundred thousands prayers elsewhere as stated in a few authentic hadiths.

When Ibraheem (A) finished the construction of Ka'bah, he called people to Hajj and prayed to

Allah to bless Makkah and its vicinity and to make people come visit it until the Day of Judgement though it was remote and in the desert.

**"Remember Abraham said: "O my Lord! Make this city one of peace and security: and preserve me and my sons from worshipping idols. "O my Lord! They have indeed led astray many among mankind; he then who follows my (way) is of me, and he that disobeys me, but You are indeed Oft-Forgiving, Most Merciful. "O our Lord! I have made some of my offspring to dwell in a valley without cultivation, by Your Sacred House; in order, O our Lord, that they may establish regular Prayer: so fill the hearts of some among people with love towards them, and feed them with Fruits: so that they may give thanks." (14:35-7)**

Allah (swt) always relates the story of Hajj and Ibraheem to Tawheed and Islam, which is the way of Ibraheem, Muhammad, and all the prophets (Peace be upon them).

**"Remember We made the House a place of assembly for men and a place of safety. And take the Station of Abraham as a place of prayer; and We covenanted with Abraham and Isma'il, that they should sanctify My House for those who compass it round, or use it as a retreat, or bow, or prostrate themselves (therein in Prayer). And remember Abraham said: "My Lord, make this a City of Peace, and feed its People with fruits' such of them as believe in Allah and the Last Day." He said: "(Yes), and such as reject Faith, for a while will I grant them their Pleasure, but will soon drive them to the torment of Fire, an evil destination (indeed)!" And remember Abraham and Isma'il raised the foundations of the House (with this prayer): "Our Lord! Accept (this service) from us: for You are the All-Hearing, the All-Knowing. "Our Lord! Make of us Muslims bowing to Your Will); and of our progeny a people Muslim, bowing to Your (Will); and show us our places for the celebration of (due) rites; and turn unto us (in Mercy); for You are the Oft-Returning, Most Merciful. "Our Lord! Send amongst them a Messenger of their own, who shall rehearse Your Signs to them and instruct them in Scripture and Wisdom, and sanctify them: for You are the Exalted in Might, the Most Wise." And who turns away from the religion of Abraham but such as debase their souls with folly? Him We chose and rendered pure in this world: and he will be in the Hereafter in the ranks of the Righteous. Behold! His Lord said to him: "Bow (your will to Me):" he said: "I bow (my will) to the Lord and Cherisher of the Universe." And this was the Legacy that Abraham left to his sons, and so did Jacob; "O my sons! Allah has chosen the Faith for you; then die not except in the state of submission (to Allah)" (2:125-32)**

And talking about the first call to Hajj, Allah (swt) says,

**"Behold! We gave the site, to Abraham, of the (Sacred) House, (saying): "Associate not**

anything (in worship) with Me; and sanctify My House for those who compass it round, or stand up, or bow, or prostrate themselves (therein in prayer). And proclaim the Pilgrimage among people; they will come to you on foot and (mounted) on every kind of camel, lean on account of journeys through deep and distant mountain highways. That they may witness the benefits (provided) for them, and celebrate the name of Allah, through the Days Appointed, over the cattle which He has provided for them (for sacrifice): then eat thereof and feed the distressed ones in want. Then let them complete the rites prescribed for them, perform their vows, and (again) circumambulate the Ancient House. Such (is the Pilgrimage): whoever honors the sacred rites of Allah, for him it is good in the sight of his Lord" (22:26-30)

As we see here, Hajj was practiced before Prophet Muhammad (S) came, but the latter removed the false worshipped idols and ended all pagan beliefs and practices, which had changed gradually the way of Ibraheem and Ismaeel (A) as well as the Ka'bah's sanctity. Many rituals were innovated by people over time, but Prophet Muhammad (S) showed his companions with every detail how to perform the best pilgrimage. He (S) said,

**"O people! Learn from me the way how to perform your Hajj rituals for I do not know if I will be able to make Hajj next year or not."** [Muslim, An-Nassaa'i, Abu Dawud, and Ahmad].

### **Hajj: A station of Commemorations:**

When we perform Hajj, we should relate the rituals to our forefathers and ancestors in faith: Ibraheem, Ismaeel, Haajar, and Muhammad (S) as well as the first generations of Muslims. In Hajj, we commemorate them as well as their sacrifice, sincerity, dedication and patience, which constitute the main elements of their legacy. We should not perform Hajj only physically, but spiritually as well. We should try to understand the meaning of every thing we do and see what lessons we can draw. The following points are some reflections on the pillars of Hajj and some other rituals:

- In the state of Ihram we wear for a couple of days a seamless garment, which is exactly like a shroud. It is a symbol of total renunciation of worldly life in order to get purified and to raise the soul to a high spiritual level of consciousness of Allah and the Eternal life. It makes the pilgrim humble, equal to others, and helpless as if it is the Day of resurrection.

The restrictions of the state of Ihraam are very rigorous in terms of the way the pilgrim behaves with others, with himself, and with Allah and also in terms of using regular worldly things such as putting perfume, cutting one's hair...etc. This makes Hajj a school of discipline, taqwah and self-control. A school, which can produce righteous, decent, honest and hardworking people as

the five daily prayers and the fasting of Ramadan and the pillars of Islam do.

- In Tawaaf - Circumambulating around Ka'bah- the pilgrims walk fast to commemorate the first generation of Muslims who came with the Messenger of Allah (S) to perform Hajj. When the Polytheists of Makkah started saying that the Prophet's companions were sick because they were effected by the fever of Madinah, the Prophet (S) wanted to disappoint them and show the opposite. That is why men almost jog with short steps in the first three circumambulations and uncover their right shoulders during all the tawaaf.

We also imitate the angels who circumambulate around al-bayt al-Ma'amour - the filled house - above in the seven Heaven as reported in many authentic hadiths.

When we kiss the Black Stone, which was brought from Jannah, we remember the other life and pray to Allah that Paradise will be our abode. In the Hadith , the Prophet (S) said that when the Black Stone was brought from Jannah., it was very white, but it darkened and became black because of the sins of human beings. We kiss it because we saw the Prophet (S) doing it and it is simply an act of following. The stone cannot bring any benefit or harm to us. All the rituals, the pillars of Islam and our lives should be established by following the best. If we understand deeply the meaning of "I bear witness that Muhammad is the servant and Messenger of Allah" as following the pattern of the model chosen by God Almighty, we will certainly reach Jannah through the straight path, which is drawn by that model practically.

- In as-Safaa and al-Marwah we commemorate Haajar (Peace be upon her), the mother of Ismaeel (A) and the wife of Ibraheem (A). She performed Sa'y when she was looking for water for her son. After she relied on Allah and assured Ibraheem that Allah won't leave them without help (he left with them some dates and water but soon it was finished after a couple of days...). She was certain that Allah would not forsake her and her son. In that remote place, water sprung out from under the feet of Ismaeel the baby. After the certitude she had, her strong faith in Allah, her sacrifice of searching for water by going back and forth between as-Safaa and al-Marwah, Allah answered her du'aa and blessed her with a water that run and never stopped in an arid and rocky land. She left a great legacy in sacrifice, piety, trust in Allah, and patience. Allah wants us to learn from her to the point that he made Sa'y between as-Safaa and al-Marwah one of the pillars of Hajj and Umrah. He says,

**"Behold! As-Safa and al-Marwah are among the Symbols of Allah. So if those who visit the House in the Season or at other times, should compass them round, it is no sin in them. And if any one obeys his own impulse to Good, be sure that Allah is He Who recognizes and knows." (2:158)**

- In Arafaat we commemorate the Success of Muslims over the pagans of Makkah. It was the success of truth over falsehood. There, the Muslim remembers that truth always prevails no

matter how long it takes for falsehood and delusion to last and deceive. 'Arafaat is also the symbol of unity and solidarity because it is a pillar of Hajj that should be done by all the pilgrims in the same place and at the same time following the same way. The day of Arafah reminds us also of the Day of Judgement when we will all stand up waiting for the Just Judgement of Allah Almighty.

Arafaat is also another symbol of manifestation of Tawheed in terms of the unified collective standing of all the pilgrims at the same time in the same place. Moreover, when Prophet Muhammad (S) performed Hajj he stood on Arafaat as his forefather Ibraheem used to do instead of standing on Muzdalifah as the Quraish pagans used to do because they believed they should not go beyond al-Haram boundaries. This was also another example of the distortion of the religion of Ibraheem and Ismaeel(A).

- In the Stoning at al-Jamaraat, we commemorate Ibraaheem (A) and remember how strong and firm he was against Shaytan - our enemy since the time of Adam (A). We should remember how Satan does his utmost effort to distract us from doing what we're supposed to do to become closer to Allah and to enter Paradise. Allah has told us that Satan is our enemy and that we should be constantly in this life in a state of war with him,

**"Then We said: "O Adam! Verily, this - Satan - is an enemy to you and your wife: so let him not get you both out of the Garden, so that you are landed in misery." (20:117)**

**"Verily Satan is an enemy to you: so treat him as an enemy. He only invites his adherents, that they may become companions of the Blazing Fire." (35:6)**

We also reflect on the great sacrifices and trials Ibraahem had to undergo such as offering his son Ismaeel that he had to wait for his birth for many decades. In the middle of joy and happiness for becoming a father, Allah wanted to see how strong was his commitment to Him. He ordered him to offer the most valuable thing he had; his only son at that time. Ibraheem and Ismaeel did not fail in that very difficult test and earned the pleasure of Allah. Allah called this trial a great one when He said, **"For this was obviously a great trial."**

**"So when they had both submitted their wills (to Allah), and he had laid him prostrate on his forehead (for sacrifice), We called out to him, "O Abraham! You have already fulfilled the vision!" thus indeed do We reward those who do right. For this was obviously a trial. And We ransomed him with a momentous sacrifice" (37:103-07)**

The most important thing we should keep in our minds is that Allah knows better than we do

even if we sometimes think that a certain action is not clear to us or does not make a sense to us and why do we have to perform it. Of course Allah orders only what is good and just for us and all mankind. We should accept and submit to Allah. As a matter of fact, one of the meanings of Islam is acceptance.

In commemorating this, the pilgrim should think whether he, or she, is ready to offer the dearest thing to his, or her, heart for the sake of Allah. This religion cannot survive in the hearts of people without sacrifices, devotion, sincere love, commitment, and dedication. Allah (swt) says,

**"By no means shall you attain righteousness unless you give (freely) of that which you love; and whatever you give, of a truth Allah knows it well." (3:92)**

### **Lessons and Reflections:**

- Hajj is an act of Worship - not tourism or promenade - which requires a physical and spiritual preparation.
- It is a station of renewing Iman as many other stations where sins are wiped out by forgiveness and where faith, trust, and love of Allah, His Messengers, and the believers increase. The pilgrim gets purified and comes out of his sins like a newborn baby.
- It is a school of training for Taqwah - consciousness of one's duties towards Allah -, good character and discipline like in the other schools of the pillars of Islam.
- It is a manifestation of brotherhood, equality and Unity. The Muslims are like different branches but from one tree. In Hajj, we learn how to develop the Spirit of Unity.
- It is an annual Muslim convention attended by Muslims from different horizons, colors, races, and tongues... They exchange ideas and news and celebrate their unity in faith and diversity in culture. They meet in their center-point Makkah (Qiblah). Muslims always have to have a center-point and should be constantly focused on their noble goals.

## "Rights of Minorities in Islam"

### Introduction

Under the Islamic law, non-Muslim minorities received rights and privileges that other minorities did not have under any other law in any other country. The relationship between the Muslim community and the non-Muslim minority is based on Allah's rule that says: {Allah forbids you not, with regard to those who fight you not for (your) Faith nor drive you out of your homes, from dealing kindly and justly with them: for Allah loveth those who are just.}[Al-Mumtahanah: 9].

This verse has identified the ethical and legal basis, with which Muslims must treat non-Muslims, namely kindness and justice with all those who do not have enmity against them. The humanity did not know these rules before Islam. It lived for centuries after Islam, but suffered the horrors of lacking them. It still looks forward to the day when it can apply these rules in modern societies but to no avail due to passion, fanaticism and racism.

### Minorities' right to freedom of belief

The Islamic law has ensured several rights and privileges for non-Muslim minorities. Perhaps the most important of which is the freedom of belief, which is stated in Allah's saying: {There is no coercion in religion}[Al-Baqarah: 256]. This was also reflected in the Prophet's (peace be upon him) letter to the People of the Scripture in Yemen where he invited them to Islam. He (peace be upon him) said: "...and a Jew or a Christian who embraces Islam becomes one of the believers, having their rights and duties; and the one who remains Jewish or Christian should not be forced to disband his religion.."

As the Islamic law allowed non-Muslims to enjoy the freedom of belief, it enacted rules to preserve their lives, on the ground that they are human beings who have the right to life and existence. In this regard, the Prophet (peace be upon him) says: "whoever kills a contracting man (a non-Muslim protected by the state or an agreement) he will not smell the Paradise".

### Warning against doing non-Muslims injustice

The Prophet (peace be upon him) warned against commitment of injustice against non-Muslims and diminishment of their rights. He vowed to be the opponent of their aggressors. He said: "Beware, if anyone wrongs a contracting man, or diminishes his right, or forces him to work beyond his capacity, or takes from him anything without his consent, I shall plead for him on the Day of Judgment."

One of the good stances of the Prophet (peace be upon him) in this regard is what happened with Al-Ansar in Khaybar, as Abdullah ibn Sahl Al-Ansari (May Allah be pleased with him) was killed in the lands of the Jews. It was mostly expected that one of the Jews killed him. However, there was no evidence. Therefore, the Prophet (peace be upon him) did not punish the Jews, but he asked them to take an oath.

Sahl ibn Abu Hathma (May Allah be pleased with him) narrated that a number of people from his tribe went to Khaybar and dispersed, and then they found one of them murdered. They said to the people with whom the corpse had been found, "You have killed our companion!" Those people said, "Neither have we killed him, nor do we know his killer." The bereaved group went to the Prophet and said, "O Allah's Messenger! We went to Khaybar and found one of us murdered." The Prophet said, "Let the older among you come forward and speak." Then the Prophet said, to them, "Bring your proof against the killer." They said "We have no proof." The Prophet said, "Then they (the defendants) will take an oath." They said, "We do not accept the oaths of the Jews." Allah's Messenger did not like that the blood-money of the killed one be lost without compensation, so he paid one-hundred camels out of the camels of Zakat (to the relatives of the deceased) as Diya (blood-money).

Here, the Prophet (peace be upon him) did what no one even imagined, as he himself paid the blood-money from the funds of Muslims in order to calm down the anxiety of Al-Ansar without committing an injustice against the Jews. So, the Islamic state assumed the burden so that a suspicious rule would not be applied to a Jew!

### **Protection of non-Muslims' funds**

The Islamic law has guaranteed the right to protect the funds of non-Muslims. It prohibited taking or seizing these funds unjustly through theft, usurpation, damage or any form of injustice. This was practically applied the Prophet's (peace be upon him) promise to the people of Najran, as he said: "The people of Najran and their surrounding areas would be under the protection of Allah and His Prophet Muhammad; their funds, religion, trade and everything small or big would be also safe..."

Moreover, a non-Muslim minority has the right to be guaranteed by the Islamic state from the state treasury – Bayt Al-Mal (House of funding) – in case of inability, old age or poverty, as the Prophet (peace be upon him) says: "Everyone of you is a guardian and is responsible for his charge"[6], on the consideration that they are citizens just like Muslims, and the state is responsible for all of them before Allah (be He Exalted).

In this regard, Abu Ubayd[7] narrated in his book Al-Amwal (funds) on the authority of Sa'id ibn Al-Musayib[8] that he said: "The Allah's Messenger (peace be upon him) gave alms to a Jewish family, so alms could be given to them."

What expresses the greatness of Islam and the humanity of the Islamic civilization in this regard is the story mentioned in the Sunnah (Prophet's traditions) books. The story says a funeral procession passed in front of the Prophet (peace be upon him) and he stood up. When he was told that it was a funeral of a Jew, he said, "Is it not a living being (soul)?"

These were the rights of non-Muslim minorities in Islam and the Islamic civilization. The rule is to respect every human being as long as he/she does not commit injustice or enmity.



## Rights Of The Citizens In An Islamic State

### 1. The Security of Life and Property

In the address which the Prophet delivered on the occasion of the Farewell Hajj, he said: **"Your lives and properties are forbidden to one another till you meet your Lord on the Day of Resurrection."**

God Almighty has laid down in the Holy Quran: **"Anyone who kills a believer deliberately will receive as his reward (a sentence) to live in Hell for ever. God will be angry with him and curse him, and prepare dreadful torment for him" (4:93).**

The Prophet has also said about the dhimmis (the non-Muslim citizens of the Muslim State): **"One who kills a man under covenant (i.e. a dhimmi) will not even smell the fragrance of Paradise" (al-Bukhari and Abu Dawud).**

Islam prohibits homicide but allows only one exception, that the killing is done in the due process of law which the Quran refers to as bi al-haqq (with the truth). Therefore a man can be killed only when the law demands it, and it is obvious that only a court of law can decide whether the execution is being carried out with justice or without justification. In case of war or insurrection a just and righteous government alone, which follows the Shari'ah or the Islamic Law, can decide whether a war is just or unjust, whether taking of a life is justified or not; and whether a person is a rebel or not and who can be sentenced to death as a punishment.

These weighty decisions cannot be left in the hands of a court which has become heedless to God and is under the influence of the administration. A judiciary like this may miscarry justice. Nor can the crimes of state be justified on the authority of the Holy Quran or Traditions (hadith) when the state murders its citizens openly and secretly without any hesitation or on the slightest pretext, because they are opposed to its unjust policies and actions or criticize it for its misdeed, and also provides protection to its hired assassins who have been guilty of the heinous crime of murder of an innocent person resulting in the fact, that neither the police take any action against such criminals nor can any proof or witnesses against these criminals be produced in the courts of law. The very existence of such a government is a crime and none of the killings carried out by them can be called **"execution for the sake of**

**justice**" in the phraseology of the Holy Quran.

Along with security of life, Islam has with equal clarity and definiteness conferred the right of security of ownership of property, as mentioned earlier with reference to the address of the Farewell Hajj. On the other hand, the Holy Quran goes so far as to declare that the taking of people's possessions or property is completely prohibited unless they are acquired by lawful means as permitted in the Laws of God. The Law of God categorically declares **"Do not devour one another's wealth by false and illegal means" (2:188).**

## **2. The Protection of Honour**

The second important right is the right of the citizens to the protection of their honour. In the address delivered on the occasion of the Farewell Hajj, to which I have referred earlier, the Prophet did not only prohibit the life and property of the Muslims to one another, but also any encroachment upon their honour, respect and chastity were forbidden to one another. **The Holy Quran clearly lays down:**

**(a) "You who believe, do not let one (set of) people make fun of another set.**

**(b) Do not defame one another.**

**(c) Do not insult by using nicknames.**

**(d) And do not backbite or speak ill of one another" (49:11-12).**

This is the law of Islam for the protection of honour which is indeed much superior to and better than the Western Law of Defamation.

According to the Islamic Law if it is proved that someone has attacked the honour of another person, then irrespective of the fact whether or not the victim is able to prove himself a respectable and honourable person the culprit will in any case get his due punishment. But the interesting fact about the Western Law of Defamation is that the person who files suit for defamation has first to prove that he is a man of honour and public esteem and during the interrogation he is subjected to the scurrilous attacks, accusations and innuendoes of the defence council to such an extent that he earns more disgrace than the attack on his reputation against which he had knocked the door of the court of law.

On top of it he has also to produce such witnesses as would testify in the court that due to the defamatory accusations of the culprit, the accused stands disgraced in their eyes. Good Gracious! what a subtle point of law, and what an adherence to the spirit of Law!

How can this unfair and unjust law be compared to the Divine law? Islam declared blasphemy as a crime irrespective of the fact whether the accused is a man of honour or not, and whether the words used for blasphemy have actually disgraced the victim and harmed his reputation in the eyes of the public or not. According to the Islamic Law the mere proof of the fact that the accused said things which according to common sense could have damaged the reputation and honour of the plaintiff, is enough for the accused to be declared guilty of defamation.

### 3. The Sanctity and Security of Private Life

Islam recognizes the right of every citizen of its state that there should be no undue interference or encroachment on the privacy of his life. **The Holy Quran has laid down the injunction: "Do not spy on one another" (49:12). "Do not enter any houses except your own homes unless you are sure of their occupants' consent" (24:27).**

The Prophet has gone to the extent of instructing his followers that a man should not enter even his own house suddenly or surreptitiously. He should somehow or other inform or indicate to the dwellers of the house that he is entering the house, so that he may not see his mother, sister or daughter in a condition in which they would not like to be seen, nor would he himself like to see them in that condition.

Peering

into the houses of other people has also been strictly prohibited, so much so that there is the saying of the Prophet that if a man finds another person secretly peering into his house, and he blinds his eye or eyes as a punishment then he cannot be called to question nor will he be liable to prosecution.

The Prophet has even prohibited people from reading the letters of others, so much so that if a man is reading his letter and another man casts sidelong glances at it and tries to read it, his conduct becomes reprehensible.

This is the sanctity of privacy that

Islam grants to individuals. On the other hand in the modern civilized world we find that not only the letters of other people are read and their correspondence censored, but even their photostat copies are retained for future use or blackmail. Even bugging devices are secretly fixed in the houses of the people so that one can hear and tape from a distance the conversation taking place behind closed doors. In other words it means that there is no such thing as privacy and to all practical purposes the private life of an individual does not exist.

This espionage on the life of the individual cannot be justified on moral grounds by the government saying that it is necessary to know the secrets of the dangerous persons. Though, to all intents and purposes, the basis of this policy is the fear and suspicion with which modern governments look at their citizens who are intelligent and dissatisfied with the official policies of the government.

This is exactly

what Islam has called as the root cause of mischief in politics. **The injunction of the Prophet is: "When the ruler begins to search for the causes of dissatisfaction amongst his people, he spoils them" (Abu Dawud).**

The Amir Mu'awiyah has said that he himself heard the Prophet saying: **"If you try to find out the secrets of the people, then you will definitely spoil them or at least you will bring them to the verge of ruin."** The meaning of the phrase 'spoil them' is that when spies (C.I.D. or F.B.I.agents) are spread all around the country to find out the affairs of men, then the people begin to look at one another with suspicion, so much so that people are afraid of talking freely in their houses lest some word should escape from the lips of their wives and children which may put them in embarrassing situations.

In this manner

it becomes difficult for a common citizen to speak freely, even in his own house and society begins to suffer from a state of general distrust and suspicion.

#### **4. The Security of Personal Freedom**

Islam has also laid down the principle that no citizen can be imprisoned unless his guilt has been proved in an open court. To arrest a man only on the basis of suspicion and to throw him into a prison without proper court proceedings and without providing him a reasonable opportunity to produce his defence is not permissible in Islam.

It is

**related in the hadith that once the Prophet was delivering a lecture in the mosque, when a man rose during the lecture and said: "O Prophet of God, for what crime have my neighbours been arrested?" The Prophet heard the question and continued his speech. The man rose once again and repeated the same question. The Prophet again did not answer and continued his speech. The man rose for a third time and repeated the same question. Then the Prophet ordered that the man's neighbours be released. The reason why the Prophet had kept quiet**

when the question was repeated twice earlier was that the police officer was present in the mosque and if there were proper reasons for the arrest of the neighbours of this man, he would have got up to explain his position. Since the police officer gave no reasons for these arrests the Prophet ordered that the arrested persons should be released. The police officer was aware of the Islamic law and therefore he did not get up to say: "the administration is aware of the charges against the arrested men, but they cannot be disclosed in public. If the Prophet would inquire about their guilt in camera I would enlighten him."

If

the police officer had made such a statement, he would have been dismissed then and there. The fact that the police officer did not give any reasons for the arrests in the open court was sufficient reason for the Prophet to give immediate orders for the release of the arrested men.

The injunction of the Holy Quran is very clear on this point. **"Whenever you judge between people, you should judge with (a sense of) justice" (4:58).**

And the Prophet has also been asked by God: **"I have been ordered to dispense justice between you."**

This was the reason

why the Caliph 'Umar said: **"In Islam no one can be imprisoned except in pursuance of justice."**

The words used here clearly indicate that justice means due process of law. What has been prohibited and condemned is that a man be arrested and imprisoned without proof of his guilt in an open court and without providing him an opportunity to defend himself against those charges.

If the Government suspects

that a particular individual has committed a crime or he is likely to commit an offence in the near future then they should give reasons for their suspicion before a court of law and the culprit or the suspect should be allowed to produce his defence in an open court, so that the court may decide whether the suspicion against him is based on sound grounds or not and if there is good reason for suspicion, then he should be informed of how long he will be in preventive detention.

This

decision should be taken under all circumstances in an open court, so that the public may hear the charges brought by the government, as

well as the defence made by the accused and see that the due process of law is being applied to him and he is not being victimized.

The correct method of dealing with such cases in Islam is exemplified in the famous decision of the Prophet which took place before the conquest of Makkah.

The Prophet was making preparations for the attack on Makkah, when one of his Companions, Hatib ibn Abi Balta'ah sent a letter through a woman to the authorities in Makkah informing them about the impending attack. The Prophet came to know of this through a Divine inspiration. He ordered 'Ali and Zubayr: "Go quickly on the route to Makkah, at such and such a place, you will find a woman carrying a letter. Recover the letter from her and bring it to me." So they went and found the woman exactly where the Prophet had said. They recovered the letter from her and brought it to the Prophet. This was indeed a clear case of treachery.

To inform the enemy about a secret of an army and that too at the time of a war is a very serious offence tantamount to treachery. In fact one cannot think of a more serious crime during war than giving out a military secret to one's enemy. What could have been a more suitable case for a secret hearing; a military secret had been betrayed and common sense demanded that he should be tried in camera.

But the Prophet summoned Hatib to the open court of the Mosque of the Prophet and in the presence of hundreds of people asked him to explain his position with regard to his letter addressed to the leaders of Quraysh which had been intercepted on its way.

The accused said: "O God's Messenger (may God's blessings be on you) I have not revolted against Islam, nor have I done this with the intention of betraying a military secret. The truth of the matter is that my wife and children are living in Makkah and I do not have my tribe to protect them there. I had written this letter so that the leaders of Quraysh may be indebted to me and may protect my wife and children out of gratitude." 'Umar rose and respectfully submitted: "O Prophet, please permit me to put this traitor to the sword." The Prophet replied: "He is one of those people who had participated in the Battle of Badr, and the explanation he has advanced in his defence would seem to be correct."

Let us look at this decision of the Prophet in perspective. It was a clear case of treachery and betrayal of military secrets. But the Prophet

acquitted Hatib on two counts. Firstly, that his past records were very clean and showed that he could not have betrayed the cause of Islam, since on the occasion of the Battle of Badr when there were heavy odds against the Muslims, he had risked his life for them. Secondly, his family was in fact in danger at Makkah. Therefore, if he had shown some human weakness for his children and written this letter, then this punishment was quite sufficient for him that his secret offence was divulged in public and he had been disgraced and humiliated in the eyes of the believers. God has referred to this offence of Hatib in the Holy Quran but did not propose any punishment for him except rebuke and admonition.

The attitude and activities of the Kharijis in the days of the Caliph 'Ali are well-known to the students of Muslim history. They used to abuse the Caliph openly, and threaten him with murder. But whenever they were arrested for these offences, 'Ali would set them free and tell his officers "As long as they do not actually perpetrate offences against the State, the mere use of abusive language or the threat of use of force are not such offences for which they can be imprisoned." The imam Abu Hanifah has recorded the following saying of the Caliph 'Ali (A): "As long as they do not set out on armed rebellion, the Caliph of the Faithful will not interfere with them." On another occasion 'Ali was delivering a lecture in the mosque when the Kharijis raised their special slogan there. 'Ali said: "We will not deny you the right to come to the mosques to worship God, nor will we stop to give your share from the wealth of the State, as long as you are with us (and support us in our wars with the unbelievers) and we shall never take military action against you as long as you do not fight with us." One can visualize the opposition which 'Ali was facing; more violent and vituperative opposition cannot even be imagined in a present-day democratic State; but the freedom that he had allowed to the opposition was such that no government has ever been able to give to its opposition. He did not arrest even those who threatened him with murder nor did he imprison them.

## 5. The Right to Protest Against Tyranny

Amongst the rights that Islam has conferred on human beings is the right to protest against government's tyranny. Referring to it the Quran says: "**God does not love evil talk in public unless it is by someone who has been injured thereby**" (4:148).

This means that God

strongly disapproves of abusive language or strong words of condemnation, but the person who has been the victim of injustice or tyranny, God gives him the right to openly protest against the injury that has been done to him. This right is not limited only to individuals. The words of the verse are general. Therefore if an individual or a group of people or a party usurps power, and after assuming the reins of authority begins to tyrannize individuals or groups of men or the entire population of the country, then to raise the voice of protest against it openly is the God-given right of man and no one has the authority to usurp or deny this right. If anyone tries to usurp this right of citizens then he rebels against God. The talisman of Section 1444 may protect such a tyrant in this world, but it cannot save him from the hell-fire in the Hereafter.

## 6. Freedom of Expression

Islam gives the right of freedom of thought and expression to all citizens of the Islamic State on the condition that it should be used for the propagation of virtue and truth and not for spreading evil and wickedness. This Islamic concept of freedom of expression is much superior to the concept prevalent in the West. Under no circumstances would Islam allow evil and wickedness to be propagated. It also does not give anybody the right to use abusive or offensive language in the name of criticism.

The right to freedom of expression for the sake of propagating virtue and righteousness is not only a right in Islam but an obligation. One who tries to deny this right to his people is openly at war with God, the All-Powerful. And the same thing applies to the attempt to stop people from evil. Whether this evil is perpetrated by an individual or by a group of people or the government of one's own country, or the government of some other country; it is the right of a Muslim and it is also his obligation that he should warn and reprimand the evil-doer and try to stop him from doing it. Over and above, he should openly and publicly condemn it and show the course of righteousness which that individual, nation or government should adopt.

The Holy Quran has described this quality of the Faithful in the following words: **"They enjoin what is proper and forbid what is improper" (9:71).**

In contrast, describing the qualities of a hypocrite, the Quran mentions: **"They bid what is improper and forbid what is**



**proper" (9:67).** The main purpose of an Islamic Government has been defined by God in the Quran as follows: **"If we give authority to these men on earth they will keep up prayers, and offer poor-due, bid what is proper and forbid what is improper" (22:41).**

**The Prophet has said:**

**"If any one of you comes across an evil, he should try to stop it with his hand (using force), if he is not in a position to stop it with his hand then he should try to stop it by means of his tongue (meaning he should speak against it). If he is not even able to use his tongue then he should at least condemn it in his heart. This is the weakest degree of faith" (Muslim).**

This obligation of inviting people to righteousness and forbidding them to adopt the paths of evil is incumbent on all true Muslims. If any government deprives its citizens of this right, and prevents them from performing this duty, then it is in direct conflict with the injunction of God. The government is not in conflict with its people, but is in conflict with God. In this way it is at war with God and is trying to usurp that right of its people which God has conferred not only as a right but as an obligation. As far as the government which itself propagates evil, wickedness and obscenity and interferes with those who are inviting people to virtue and righteousness is concerned, according to the Holy Quran it is the government of the hypocrites.

## **7. Freedom of Association**

Islam has also given people the right to freedom of association and formation of parties or organizations. This right is also subject to certain general rules. It should be exercised for propagating virtue and righteousness and should never be used for spreading evil and mischief. We have not only been given this right for spreading righteousness and virtue, but have been ordered to exercise this right. **Addressing the Muslims, the Holy Quran declares:**

**You are the best community which has been brought forth for mankind. You command what is proper and forbid what is improper and you believe in God ... (3:110)**

This means that it is the obligation and duty of the entire Muslim community that it should invite and enjoin people to righteousness and virtue and forbid them from doing evil. **If the entire Muslim community**

is not able to perform this duty then "let there be a community among you who will invite (people) to (do) good, command what is proper and forbid what is improper, those will be prosperous" (3:104).

This clearly

indicates that if the entire Muslim nation collectively begins to neglect its obligation to invite people to goodness and forbid them from doing evil then it is absolutely essential that it should contain at least a group

of people which may perform this obligation. As has been said before this is not only a right but an obligation and on the fulfilment of which depends success and prosperity here as well as in the Hereafter. It is an irony with the religion of God that in a Muslim country the assembly and association that is formed for the purposes of spreading evil and mischief should have the right to rule over the country and the association and party which has been formed for propagating righteousness and virtue should live in perpetual fear of harassment and of being declared illegal. Conditions here are just the reverse of what has been prescribed by God. The claim is that we are Muslims and this is an Islamic State<sup>5</sup> but the work that is being done is directed to spreading evil, to corrupt and morally degrade and debase the people while there is an active and effective check on the work being carried out for reforming society and inviting people to righteousness. Moreover the life of those who are engaged in spreading righteousness and checking the spread of evil and wickedness is made intolerable and hard to bear.

## 8. Freedom of Conscience and Conviction

Islam also gives the right to freedom of conscience and conviction to its citizens in an Islamic State. **The Holy Quran has laid down the injunction: "There should be no coercion in the matter of faith" (2:256).**

Though there is no truth and virtue greater than the religion of Truth-Islam, and Muslims are enjoined to invite people to embrace Islam and advance arguments in favour of it, they are not asked to enforce this faith on them. No force will be applied in order to compel them to accept Islam. Whoever accepts it he does so by his own choice. Muslims will welcome such a convert to Islam with open arms and admit him to their community with equal rights and privileges. But if somebody does not accept Islam, Muslims will have to recognize and respect his decision, and no moral, social or political pressure will be

put on him to change his mind.

### 9. Protection of Religious Sentiments

Along with the freedom of conviction and freedom of conscience, Islam has given the right to the individual that his religious sentiments will be given due respect and nothing will be said or done which may encroach upon this right. **It has been ordained by God in the Holy Quran: "Do not abuse those they appeal to instead of God" (6:108).**

These instructions are not only limited to idols and deities, but they also apply to the leaders or national heroes of the people. If a group of people holds a conviction which according to you is wrong, and holds certain persons in high esteem which according to you is not deserved by them, then it will not be justified in Islam that you use abusive language for them and thus injure their feelings. **Islam does not prohibit people from holding debate and discussion on religious matters, but it wants that these discussions should be conducted in decency. "Do not argue with the people of the Book unless it is in the politest manner" (29:46)-says the Quran.**

This order is not merely limited to the people of the Scriptures, but applies with equal force to those following other faiths.

### 10. Protection from Arbitrary Imprisonment

Islam also recognizes the right of the individual that he will not be arrested or imprisoned for the offences of others. **The Holy Quran has laid down this principle clearly: "No bearer of burdens shall be made to bear the burden of another" (6:164).**

Islam believes in personal responsibility. We ourselves are responsible for our acts, and the consequence of our actions cannot be transferred to someone else. In other words this means that every man is responsible for his actions.

If another man has not shared this action then he cannot be held responsible for it, nor can he be arrested. It is a matter of great regret and shame that we are seeing this just and equitable principle which has not been framed by any human being, but by the Creator and Nourisher of the entire universe, being flouted and violated before our eyes. So much so that a man is guilty of a crime or he is a suspect, but his wife

being arrested for his crime.

Things have gone so far that innocent people are being punished for the crimes of others. To give a recent example, in Karachi (Pakistan), a man was suspected of being involved in a bomb throwing incident. In the course of police investigation he was subjected to horrible torture in order to extract a confession from him. When he insisted on his innocence, then the police arrested his mother, his wife, daughter and sister and brought them to the police station. They were all stripped naked in his presence and he was stripped naked of all his clothes before their eyes so that a confession of the crime could be extracted from him.

It appears as if for the sake of investigation of crime it has become proper and legal in our country to strip the innocent women folk of the household in order to bring pressure on the suspect. This is indeed very outrageous and shameful. This is the height of meanness and depravity. This is not a mere hearsay which I am repeating here, but I have full information about this case and can prove my allegations in any court of law. I would here like to ask what right such tyrants who perpetrate these crimes against mankind have to tell us that they are Muslims or that they are conducting the affairs of the state according to the teachings of Islam and their state is an Islamic State. They are breaching and flouting a clear law of the Holy Quran. They are stripping men and women naked which is strictly forbidden in Islam. They disgrace and humiliate humanity and then they claim that they are Muslims.

### 11. The Right to Basic Necessities of Life

Islam has recognized the right of the needy people that help and assistance will be provided for them. **"And in their wealth there is acknowledged right for the needy and the destitute" (51:19).**

In this

verse, the Quran has not only conferred a right on every man who asks for assistance in the wealth of the Muslims, but has also laid down that if a Muslim comes to know that a certain man is without the basic necessities of life, then irrespective of the fact whether he asks for assistance or not, it is his duty to reach him and give all the help that he

can extend. For this purpose Islam has not depended only on the help and charity that is given voluntarily, but has made compulsory charity, zakat as the third pillar of Islam, next only to profession of faith and

worship of God through holding regular prayers.

**The Prophet has**

**clearly instructed in this respect that: "It will be taken from their rich and given to those in the community in need" (al-Bukhari and Muslim).**

In addition to this, it has also been declared that the Islamic State should support those who have nobody to support them. **The Prophet has said: "The Head of state is the guardian of him, who has nobody to support him" (Abu Dawud, al-Tirmidhi).**

The word wali which has been

used by the Prophet is a very comprehensive word and has a wide range of meanings. If there is an orphan or an aged man, if there is a crippled or unemployed person, if one is invalid or poor and has no one else to support him or help him, then it is the duty and the responsibility of the state to support and assist him. If a dead man has no guardian or heir, then it is the duty of the state to arrange for his proper burial. In short the state has been entrusted with the duty and responsibility of looking after all those who need help and assistance. A truly Islamic State is therefore a truly welfare state which will be the guardian and protector of all those in need.

## 12. Equality Before Law

Islam gives its citizens the right to absolute and complete equality in the eyes of the law. As far as the Muslims are concerned, there are clear instructions in the Holy Quran and hadith that in their rights and obligations they are all equal: **"The believers are brothers (to each other)" (49:10). "If they (disbelievers) repent and keep up prayer and pay the poor-due, they are your brothers in faith" (9:11).**

The

**Prophet has said that: "The life and blood of Muslims are equally precious" (Abu Dawud; Ibn Majjah).**

In another hadith he has said:

**"The protection given by all Muslims is equal. Even an ordinary man of them can grant protection to any man" (al-Bukhari; Muslim; Abu Dawud).**

In another more detailed Tradition of the Prophet, it has been said that those who accept the Oneness of God, believe in the Prophet-hood of His Messenger, give up primitive prejudices and join the Muslim community and brotherhood, **"then they have the same rights and obligations as other Muslims have" (al-Bukhari; al-Nisa'i).**

Thus there is absolute equality between the new converts to Islam and the old followers of the Faith.

This religious brotherhood and the uniformity of their rights and obligations is the foundation of equality in Islamic society, in which the rights and obligations of any person are neither greater nor lesser in any way than the rights and obligations of other people.

As far as the non-

Muslim citizens of the Islamic State are concerned, the rule of Islamic Shari'ah (law) about them has been very well expressed by the Caliph 'Ali in these words: **"They have accepted our protection only because their lives may be like our lives and their properties like our properties"** (Abu Dawud).

**In other words, their (of the dhimmis) lives and properties are as sacred as the lives and properties of the Muslims. Discrimination of people into different classes was one of the greatest crimes that, according to the Quran, Pharaoh used to indulge in: "He had divided his people into different classes," ... "And he suppressed one group of them (at the cost of others)" (28:4).**

### **13. Rulers Not Above the Law**

Islam clearly insists and demands that all officials of the Islamic State, whether he be the head or an ordinary employee, are equal in the eyes of the law. None of them is above the law or can claim immunity. Even an ordinary citizen in Islam has the right to put forward a claim or file a legal complaint against the highest executive of the country.

**The Caliph 'Umar said, "I have myself seen the Prophet, may God's blessings be on him, taking revenge against himself (penalizing himself for some shortcoming or failing)."**

On the occasion

**of the Battle of Badr, when the Prophet was straightening the rows of the Muslim army he hit the belly of a soldier in an attempt to push him back in line. The soldier complained "O Prophet, you have hurt me with your stick." The Prophet immediately bared his belly and said: "I am very sorry, you can revenge by doing the same to me." The soldier**

came forward and kissed the abdomen of the Prophet and said that this was all that he wanted.

A woman belonging to a high and noble family was arrested in connection with a theft. The case was brought to the Prophet, and it was recommended that she may be spared the punishment of theft. The Prophet replied: "The nations that lived before you were destroyed by God because they punished the common men for their offences and let their dignitaries go unpunished for their crimes; I swear by Him (God) who holds my life in His hand that even if Fatimah, the daughter of Muhammad, has committed this crime then I would have amputated her hand."

During the caliphate of 'Umar, Muhammad the son of 'Amr ibn al-'As the Governor of Egypt, whipped an Egyptian. The Egyptian went to Medina and lodged his complaint with the Righteous Caliph, who immediately summoned the Governor and his son to Medina. When they appeared before him in Medina, the Caliph handed a whip to the Egyptian complainant and asked him to whip the son of the Governor in his presence. After taking his revenge when the Egyptian was about to hand over the whip to 'Umar, he said to the Egyptian: "Give one stroke of the whip to the Honourable Governor as well. His son would certainly have not beaten you were it not for the false pride that he had in his father's high office." The plaintiff submitted: "The person who had beaten me, I have already avenged myself on him."

'Umar said: "By God, if you had beaten him (the Governor) I would not have checked you from doing so. You have spared him of your own free will." Then he ('Umar) angrily turned to 'Amr ibn al-'As and said: "O 'Amr, when did you start to enslave the people, though they were born free of their mothers?"

When the Islamic State was flourishing in its pristine glory and splendour, the common people could equally lodge complaints against the caliph of the time in the court and the caliph had to appear before the qadi to answer the charges. And if the caliph had any complaint against any citizen, he could not use his administrative powers and authority to set the matter right, but had to refer the case to the court of law for proper adjudication.

#### 14. The Right to Avoid Sin

Islam also confers this right on every citizen that he will not be ordered to commit a sin, a crime or an offence; and if any government, or the administrator, or the head of department orders an individual to do a wrong, then he has the right to refuse to comply with the order. His refusal to carry out such crime or unjust instructions would not be regarded as an offence in the eyes of the Islamic law.

On

the contrary giving orders to one's subordinates to commit a sin or do a wrong is itself an offence and such a serious offence that the officer who gives this sinful order whatever his rank and position may be, is liable to be summarily dismissed.

These clear instructions of the Prophet are summarized in the following hadith: **"It is not permissible to disobey God in obedience to the orders of any human being" (Musnad of Ibn Hanbal).**

In other words, no one has the right to order his subordinates to do anything against the laws of God. If such an order is given, the subordinate has the right to ignore it or openly refuse to carry out such instructions. According to this rule no offender will be able to prove his innocence or escape punishment by saying that this offence was committed on the orders of the government or superior officers. If such a situation arises then the person who commits the offence and the person who orders that such an offence be committed, will both be liable to face criminal proceedings against them. And if an officer takes any improper and unjust measures against a subordinate who refuses to carry out illegal orders, then the subordinate has the right to go to the court of law for the protection of his rights, and he can demand that the officer be punished for his wrong or unjust orders.

## 15. The Right to Participate in the Affairs of State

According to Islam, governments in this world are actually representatives (khulafa') of the Creator of the universe, and this responsibility is not entrusted to any individual or family or a particular class or group of people but to the entire Muslim nation.

**The Holy**

**Quran says: "God has promised to appoint those of you who believe**



and do good deeds as (His) representatives on earth" (24:55).

This

clearly indicates that khilafah is a collective gift of God in which the right of every individual Muslim is neither more nor less than the right of any other person.

The correct method recommended by the Holy

Quran for running the affairs of the state is as follows: "**And their business is (conducted) through consultation among themselves" (42:38).**

According to this principle it is the right of every Muslim that either he should have a direct say in the affairs of the state or a representative chosen by him and other Muslims should participate in the consultation of the state. Islam, under no circumstance, permits or tolerates that an individual or a group or party of individuals may deprive the common Muslims of their rights, and usurp powers of the state. Similarly, Islam does not regard it right and proper that an individual may put up a false show of setting up a legislative assembly and by means of underhand tactics such as fraud, persecution, bribery, etc., gets himself and men of his choice elected in the assembly.

This is

not only a treachery against the people whose rights are usurped by illegal and unfair means, but against the Creator Who has entrusted the Muslims to rule on this earth on His behalf, and has prescribed the procedure of an assembly for exercising these powers. The shura or the legislative assembly has no other meaning except that:

- (1) The executive head of the government and the members of the assembly should be elected by free and independent choice of the people.
- (2) The people and their representatives should have the right to criticize and freely express their opinions.
- (3) The real conditions of the country should be brought before the people without suppressing any fact so that they may be able to form their opinion about whether the government is working properly or not.
- (4) There should be adequate guarantee that only those people who have the support of the masses should rule over the country and those who fail to win this support should be removed from their position of authority.

Reference:

HUMAN RIGHTS IN ISLAM

by 'Allamah Abu al-'A'la Mawdudi

al Tawhid Journal, vol. IV No. 3 Rajab-Ramadhan 1407

MEGA  
LECTURE

# ZAKAT

## INTRODUCTION

### QURAN AND SUNNAH

Mentioned 82 times in quran in close association with prayers

“And establish prayers and pay zakat and bow with those who bow”

Surah Al-Baqarah

“And zakat expenditure are for poor and needy and for those employed to collect zakat, and for bringing hearts together, and for freeing slaves and captives, and those in debt, and for the cause of Allah and wandering traveller- an obligation imposed by Allah. And Allah all Knowing and Wise.”

Surah Tubah Ayat no. 60

I have been commanded to fight people until they testify that there is no god but Allah, establish prayers and pay zakat and if they do so their blood and property are guaranteed on my behalf and their affairs rest with Allah

(MUSLIM)

Prayers carries us half the way to Allah (swt), fasting brings us to the door of his palace and alms procure us admission (Hazrat Umar bin Abdul Aziz)

### ROLE IN SOCIETY

#### PURIFICATION OF SOUL AND WEALTH

“he will be saved from hell fire who is pious and righteous and gives his riches for the purification of his soul”

Surah Al-lail

#### HELPING THE POOR AND NEEDY

“verily, Allah has ordered Muslims to pay Zakat, that would be taken from the rich and given to the poor”

(MUSLIM)

#### SUPPORT OF ISLAM

“strive in the way of Allah (swt) with your wealth and with your life”

#### ECONOMIC IMPACT OF ZAKAT

##### Distribution of wealth and economic growth

Money supplied to poor and needy----->increase in demands of goods and services----->increase in production----->new jobs and employment opportunities----->more demands of goods and services----->more room for investment----->economic growth

##### Freeing the poor from economic slavery and making them self-sufficient (fir-riqaab)

Muslims living in poor countries facing abject poverty and being exploited and rendered slaves by landlords, loan sharks, rich industrialists and multinational cooperations can be freed . Zakat can be given to them for training, equipment and material to start their own small businesses and enterprises. This would make them self sufficient and economy can grow

##### Zakat prevents bankruptcy (al-gharimun)

##### Social welfare (fe-sabelillah)

Education, medical care, social programs, refugees, political exiles, war, propagation and spread of islam

### **Zakat is universal in scope**

#### **Example**

1% muslims in middle east has \$800 billion in western banks deposited and earns \$80 billion in profit every year (10%). A zakat by 2.5% on this money is about \$20 billion dollars annually. This is the wealth of only 1% of muslim population of middle east. What would be impact of 1.25 billion muslims spread over the globe if they pay their zakat.

#### **Necessary contingency fund during depressed economic conditions- a safety net to society**

#### **A way to end extreme poverty in muslim world**

A recent study undertaken by the Islamic Development Bank, Jeddah, has some shocking revelations. Just five of its 56 member countries - Indonesia, Bangladesh, Pakistan, Nigeria and Egypt account for over half a billion (528 million) of the world's poor with incomes below \$2 a day or below their national poverty lines. All these countries except Nigeria have Muslims constituting over 95 per cent of their respective population. With another five countries - Afghanistan, Sudan, Mozambique, Turkey and Niger, they account for over 600 million of the world's poor. Among IDB non-member countries with significant Muslim population are India at around 150 million and Russia at 28 million. A large percentage of Muslim population in these two countries is poor. The poverty in most Muslim countries is accompanied by growing tensions and conflicts and therefore, deserves immediate attention of the international community.

We can get rid of western aid with strings attached

#### **HURDLES**

1. Merely reduced to a ritual practiced individually
2. Practiced on ad hoc basis
3. Failure to have understanding of Hukms related to zakat
4. No established system of implementing, collecting and distributing zakat
5. already paying so many taxes why zakat

#### **RECOMMENDATIONS**

1. Awareness and education
2. Establishment of an institution under the guidance of State Bank of Pakistan (ministry of zakat and usher already in place working on zakat and usher ordinance 1980) with same structure and effectiveness as FBR, IRS, EXCISE & TAXATION and CUSTOMS.
3. Evaluating new categories of wealth such as intellectual assets and other intangible assets and including them in zakat network
4. The practice of zakat exemption on various financial instruments which are zakatable under shariah should be stopped
5. Credible, cost-effective, loophole free, and accountable collection and disbursement of zakat
6. Subsistence allowance should be given only to those that are minors, disabled and most poor while others who are entitled to zakat should be given such an amount that is sufficient to start a project.



I hav prepared these notes referring 3 or 4 books

the main book that i consulted was anwer hashmi's, then there were two others from faridi and dogar's publication.....wat abt urs dear?

- **Add "subjects of Zakat (Musarfeen-e-Zakat)**
- **Add "concept of the Day of judgement in different religions" (major religions of the world)**
- **As far as Jihaad is concerned, Jihaad in contemporary scenario or Jihaad vs terrorism is most recent issue.**
- **Ijtihaad-----Just add little more like "who is Mujtahid? pre-requisite for Mujtahideen, Ijtihaadi institutions in the Muslim World and Pakistan as well.**
  - **Compare current law in order situation in context of Islamic judicial system.**
- A1 work Roshan. Write more about the importance of Zakat in context of elimination of poverty and unemployment .
- Discuss also about "takwa and perhaiz" concept in the topic of FASTING.

COmments on the Day of the judgement.

Good work on this topic.

Can u solve this? How the day of the judgement in Islam is a concept of accountability and justice?

Waiting Roshan :P test hai :P

As justice is the main concern of Islam it is necessary that people should get justice in this world and the world hereafter. It sounds natural and logical that everyone should reap what he has sown. One should receive the fruit of his deeds. If one has sown flowers he should pluck flowers. If one has sown thorns he should pick thorns. Virtues breed virtues and vices breed vices

The day also exhibits that there is the ONE omnipotent and no one can escape from His catch.

@Roshan. Post a topic a day. Seniors dont spend all the time on forum. Ur work is appreciable.

@Roshan. Risalat is also a part of EMAAN E MUFASIL.

@roshan. There are other sources of sharia too. Ijtihad is missing. Have a look thoroughly on the sources.

roshan your notes are good but not very good, bcoz there is something missing in every note like you have explained the effect of TAUHEED under few heading, you have to explain its effect on INDIVIDUAL

AND ON SOCIETY seperatly.

one thing more when you write importance on any topic try to write its importance from diffierent perspectives like " **importance of zakat**"

**its impotance from**

**1:islamic point of view**

**2:social point of view**

**3:-economic point of view.**

now come to notes. good but add few more points. like

expalin some **distinguished characteristics of QURAN.**

1:-it was send in arabic language and still present in the same language without any alteration.

2:-its a complete and comprehensive book,which have solution of all human problems

3:-its truly divine.

and many more.

beside that also expalin the **quranic rules** like

**1:- adam-e-haraj** :- means islam does not use force on anyone ( deen ma tum per koi tangi nhi rakhi)

**2:- qilat-e takleef** :- it means the quran is in simple language not in a difficult one so as to make comfort for its believers to understand it easily. ( pas siwaye iska nhi k ay NABI(PBUH) hum na is kitab ko apki zaban ma sahal bana diya ha takay ye log nasihat hasil karen)

**3:- tadreej**:- it mean slower process of retification. like ( ay logo! jo imaan laye ho jab nashay ki halat ma ho to namaz ke qareeb na jao)

the bracketed words are ayas of quran.

second comes **IJMAH**

you have expalined its definition from quran and hadith.

now add incident of MAAZ BIN JABAL when HOLY PROPHET( PBUH) made him governer of yamen and asked about affairs and he replied he will decide the matter after ijmah.

then add incident from hazrat abu bakar(r.a) rule,he did ijmah on compilation of quran after jang-E-yamamah

also add types of ijmah.

then comes **Qiyas**

expalined qiyas but add the comments of its critics. then add coments of those who favours it.

One thing i want to make you notice that in "ZAKAT" try to explain the **condition of Zakat** like who will pay zakat? when? how much? on which assets? etc.. and also on what types of assets we can pay Zakat? Amount of Zakat? Benificires of zakat means to whom we can give zakat and to whom we cannot?

I Have noticed a common mistake by majority of people, they mentioned that the word Zakat is mentioned in Quran 82 time, In fact the word zakat is mentioned only **32 times** in Quran and (almost) **23 times with Salah.**

Dear brother i was reading your notes and really i have to appreciate for your hard efforts. I want to make you clear on one issue that you have mentioned the word "**Holy War**" for the word Jihad, in fact Holy War does not means Jihad. This word 'holy war' was first used by the Christian crusaders who spread the religion at the point of a sword. And now it's used for the muslims unfortunately. Because 'holy war', in Arabic if you translate means **المقدسة الحرب Harbun mukaddasa**. The word *Harbun mukaddasa* doesn't appear anywhere in the Quran neither in the sayings of the Prophet. So it is Humble advice to you and all other members that please do not translate Jihad as Holy War and even dont use the word Holy War in context to Jihad.

An Advise:

Do not load your paper with Quranic references and Ahadith. Wherever necessary and relevant, give them, but do not go on loading your paper with them, if you know what I mean. Use them to support your arguments, analysis and comments, rather than doing the other way round. Nowadays, and rightly so, the examiners look for your own analysis and description of the question, rather than just cramming references and 'firing' them at him. Islamiyat paper is the reason I love CSS, it just filters the best from the rest.

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