

4.3. ISLAMIC ETHOS

Islamic ethos refers to ethical norms and moral values that govern the conduct and behavior of ethnic, national and religious groups and individuals belonging to these segments of the society. These norms and values are clearly defined in the Qur'an. These values also reflect the inherent character of the system from which they have stemmed out. We shall, therefore digress to focus on the inherent character of Islam before we focus on Islamic ethos.

It is indeed unfortunate that Islam in the modern world is being identified with dogmatism, fanaticism, intolerance, violence, inequality and injustice. Its image currently is in total denial of what Islam stands for. Islam stands for peace and progress, Muslim societies are backward and the ruling elite are regressive and oppressive. Islam stands for freedom of speech and thought, Muslim societies tend to be to suppress it ruthlessly. Islam stands for the development of a knowledge based society, Muslim societies are among the least developed countries in literacy, science and technology.

Progressive Character of Islam at the Time of Its Foundation in the Early 7th. Century

At the time of the foundation of the Islamic State of Madina by the Prophet (saws), administration was based on the principles enshrined in the Qur'an and was guided and inspired by Qur'anic wisdom. Islamic society thus emerged, in the seventh century, and even subsequently the most progressive and Islam as the most visionary religion compared to other prevailing religions including Judaism and Christianity. This is substantiated by the following incontrovertible facts:

- i) It was the first religion to grant property rights to women by inheritance.

- ii) Islam abolished all discriminatory and cruel tribal customs against women, granted women the freedom of speech. Surah Mujadela (Chapter 58) testifies to this fact.
- iii) Islam granted the right to divorce to women.
- iv) Women and slaves were granted equal rights with free men and tribal elite to offer protection and asylum to persons of their choice. Prophet's daughter, Lady Zaynab, offered protection to her husband, Abul As, a non-believer, without the knowledge of her father, and announced in the Mosque early morning, the next day, after Salaat-al-Fajr (Morning Prayer).
- v) Islam reformed the tribal system of ransom, which was highly discriminatory, favoured the rich and the mighty against the poor and the weak. It eliminated inequality and treated all human beings equal irrespective of their status, wealth and power. It established parity in ransom – a free man of the aggressor to be punished for a free man of the aggrieved party, a slave for a slave, a woman for a woman etc. (Chapter 2: Verse 178)
- vi) Islam abolished the cruel and abominable practice of female infanticide because the birth of a female child was considered a disgrace in the pagan tribal society . (16: 58-59)
- vii) Islam abolished the dynastic rule prevalent in the conquered territories of the Roman and Persian Empires and initiated the appointment of Khalifa by consensus. Islam did not prescribe any specific political system but it stressed the system of consultation and that the rulers should firmly adhere to principles of equality, honesty, impartial justice irrespective of status, wealth and position. Islam also emphasises that administration should be managed by men of integrity. Further it should be transparent and accountable.

- viii) Islam stresses on Accountability. The occurrence of Qiamah or Day of Judgment is based on this concept. The Modern Science of Management has borrowed the concept of Accountability from religion which has been refined in Al-Qur'an. It categorically states: "On that Day, men and women will proceed in sorted out groups to be shown their Book of Deeds. Whoever has done an atom's weight of good shall see it there, and whoever has done an atom's weight of evil shall also see it there" Surah 99:6-8". And finally "whose balance of good deeds will be found heavy will enjoy a life of pleasure and satisfaction in the Hereafter. But those whose balance of good deeds will be found light will abide in a bottomless pit of blazing fire."(Surah 101: 6-11)
- ix) Islam abolished the oppressive system of usurious loans that allowed the rich to harass and exploit of the poor.
- x) Islam lays great stress on the care, and concern of the poor, the needy, the orphans, the handicapped and the old and aged. The Qur'an prescribes definitive measures to be adopted in this regard and gives high priority to its implementation as a religious obligation. Thus the welfare concept in an Islamic state is inherent to its ideology.

Islam is a Realistic and Pragmatic Religion:

The realism of Islam is evident from the discussion of the Prophet (saws) with Maaz bin Jabal when the latter was appointed Chief Tax Collector of Yemen. The Prophet was conscious of the fact that the Qur'an and Traditions (Ahadith) may not offer solution to the evolving complex problems of the society with the passage of time. Muslim leaders and scholars will have to think of Ijtihad (Independent critical thinking) to resolve the emerging problems of societies but within the parameters of Islamic values regarding equality, justice, compassion, honesty, sincerity, integrity, truth, transparency, accountability, impartiality, chastity and modesty as enjoined in the Qur'an.

The Spirit of Islamic ethos is best reflected in the following verses of the Qur'an and a Tradition of the Prophet(saws).

a) Surah Baqarah: 2:177 (Righteousness Defined)

“Righteous is not whether you turn your face towards East or West, but righteousness is to believe in Allah, the Last Day, the Angels, the Books and the Prophets, to spend wealth out of love for Him on relatives, orphans, helpless, needy travelers, those who ask for and on the redemption of captives, to establish Salah (prayers), to pay Zakah (charity, to fulfill promises when made to be steadfast in distress, in adversity and at the time of war. These people are truthful and are among the pious.”

b) Surah Al-Anam – 6: 151-153

O Muhammad say “ Come I will recite what your Rabb has forbidden you: not to commit Shirk with Him, be kind to your parents, not to kill your children on the pretext that you cannot support them. We provide sustenance for you and for them – not to commit shameful deeds whether open or secret, not to kill any soul forbidden by Allah except for the requirements of Justice. These are the things which he enjoined you so that you may learn wisdom. Furthermore not to go near the property of orphans except to improve it, until he attains maturity. Give full measure and just weight – we never charge a soul with more than it can bear. Whenever you speak, be just, even it affects your own relatives. These are the things, which He has enjoined on you so that you may be mindful. Verily this My way, the Right Way, therefore follow it and do not follow other ways for they will lead you away from His way.”

c) The Prophet Muhammad firmly adhered to these value prescribed in the Qur'an. He even incorporated them in the oath (Bayat) that people took oath of allegiance on his hand. According to Ubadah idn Samit they were asked to affirm that “We would abide by him under all circumstances, that in richness as well as in poverty we will spend in the way of Allah, and that we will enjoin goodness and forbid evil and that we will tell the truth for Allah with least

regard to consequences.” (Sayyed Sabrūq op. cit. p xiv – vol. on Zakat and Al-Siyam).

Basic Parameters Prescribed in Islam

The Qur’anic injunctions and the Traditions of the Prophet (SAWS) furnish a comprehensive guide and value system for the conduct of human life and management of human affairs to enable mankind to live honest, equitable, dignified, cooperative and peaceful life on earth. It is indeed disappointing that Muslim societies across the world have signally failed to live up to them, which perhaps accounts for their current downfall and humiliation.

The Qur’an outlines the basic principles we should adhere to in conducting our affairs in life. For instance, it commands:

“Cooperate with one another in performing pious and righteous deeds; do not cooperate in sinful acts.” (Al Maeda – 5:2)

“So long as they are true to you, stand you true to them” (Al-Tauba –9.7)

Show forgiveness; enjoin what is good, and turn away from the foolish (Al-A’raf-7: 199)

“The good deed and the evil cannot be equal. Repel evil with good deeds – then he between him and you, there has been enmity (will become) as though he was a close friend.” (Fussilat – 41:34)

“Repay gratitude with gratitude” (Ar-Rahman 55:60)

Hadith (Tradition)

“Treat the people with ease and do not be hard on them; give them glad tidings and don’t fill them with aversion; and love each other and do not differ”. Imam Ahmad (Tafsir Ibn Kathir Vol. 1 p: 503)

The Muslims have to function within the parameters of the principles outlined above, they cannot transgress or alter these principles which are immutable.

Can there be any doubt about the validity and universality of the aforesaid principles? They were valid in the past, are currently equally valid and will continue to remain valid for the posterity like the Ten Commandments that were revealed to Moses.

The Islamic values of justice, peace and compassion have been grossly mutilated and distorted by the acute misinterpretation of the Concept of Jihad that Islam is projected as an extremist, fanatic and intolerant religion which negate the humane values that Islam stands. In order to remove gross misunderstanding about Islam we shall first discuss the Concept of Jihad because in the so called cause of Jihad atrocities are being committed, cruelties are being perpetrated and innocent people, men, women and children, and Muslims and Non-Muslims are being killed. These protagonists of Jihad do not realize because of skewed knowledge of the Qur'an that their inhuman actions pervert the noble concept of Jihad and contravene the fundamental principles of Islam.

Concept of Jihad in Islam

It is an article of faith with the Muslims that the Islamic ideology, as enshrined in the Qur'an, is divinely ordained and hence is the most comprehensive and complete value system for the benefit and salvation of mankind. The Qur'an thus enjoins upon Muslims to spread this divinely ordained values of life peacefully so that human societies are guided in the right direction for the maintenance of freedom, equality, dignity and universal brotherhood. It is by the implementation of these Qur'anic values and ethical norms that a just and harmonious development of societies, free from oppression, tyranny and

exploitation can be ensured. This was best exemplified by Prophet Muhammad (SAWS) who struggled ceaselessly and relentlessly against the barbarism of pagan Makkans. When Islam was firmly established in Madina, the Prophet (saws) founded an ideal Islamic state which epitomized the cardinal principles of governance of the affairs of the state inspired by the Qur'an. The minorities were more than fairly treated and there was total peace and harmony among the different sections of the communities living in Madina and the neighbouring territories controlled by this Islamic state.

Jihad in Islam is a noble concept but most misinterpreted and misunderstood in the West, where it is being demonized as a violent and bloody struggle in order to forcibly impose the Islamic religion and Islamic law. This image of Jihad has been created mainly because of the intolerant attitude and brutal action of radical, fanatic Muslim activists who would not hesitate to kill even innocent people in the name of Jihad. The destruction of the Twin Towers of the 'World Trade Center', allegedly committed by the followers of Osama-bin-Laden, is one such example. Similarly the killing of Daniel Pearl, a US journalist in Pakistan is in flagrant violation of the Qur'anic command.

Jihad means relentless effort in the cause of Allah. It has strong intellectual and spiritual components. It has a military manifestation as well but under most compelling circumstances and always in self-defense and in the cause of Allah. Jihad implies initiation of a peaceful struggle in the cause of Allah against tyranny and oppression and to establish a just, fair and equitable social, political and economic order (An Nisa-4:75)

Initially the Prophet (SAWS) launched an intellectual Jihad in and around Makkah. He continued this intellectual Jihad from Medina as well when he sent letters inviting the Emperors of Byzantine and Persia and the ruler of Egypt to join Islam.

He stressed greatly on the spiritual component of Jihad – exercising self-restraint, controlling selfish desires, serving the needy, the sick and the elderly.

The Prophet called this form of Jihad as the Major Jihad because it involves constant struggle against one's own self, one's own passion and baser instincts. After returning victorious from a battle field the Prophet (saws) remarked that "we have to do the biggest Jihad (Jihad al-Akbar) now that we are free from smaller Jihad." Once he sent back a young man to do Jihad in the service of his old ailing parents instead of joining the battle front.

Killing of innocent persons in Jihad or otherwise is strictly forbidden in the Qur'an: "We ordained for the children of Israel that if any one killed a person not in retaliation of murder, or (and) to spread mischief in the land-it would be as if he killed all mankind..." (Al-Maidah -5: 132)

Similarly waging a struggle/war to forcibly convert non-Muslims to Islam is tyranny and aggression and forbidden in Islam. "There is no compulsion in religion (al-Baqarah - 2' 256). Muslims have been commanded in the Qur'an to "fight against those in the cause of Allah who fight against them, and in no case should the Muslims transgress the limits." (al-Baqarah - 2: 190) This has been reiterated in another verse: "and fight against the Mushrikin, (polytheists, pagans, idolaters, disbelievers in the Oneness of Allah) collectively as they fight against you collectively" (At-Tauba 9:36). It is further stated in the Qur'an that if the enemy seeks peace, hostilities should cease forthwith: "but if they incline to peace, you also incline to it, and put your trust in Allah" (Al-Anfal 8:61).

In the following two verses of Surah At-Tauba and in verse 36 of the same surah quoted in the preceding paragraph, the Prophet (SAWS) was commanded to deal sternly with the disbelievers and do not show any mercy to them. "O Prophet! Strive hard against the disbelievers and the hypocrites, and be harsh against them, their abode is Hell, and worst indeed is that destination" (At-Tauba - 9:73), Allah (SWT) further commands the Muslims "Fight those who believe not in Allah nor in the Last Day, nor forbid that which is forbidden by Allah and his Messenger, and those who acknowledge not the religion of truth (i.e. Islam)

among the people of the scripture (Jews and Christians), until they pay the Jizya with willing submission and feel themselves subdued” (At-Tauba 9:29).

It is because of these verses the critics have charged Islam to a bloodthirsty religion. This is an uneducated and unfair criticism.

Firstly the commands in these verses are also subject to the restrictions laid down in the Qur’an as explained in the aforesaid paragraphs i.e. ‘to fight against those who fight against you.’ Secondly if the enemy seeks peace, the offer should be accepted.

These verses in Surah At-Tauba, cited above, were revealed under specific circumstances, which threatened the very existence of the infant Islamic state established by the Prophet in Medina.

The powerful pagans of Makkah, the hypocrites of Madina, and the Jewish tribes of Banu Nadeer and Banu Qurayza living in the suburbs of Madina, though bound to help the Muslims through a covenant, were secretly conspiring to form a grand alliance to destroy the Islamic state of Madina and root out Islam from the Arab Peninsula. It was in this background of conspiratorial and treacherous acts and mobilization of a powerful army by the infidels of Makkah to attack Madinah that these verses were revealed to meet the acute threat to the survival of the Islamic state. The validity of these Qur’anic verses stands fully vindicated in the light of contemporary scenario – acts of terrorism and response of the international community led by USA. The Al-Qaeda radical Islamists led by Osama-bin-Laden are allegedly threatening the internal security of USA and endangering the life of people in the West. This global challenge of Al-Qaeda radicals has been met by the use of brute force particularly in Afghanistan, which was the main center of these radical Islamists. If the most powerful nation of the world feels so insecure by these acts of terrorism and hence counteracts ruthlessly with justification, was not the infant Islamic state under the leadership of the Prophet (SAWS) justified to defend its existence, threatened by Grand alliance of the Pagans of Makkah, the Jews in and around Madina and the

Hypocrites of Madina with equal vehemence and force? It is in this background, that we ought to appreciate the Qur'anic injunctions to fight the disbelievers, the hypocrites, and the Jews relentlessly without transgressing the limits as explained above.

The Prophet was against the participation of women in Jihad which is evident from the following Hadith (Tradition) narrated by Ayesha (RA). Ayesha Reports: I once asked the Prophet (saws) "O prophet of Allah! should not we (women) strive and actively participate in the Islamic war with you?" The Prophet replied 'the best and the most beautiful striving for you in the cause of Allah is Hajj Mabrur'. This may apply to women living in the Arabian Peninsula. Those living outside that region may conceive of other noble deeds which they can conveniently execute.

This section of the concept of jihad may be concluded with a quote from Marcel Biosard's book: "Jihad A Commitment to Universal Peace," regarding Prophet's Battles with the enemies of Islam: "It is just in its causes, defensive in its initiative, decent in its proceeding, pacific in its treatment of the conquered enemy."

Ijtihad or Independent Critical Thinking in Islam:

Ijtihad or independent critical thinking in Islam was originally conceived by Mu'adh bin Jabal and strongly approved by Prophet Muhammad (SAWS). Mu'adh was appointed by the Prophet the chief Revenue Officer of Yemen. Before his departure the Prophet asked him a few questions as to how he would resolve issues according to Islamic Sahariah. Mu'adh responded that "he would first look into the Qur'an, second he would look into the Sunnah, finally he would exercise his own Judgment." (Bukhari) The

Prophet put his seal of approval. This was pure and simple pragmatism of Islam and recognition by the Prophet that with the passage of time and evolving complexities of social, administrative, political issues of the society problems may arise where direct guidance from the Qur'an and the Sunnah may not be available. In such a situation Muslim leaders and intellectuals, religious and non-religious, from different fields of specialization should sit together to find a solution without transgressing the fundamental parameters enshrined in the Qur'an and Sunnah of the Prophet. Thus the concept of Ijtihad opened up limitless possibilities of reforms within the framework of the basic principles prescribed in the Qur'an.

It has been observed in this section on Islamic Ethos that Islam at the time of its foundation was far more progressive than Christianity and Judaism which were founded long before the advent of Islam. However in the 21st Century the Jews and Christians are more progressive and dynamic than Muslim societies, which are decadent and stagnant. This is largely because some of the powerful religious leaders of the four main Sunni Mazahib(Sects) – Hanafi, Shafai, Hanbali and Maliki and rulers of most Muslim countries conspired to close the door on Ijtihad. This retrograde step accounts mainly for the decadence of Muslim societies globally.

The assertion by religious leaders that the instrument of Ijtihad is the tool which only they can use is contrary to the spirit of Islam. One of the revolutionary reforms which Islam introduced was to eliminate the institution of priestocracy, which is still prevalent in Judaism and Christianity. In Islam any knowledgeable and competent male person can lead in canonical prayers, performance of Hajj pilgrimage etc. In light of this fact, any competent scientist, social scientist, lawyer, engineer, etc can participate in deliberation dealing with Ijtihad provided he/she is equally competent in the knowledge of the Qur'an and Sunnah.

Adhering blindly and obstinately to the religious laws codified in the Mazahib (Religious Schools), more than one thousand years, without critically examining their applicability to the contemporary situation, has hampered the progress of Muslim societies the world over, has introduced dogmatism and encouraged fanaticism which are fatal to the existence and survival of Muslim societies. We should bear in mind that the founders of the four Sunni Mazahibs and Asharite Shias were distinguished scholars and great intellectuals of their period, nonetheless they were humans and were not capable of anticipating developments in the society one thousand years later. Hence a critical review of laws framed by them is urgently called for in order to ensure that Islam regains its pre-eminence as the most progressive religion in the world and to establish the relevance of Qur'anic values in the contemporary situation in the management of human affairs. Scholars in the West assert that the Qur'an, a seventh century document, cannot resolve problems of the twenty first century. In order to meet this challenge Ijtihad or independent critical evaluation of the laws codified in the Mazahib is absolutely essential.

Prior to activating movement for Ijtihad in Islam we must identify areas where Ijtihad cannot be applied and where it can be. We cannot conceive of Ijtihad pertaining to the Five Pillars of Islam which define the faith of Muslims in the Unity and Supremacy of Allah (SWT) and our canonical responsibilities relating to Salaat (prayers), Zakat (Poor due), Saum (Fasting) and Hajj (annual pilgrimage to Makkah). We cannot touch the Islamic values as enshrined in the Qur'an, governing the conduct of the affairs of societies particularly Muslim societies. In fact Ijtihad demands how best to ensure the implementation of these Qur'anic values which will lead to a healthy, harmonious and peaceful growth of human societies. Excluding the aforesaid two areas distinguished Muslim scholars ought to critically look into all aspects of Muslim societies and identify factors which hamper their progress. The decadence and stagnation of Muslim societies is

evident from the fact that there are no laws based on Islamic principles governing labour-management relationship in a technologically oriented industrial development. There are no laws relating to financial and banking regulations based on Islamic principles although Islam was the first to introduce the concept of the welfare state and opposed the exploitation of the poor by the rich. While deliberating on these aspects we should critically look into the welfare concepts introduced by the various modern ideologies like socialism and communism and laws promulgated by the West and other societies and pick up the progressive elements in those laws which are beneficial to human society and do not contravene the Qur'anic norms. We should particularly look into the laws of Soviet and Chinese communism. The concept of Welfare State developed in the United Kingdom needs to be closely examined. Ijtihad in Islam does not approve of any bias and prejudice to play any role in reforming Islamic codes wherever they may be required. While introducing reforms in Muslim societies we must ensure that the proposed reforms conform to the basic principles of fairness, justice, human equality, decency, honesty, transparency, etc. as defined in the Qur'an.

Categorisation of Ahadith (Traditions)—Their Refinement

Before concluding this discussion on Jihad and Ijtihad it may be mentioned that the Ahadith (Traditions) of the Prophet need to be properly and scientifically categorized. There is no need to discuss Hadith Qudsi because they represent the command of Allah (swt) communicated in the language of the Prophet (saws). The other traditions of the Prophet have already been categorized as Ahsan, Ghareeb etc. by compilers of the Traditions. There are six authentic compiled books of tradition. The Ahadith (Traditions) have also been thematically classified. Traditions of the Prophet (saws) common to Muslim and Bukhari, the two most authentic books on sayings of the Prophet, have already been identified and are called "Muttafiq Aleh" or "Agreed Upon". Proceeding

further we can identify Ahadith (Traditions) common to all the authentic books on Tradition or to only Five, Four etc. We cannot do without Ahadith but their categorization needs to be refined.

Islam and Tolerance:

Tolerance in Islam is proverbial. It is clearly laid out in the following two verses of the Qur'an:

“There is no compulsion in religion” (Al-Baqarah – 2:256)

“You may adhere to your religion and I shall be steadfast with my religion”

(Al-Kafirun-109:6)

Tolerance towards non-Muslims was abundantly demonstrated by the Prophet (SAWS), the four rightly guided Caliphs and Muslim rulers in different parts of the world..

- a) The Christians and Jews were granted full protection of life and property through a charter by the Prophet in the Islamic State of Medina.
- b) A delegation of Christians of Najran, which called upon the Prophet in the Prophets mosque, offered their religious service inside the Mosque facing east with the permission of the Prophet (SAWS)

Charter granted by the Prophet to the Christians of Najran:

- a) Granted full right to worship, protected their monasteries and property (Ameer Ali p: 273)
- b) Umar (RA) permitted the Christians “to beat their Naqus – take out their processions and crosses on festive occasions.
- c) On the conquest of Makkah the pagans were granted general amnesty before their conversion to Islam.

d) After the conquest of Jerusalem Khalifa Umar (RA) was invited by the Bishop of the Church of Sepulchre to offer his evening prayer (Salat-ul-Asr) inside the Church. He refused because he suspected that subsequently the Church might be converted into a mosque, which he did not want. There are numerous such examples of tolerance displayed by Muslim rulers cited in history books written by English and European Scholars.

In Andalusia (Southern Spain) the Jews and Christians were living peacefully with Muslims and Jews enjoyed positions of power and prestige. One of them Hasdai, called the prince of Jews, rose to the position of foreign secretary to the Umayyad ruler of Andalusia, became the most public face of this kingdom in the 10th century because he was fluent in Arabic and very knowledgeable about Islam and Andalusian culture and politics. (Menocal, Maria Rosa 2002, Little Brown and Co. New York, p 80)

Prof. Thomas Arnold in his book "The Spread of Islam in the World" points out that Islam is a peaceful missionary religion which is evident from the fact that it has spread into Indonesia and Malaysia in the east and in Africa south of the Sahara which were not politically controlled by Muslim rulers. Even where the Muslims ruled there was no complaint "of any organized attempt to force the acceptance of Islam on non-Muslim population, or of any systematic persecution intended to tamp out the Christian religion." (79 op.cit.) In Persia the Sasanid rulers had become intolerant of any other religion such as Christians, Jews and Sabeans but when Persia came under Muslim rule "the Muslim Law granted toleration and the right of paying Jaziyah not only to the Christians and Jews but to Zoroastrians and the Sabeans the worshippers of idols of fire and of stone." (Arnold p 207). At the peak of Muslim power under Umar (RA) liberal terms of treaty, which are exemplary and without parallel in history, were offered to Christians of Jerusalem when they surrendered:

“In the name of God, the Merciful, the Compassionate! This is the security which ‘Umar, the servant of God, the Commander of the faithful, grants to the people of Aelia. He grants to all whether sick or sound, security for their lives, their possessions, their churches and their crosses, and for all that concerns their religion. Their churches will not be changed into dwelling places, nor destroyed, neither shall they nor their appurtenances in any way diminished, nor the crosses of the inhabitants nor aught of their possessions, nor shall any constraint be put upon them in the matter of their faith, nor shall any one of them be harmed.” (Arnold – op. cit. p.50)

The current phenomenon of intolerance in Muslim societies is an act of frustration and reaction to injustices meted to weak Muslim states by the powerful states of the West. They also reflect the vehement protests of the poor Muslims against their autocratic rulers. This has been dealt with in detail in Monograph 29 on Reforms in Muslim Societies

Human Equality and Concept of Justice in Islam:

The concept of human equality is firmly rooted in the Qur’anic injunctions and Islamic rituals particularly Salah and Hajj:

All human beings are created by the one and only Allah and all of them without any discrimination, are Vice-Gerents on earth

All human beings have a common ancestry in Adam and Eve.

They are all equal in the sense that they are all born naked and do not carry their worldly belongings with them.

The concept of human equality is firmly established by the Qur’anic Verse, which unequivocally declares: “O Mankind, truly We created you from a single pair of a male and female, and have made you into nations and tribes, that you may know each other. Truly the most honoured of you in the sight of God is the most righteous of you.” (Al-Hujarat; 49:13). Thus ultimately deeds decide the status of all men and not their lineage, worldly position, power and wealth.

Justice in Islam:

The concept of justice in Islam is unique and total without any discrimination.

The Qur'an itself has set out its tone and tenor.

Closest relations of some of the great Prophets who were guilty of major sins were severely punished, such as Ibrahim's father, Lut's (Lot) wife, and Nuh's son and wife.

The fundamental principle of Justice in Islam is that it should be fair and impartial, there should be no discrimination, and no bias and prejudice should be observed based on power, status and wealth. The rulers and the ruled stand at the same footing in the eyes of law. As regards the execution of justice, adequate hearing should be given to opposite parties before judgment is delivered.

The Qur'an clearly enunciates the principle of justice as follows:

"And when you judge between men judge with justice" (An-Nisa- 4:58)

In order to ensure impartial justice the Qur'an sternly warns: "Let not hatred of others depart you from Justice" (Al-Ma'eda 5:8)

It further exhorted people to stand firmly for impartial justice even when your closest relations are involved. (An-Nisa – 4:135) refer also verses (al Anam – 6:115, and 6: 152; and an Nahl – 16:90). "O you who believe! Stand out firmly for justice, as witnesses to Allah, even though it be against yourselves, or your parents or your kin, be he rich or poor, Allah is a better protector to both (than you). So follow not the lusts (of your hearts), lest you may avoid justice, and if you distort your witness or refuse to give it, verily, Allah is well acquainted with what you do." (An-Nisa 4:135)

- Thus Qur'an commanded absolute impartiality and equality in justice – All distinctions based on wealth, ethnicity, status etc. were eliminated in one stroke.
- Banished the distinction between slave and master, ruler and ruled.
- Introduced the system of equality in retaliatory killing (Qisas)

“O you who believe! Al Qisas (the law of equality in punishment) is prescribed for you in the case of murder: the free for the free, the slave for the slave and the female for the female (Al-Baqarah 2: 178).

This revolutionary change in the practice and system of Qisas retaliatory killings almost stopped because the tribal leaders realized that they would not escape punishment. There are examples where heads of the State in the Islamic realm were either plaintiffs or defendants and decision went against them.

In an authentic Tradition the Prophet (SAWS) states “He who kills his slave we shall kill him and he who cuts the nose of his slave, we shall cut his nose.” (Bukhari and Muslim)

The principle of equality in punishing the murderer put an end to the retaliatory blood killings. The rich and the influential free men were made to realize that they were not above the law. They would be punished if found guilty. Prior to the promulgation of the Qur’anic Law they regarded themselves above law and acted with impunity. This law of equality in retaliatory killings had a most salutary effect and almost completely eliminated such killings from the Islamic state of Madina. The Qur’an had hinted at its concealed benefits. “In the Law of equality there is a (saving of) life for you, O you men of understanding that you may restrain yourselves.” (Al-Baqarah; 2: 179)

The Qur’an has also kept the doors of kindness and mercy open by giving the right to pardon the killer to the nearest of the blood relations of the victim such as the father, brother and the son in lieu of a decent ransom amount. The interesting point is that the court or the jury has not been given this right.

The most magnificent aspect of the Qur’anic or the divine law of Justice is that it banishes the difference between the master and the slave and the ruler and the ruled. They have the same rights and are subject to the same law. This principle was strictly implemented in the Islamic state. This is abundantly illustrated in two notable cases, one related to Ali (RA) the fourth Caliph vrsus a Christian and

the second concerned El-Hadi the Abbaside Ruler versus a commoner. Ali (RA) had somehow lost his armour and found it in the possession of a Christian. Ali (RA) claimed it from the Christian, which he refused to return. The Caliph lodged a complaint in the court of a famous judge Shurayh. In the court when the judge asked the Christian about the armour he boldly claimed that it belonged to him! Ali (RA) was asked to furnish proof about his ownership of the armour. He said he had none and the case was decided in favour of the Christian. The Christian admired the Islamic justice and was so impressed that he converted to Islam and addressed the Caliph as follows "I declare that such are the rulings of the Prophets. The Caliph sues me in the court of his Judge who gives his verdict against him! I hereby declare that there is no god but Allah (SWT) and that Muhammad is His servant and Apostle. The shield is your O Caliph! I followed the army after the battle of Siffin and the coat of armour dropped from your camel." Ali (RA) replied "Now that you have adopted Islam, the shield is yours" (Sayed Qutb)

In the other case a commoner who owned an orchard complained in the court of Judge Abu Yusuf that the Caliph El-Hadi was exploiting his orchard. The Caliph produced some witnesses against the complaint of the commoner. The Judge asked El-Hadi to swear by Allah (SWT) that his witnesses were telling the truth. The king declined and the verdict went in favour of the commoner and the king accepted it.

It has been stated earlier that no case should be decided unless the parties involved are properly heard. We therefore conclude this discussion on justice in Islam by a quote regarding its implementation in the Islamic state by the Prophet (SAWS) himself. "A Muslim widow, whose husband, Saad Ibn Al-Rabi, was martyred in the battle of Uhud went with her two orphaned daughters to the Prophet in the mosque and complained that Saad's brother had taken over all the estate, giving no property to Saad's daughters who now needed help to get married. The Prophet summoned the daughters' uncle and, after having heard

his version also, ordered him to give two third of his estate to his nieces, one eight to the widow and keep the rest to himself.” (Qutubuddin Aziz: The Prophet and the Islamic State p: 64).

Freedom and Democracy in Islam:

Freedom is a cherished goal in Islam. A Muslim believes that every human being is born free, on the fitrah i.e. in the pure state of nature. He is thus born free of sin and inherited inferiority. Although Islam did not abolish slavery it encouraged emancipation of slaves. Many companions of the Prophet (SAWS) paid ransom to purchase the freedom of some slaves, the chief among them being Abu Bakr (RA). He purchased among others, the freedom of Bilal (RA) who rose to the status of an eminent companion of the Prophet (SAWS) and the Muezzin (who calls people for Salaat) of the Prophet’s mosque.

The Prophet (SAWS) freed his slave Zaid, adopted him as his son and later married him to his cousin Zainab.

Slaves, in Islam, had the same right to grant protection to an individual or group of individuals as any freeman, and the community always respected it.

During the Caliphate of Umar (RA) slaves received the same amount of maintenance stipend as their masters.

Democracy, as it is understood in the contemporary context was not even conceived of in the early stages of the development of the Islamic states. Even currently it has not taken roots in most of the Muslim countries. However if democracy is perceived as a process of consultation then the ingredients of democracy were present in the incipient stage of development of the Islamic state established by the Prophet (SAWS) in Medina. The Qur’an always encouraged the process of consultation.

“... And who conduct their affairs by mutual consultation” (Al-Shura – 42:38)

“..... and consult them in the affair. Then when you have taken your decision put your trust in Allah” (Al-e-Imran 3: 159)

The Prophet (SAWS) followed this principle meticulously. He invariably consulted his companions before launching any military expedition.

- a) That the prisoners of the Battle of Badr be treated leniently was decided by consensus after intensive consultation.
- b) In the Battle of the Trench the idea of digging the trench to forestall the attack of the pagans Quraish of Makkah against the city of Madina was suggested by Salman Farsi, an eminent Companion.
- c) After the Prophet's death, the first four Caliphs of Islam were appointed by consensus. after intensive consultation and only on merit. All nominations of the Khalifas had to be endorsed by the Companions in the Mosque of the Prophet through a system of 'Bait', which conveyed the acceptance of nominations by the people. According to Karen Armstrong "Abu Bakr was elected the first khalifah of the Prophet by a majority of votes." (Armstrong –2002: Islam A Short History, Modern Library, New York, P.25).
- d). Process of consultation reached its climax during the Khilafat of Umar (RA) when the domain of Islam had extended extensively towards east – Persia and Iraq, towards north and west in Syria and Egypt.
- He had two consultative bodies – one like executive council and the other a General Assembly(congregation in the Prophet's Mosque). The problem of land distribution in Persia after the Battle of Qadisiyah (16 AH) was decided by the General Assembly. The commanders and some of the senior companions like Bilal (RA), Uthman (RA) wanted the lands to be confiscated from their owners and given over to soldiers. Umar (RA) was opposed, argued his case successfully in the General Assembly and land was allowed to stay with the original owners.
- There was total freedom for people in the General Assembly to express – Once Umar (RA) was even interrupted by a woman while

addressing congregation in the mosque, and agreed with the views expressed by the lady.

Unfortunately the democratic process of consultation initiated in the early period of Islam was abandoned and degenerated into dynastic rule, since the Caliphate of Muaviyah.

It may however be stated that Islam is compatible with democracy and is well established by the success of democracy in such Muslim countries as Malaysia and Turkey.

Islamic State – Pioneering Welfare State

The basic principle of Islamic government was to serve and govern with firmness yet with compassion.. The welfare of the poor and the needy was built in the Islamic system through Qur’anic injunctions and the traditions of the Prophet. Islam is the only religion where payment of Zakah (Poor Due), for the maintenance of the poor, the needy and the destitute has been made obligatory and its non-payment is treated as a sin.

Besides Zakah the Qur’an encourages the rich to pay liberally to the poor. “And in their properties there was the right of the beggar, and Mahrum (the poor who does not ask others)” (Az-Zariyat – 51: 19). The poor and the needy were also assigned shares in the spoils of war “One-fifth of the spoils of war was assigned to Allah, to the Messenger, to near relatives, orphans, the needy and the way-farer” (Al-Anfal – 8:41)

At the spiritual level affluent Muslims have been repeatedly told that helping the poor and the needy is a righteous deed most appreciated by Allah (SWT). It is most emphatically stated in Surah Al-Baqarah verse 177 cited earlier. Charitable acts, which are performed to seek the pleasure of Allah (SWT), have a remarkable multiplying effect. “The parable of those who spend their wealth in the way of Allah is that of a grain of corn: it grows seven ears, and each ear has hundred grains. Allah giveth manifold increase to whom he pleases.....” (Al-Baqarah; 2:261)

The Qur'an ordains against ostentatious display of charitable act.. It should be done quietly, with grace and humility. In fact it would be better if none, except Allah (SWT), is a witness to one's charitable deed. Allah (SWT) warns the believers: "..... cancel not your charity by reminders of your generosity or by injury like those who spend their substance to be seen of men but believe neither in Allah nor in the Last Day....." (Al-Baqarah; 2:264).

The Qur'anic concept of welfare state was first put into practice when the Prophet(saws) founded the first Islamic State in Madina in the early Seventh Century

In the Islamic State established by the Prophet (SAWS) orphans, invalid, the old and the aged who had none to look after them were put under the care of the state. Even the old and disabled Jews and Christians who were the citizens of the state were granted adequate pensions during the Caliphate of Umar (RA). (Sayed Qutb, p: 60).

- Those old and aged who did not have children to look after them were taken care of by the state.
- The welfare system was further enlarged and refined when the resources of the state had vastly improved with the expansion of political territory of Islamic state during the caliphate of Umar (RA)
- Pension to all the people who had fought in different battles from Badr to Qadisiyah.
- The slaves received identical amount of maintenance stipend as their masters.
- Old and disabled Jews and Christians were exempted from paying Jaziya tax by Umar (RA).
- Even the destitute Jews and Christians living in Madinah were granted pension.
- **Respect and Care of Parents**

- Islam attaches great importance to the institution of parenthood, which has been treated with great deference in the Qur'an. Muslims have been enjoined to treat their parents with utmost respect, love and affection. The Qur'an asks the believers, nay the entire mankind, "...to be good to your parents; ..." (Al-An'am; 6:151) and take good care of them in their old age. In addition to this general reference for kindness towards parents the Qur'an specifically commands man to be kind to his mother for "... In pain did his mother bear him and in pain did she give him birth....." (Al-Ahqaf; 46:15). This is repeated in another Surah: "And We have enjoined on man (to be good) to his parents: in travail upon travail did his mother bear him and in year two was his weaning. Show gratitude to Me and your parents. To Me is (your final) Goad." (Luqman; 31:14)

It is the greatest honour that Allah (SWT) can bestow on parents when all men and women are being commanded to be grateful to their parents, as they are grateful to Allah (SWT). Parents are to be shown reverence but they are not to be worshipped. Allah (SWT) alone is worthy of being worshipped. Respect, kindness, generosity and humility towards parents are forcefully reiterated in the Qur'an. "..... you be kind to parents. Whether one or both of them attain old age in their life, say not to them a word of contempt, nor repel them but address them in terms of honour. And in kindness lower to them the wing of humility and say: My Lord! Bestow on them your Mercy even as they cherished me in childhood."

"We have enjoined on man kindness to his parents....." (Al-Ahqaf; 46:15)

".....treat with kindness your parents and kindred and orphans and those in need....." (Al-Baqarah; 2:83)

- On rights of other relatives, the Holy Qur'an states "And render to the kindred their due rights, as (also) to those in want...." (Al-Isra; 17:26, 28)

Elucidating further, the Holy Prophet (saws) said the following: “The grievous sins are; the joining (of other with Allah), disobedience to parents, killing of living beings, and swearing to a lie.” (Bukhari & Muslim)

The importance that the Prophet (saws) attached to the service of the parents is borne out by the following tradition.

“A man asked permission of the Prophet (saws) (to take part) in a Jihad. The Prophet asked, ‘Are your parents alive?’ He said, ‘Yes’. The Prophet said, ‘Then go and do Jihad (strive hard) for them.’” (Bukhari & Muslim)

Status of Women in Islam:

The Qur’an has nowhere denied the freedom of speech to woman, nor are there any traditions of the Prophet (saws) preventing women from expressing their views freely.

Importance of Surah Mujadalah (58): Protects the rights of a woman to protest and argue her case against unjust and outdated pagan tribal system of divorcing wife through the declaration of Zihar, which means you are like the back of my mother, hence marital relations cannot be maintained. This was patently wrong, argued Khawlah bin-Thalbah, wife of Aus ibn Sumit. She had many children to support but hardly any income. Allah accepted her argument and the Izar system of divorce was abolished in Islam with the revelation of Surah Mujadalah.

Women were allowed the same right to grant protection to any person, like any male member of the society. The test case was that of Prophet’s own daughter Zaynab (RA) who had granted protection to her pagan husband Abul As. She raised the issue openly in the Mosque after Salat-ul-Fajr (Morning prayer). The Prophet (SAWS) conceded her right to grant protection but asked her not to have conjugal relation because he was still a Kafir.

Islam was the first to grant property right to women and also the right to seek divorce (Khula) if the marriage proved incompatible. Although the Prophet discouraged divorce because he said that the right though granted by Allah (swt)

was most disliked by Him! Only under compelling circumstances did the Prophet (saws) agree to grant Khula to Aisha's (RA) freed slave girl Burayra from her husband.

In the days of ignorance, prior to Islam, a stepson or brother took possession of a dead man's widow or widows along with all his goods and property. This shameful custom was abolished in Islam for a widow could not be forced to marry or stay with her dead husband's stepson or brother: "O you who believe are forbidden to inherit women against their will" (An-Nisa – 4:19). Subsequently the sons were forbidden to marry the wives of their fathers, "And marry not whom your fathers married, except what has already passed; indeed it was shameful and most hateful, and an evil way" (An-Nisa 4:22).

Aisha (RA) and Hafsa (RA), wives of the Prophet (saws) used to argue with him and ask many questions for clarification on Qur'anic revelations. Hafsa's mother once started arguing with Umar (RA). He scolded her for her impertinence. She retorted that if his daughter Hafsa (RA) could argue with the Prophet (saws) why can't she with him. Umar (RA) checked with his daughter who confirmed it.

In his last Sermon the Prophet (saws) asked men to treat their wives with love, tenderness and affection. The Qur'an of women with respect and the Prophet also treated with great deference.

These rights of women can be improved further within the principles and parameters defined by Islam, regarding modesty, female honour, dignity and family responsibility so that peace and tranquility of family life is not disturbed. The Qur'an does grant permission to an adult man to marry four women provided he can treat them all equally and justly. If one cannot then he should restrict himself to only one or be content with a slave girl. (4:3). Further in chapter 4 verse 129 the Qur'an discourages marrying more than one woman: "It is not possible for you to do justice between your wives even you wish to do so" (4:129) It is therefore right and proper that man should normally marry only one and treat her with respect, love and affection.

Divorce is detestable to Allah, said the Prophet (saws). Reported by Muadh bin Jabal “the Prophet said to me, O Muadh Allah has not created anything on earth, which he loves better than emancipation; and Allah has not created upon the face of the earth more hateful to him than divorce.” (Mishkat al-Misbah Vol.1 p: 698). The Prophet strongly disapproved of divorce “With Allah, the most detestable of all the things permitted is divorce” (Abu Daud) (Zeenath Shaukat Ali: Status and Rights of Women in Islam (2004) Mednet Monograph No. 25, p 42).

Islam treats men and women on equal footing. A wife is not a slave of her husband but a true and sincere partner in life both in prosperity and adversity. Lady Khadijah is the noblest example. She was the first to believe in the prophetic mission of her husband and was a great source of strength till her death to Prophet’s Meccan period of missionary activities. In addition Lady Khadijah had a keen business acumen and the Prophet never stopped her from her business activities.

Among his wives Lady Ayesha was a great scholar and an authority on Islamic Jurisprudence. She used to be consulted on problems relating to Shariah by even Caliphs. Many authentic traditions are attributed to her.

Lady Umme Salma was a very wise, problem-solving wife of the Prophet. Acting on her advice the Prophet (SAWS) was able to resolve the crisis that developed after signing the Treaty of Hudaibiyah, which was not liked by the companions of the Prophet because it contained unfavourable terms. They refused to sacrifice the animals they had brought after performing the pilgrimage to Kabah, which was postponed under the terms of the Treaty. In order to resolve the crisis Umme Salmah(ra) advised the Prophet to start the sacrifice it was immediately followed by the all the companions. The crisis was resolved.

The Qur’an speaks of Queen Bilqis (Biblical Queen of Sheba) in respectable terms as able and competent ruler and an intelligent person.

There is no bar on the education of women in Islam. In fact it is obligatory for them to read and understand the Quran and Traditions of the Prophet so that they bring up their children according to the correct Islamic way. Hijab or head covering by some is neither a sign of backwardness nor of conservatism. In the modern context it is a symbol of modesty in this wildly immodest western civilization. Moreover, it may be noted that virgin Mary is seldom depicted without a head covering. While modesty is reserved for Catholic nuns it is common among Muslims. In the old Arabian tribal culture ladies from respectable families never appeared without a head gear (Shoib Sultan: The Qur'an and sayings of Prophet Muhammad – Sky Light Path Publication). Women in Islam are not prevented from taking up independent business or even a job. "Islam gave women complete economic independence even from their husbands and over the ages many women have also engaged in trade and been merchants" (Seyyed Hossein Nasr (2004). The Heart of Islam – Enduring Values of Humanity – Harper- Sans Francisco p: 193).

Islam in the seventh century granted more freedom and rights to women than the United States until mid-nineteenth century. Under Islamic Law, women controlled their own property without the involvement of husbands. A wife could invest funds as she liked. These rights were not exercised by American women until the mid nineteenth century. Her husband collected her wages and controlled her property. She could not open a bank account without her husband's signature (MEDNET Monograph No.26: Status and Rights of Women in Islam p: 16)

Women: Modesty, Chastity, Honour and Dignity in Islam

Women in Islamic Society enjoy a very honourable status. They manage the affairs in the household, are responsible for the upbringing of children. They can sustain this respectable status through their modesty, chastity and honesty.

Immodesty and adultery are considered among the most corrupting elements in a Muslim society. They drive away virtue and righteousness and tempt people to commit some of the most shameful acts such as adultery, fornication and sodomy. Free mixing never leads to innocent ends. It tends to encourage illicit relationship and whets the insatiable appetite for sexual relationship. It thoroughly disturbs domestic peace and creates acute imbalance, friction and conflict in the social life of the family and the community. The modern liberal society in the West is permissive and promiscuous. The modernists live under grave misconception that free mixing of the sexes is a sign of social progress, and symbolizes women's liberation and is not a social evil. Because of the permissive character of modern society sex has lost its sanctity and sex outside wedlock is not considered a sin. Hence the living together of men and women without the bond of marriage is fully approved by a predominant section of the society in the West. Similarly the gays and the lesbians have also started acquiring respectability.

Women enjoy a most respectable status in a Islamic society as wives, sisters, mothers and daughters. They have full freedom to pursue education and their vocations within the prescribed norms of decency and modesty without neglecting their basic household responsibilities. In contradistinction women in the modern and secularist society in the West are treated as a major source of entertainment. A woman's body and figure which should be the exclusive preserve of her husband is now for public display for all to enjoy. Their figures with all their charms and enchanting beauty are fully exploited by the commercial and manufacturing firms to publicize and promote the sales of their products. The greatest tragedy is that even the women love their glamorous roles in advertisements and beauty pageants where there is total exposure of their figure, bordering on nudity. They have themselves now assumed a key role in making a vulgar display of their body and in promoting, supporting, and

sustaining it, of course in lieu of handsome remuneration. This is a disgusting sensuous and lustful exposure for mass entertainment. This socially stinking and morally depraved culture is repugnant to Islamic principles. It is simply not acceptable as a way of living in the Islamic system. Islam respects the self-respect and dignity of women and treats sex as a private and sacred act between legitimately married husband and wife for the procreation and multiplication of mankind. It totally rejects the concept of live-in partners and considers all sexual acts, outside the wedlock, as adulterous, contemptuous and shameful. There is a wholesale and forceful condemnation of the shameful act of adultery in the Qur'an: "Nor come nigh near adultery, for it is an indecent deed and evil way." (Al-Isra; 17:32)

Adultery, as observed earlier, has a disastrous effect on domestic peace, which Islam is very keen to protect and preserve. Hence it commands the observance of decency, propriety and chastity in the behaviour of both men and women. It therefore restricts the free mixing of the male and female and totally forbids sex before marriage, which is fornication in Islamic parlance, a heinous sin which invites severe punishment. Thus modesty has a tranquillizing effect on the human conscience and is conducive to establishing peace in the family and the society (see Sayed Qutb: Chapter. Peace at Home, pp: 30-44). Modesty protects the pure and pious from all shameful acts, embarrassments and accusations associated with obscenity and indecency. The standards and criteria for modesty, as outlined in the Qur'an, are logical, simple and straightforward: "Say to believing men that they should lower their gaze and guard their modesty: that will make greater purity for them. And Allah is well acquainted with what they do. 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

.....and that they should not strike their feet in order to draw attention to their hidden ornaments...” (An-Noor; 24:30-31).

The aforesaid verse puts the concept of modesty most nobly, precisely and concisely in its spiritual background. Even men have been asked to observe certain codes of modesty such as lowering their eyes in order to avoid casting a lustful look on the charms and beauty of women. This will protect them from evil thought as well. Islam insists on both purity of thoughts and piety of action. That is why the command is to lower the gaze which will eliminate all temptations. As regards women the Qur’anic directions are more elaborate. Besides the lowering of the eyes they have been asked to avoid vulgar display of the jewelry they wear and exposure of female physical charm by covering their figure and hair by a veil or hijab.

HYPOCRISY AND HYPOCRITES HAVE NO PLACE IN ISLAM:

Hypocrisy is despised in Islam. The hypocrites are most deceptive and treacherous. While apparently they wear a friendly look and would always swear by their loyalty to Islam or to any other system of government, which they would like to undermine. They are like “rotten timber” and can never be relied upon. Hypocrites have no conscience, they go back on their commitments and always tell lies. They are perpetually intriguing against authority in collaboration with enemies. Abdullah Yusuf Ali described the hypocrites as follows: “They present a fine exterior; they try to win the confidence of everyone, as they have no scruples in telling lies... Their words are fair spoken, and as the truth does not check their tongues, their flattery and deception know no bounds... As they have no sincerity, nothing that they do is worth anything” (Note 5467; p: 147). The hypocrites are habitual liars, deception and treachery are their trademarks, they are most unscrupulous and totally devoid of conscience.

Thus the existence of hypocrites in any society is a menace and extremely dangerous to its very existence. The Qur'an therefore asks the Prophet (SAWS) or the authority concerned to deal with them sternly in order to ensure the safety, security and survival of the state. This is precisely the reason that the Qur'an asks the believers to fight in the cause of Allah (SWT) against the polytheist and the hypocrites: "O Prophet strive hard against the unbelievers and the hypocrites and be firm against them. Their abode in hell, an evil refuge indeed." (At-Tawbah; 9:73)

The hypocrites tried every trick and strategy to unsettle the Islamic State founded by the Prophet(saws)right from its inception. They withdrew their people from the Battle of Uhud thereby considerably weakening the defense and the striking power of Muslims. They tried to assassinate the Prophet (SAWS) while he was returning to Medina after the Tabuk expedition. They built a mosque in the vicinity of the Quba mosque, at the instigation of Abu Amir Rahib Khazraji, to use it for intrigue and destruction of the Islamic state. Allah (SWT) frustrated their plans. The Prophet (SAWS) was warned through a revelation about their ulterior motives. This mosque (Masjid Zirar) built on the foundation of treachery and deceit was completely demolished (At-Taubah; 9:108). Thus, the hypocrites are the very embodiment of evil. According to the Qur'an: "The hypocrites men and women (have an understanding) with each other. They enjoin evil and forbid what are just, and are close with their hands. They have forgotten Allah; so He has forgotten them. Verily the hypocrites are rebellious and perverse." (At-Taubah; 9:67)

Because of the treacherous character of the hypocrites the Prophet (SAWS) was asked by Allah (SWT) not to seek pardon for their sins: "It is the same whether you pray for their forgiveness or not. Allah will not forgive them...." (Al-Munafiqoon; 63:6)

And finally the Prophet (SAWS) was commanded: “Nor do you pray for anyone of them that dies nor stand at his grave, for they rejected Allah and His Messenger, and died in state of perverse rebellion.” (At-Taubah; 9:84)

Halal and Haram (Lawful and Prohibited) in Islam:

Al-Halal and Al-Haram may be defined as follows:

Al-Halal (the lawful): That which is permitted by Allah (SWT) without any restrictions.

Al-Haram (the Prohibited): That which Allah (SWT) has absolutely prohibited. It is a sin to eat prohibited food and drinks and indulge in prohibited acts.

Before the advent of Islam there was total confusion about Halal and Haram. The idolaters would even declare human sacrifice lawful to propitiate their gods. The Jewish and Christian priests would go on changing Halal and Haram items based on their whims and fancies without following any principles. This confusion was removed by the revelations, which declared unambiguously that it is the prerogative Allah alone to determine items that are Halal and Haram. Yusuf Qardawi has itemized them as given below:

- a) To make lawful and to prohibit is the right of Allah alone.
- b) Prohibiting the Halal and permitting the Haram is like committing shirk i.e. ascribing partners to Allah!
- c) The prohibition of things is due to their impurity and harmfulness.
- d) Whatever is conducive to Haram is itself Haram.
- e) Falsely representing the Haram as Halal is prohibited.
- f) Good intentions do not make the Haram acceptable.
- g) Doubtful things are to be avoided.
- h) The Haram is prohibited to every one alike.
- i) Necessity dictates exception

(Yusuf al Qaradawi (2001): The Lawful and the Prohibited in Islam p: 11)

The Qur'anic revelations are clear and unambiguous about the concept of Halal and Haram: "O ye who believe! Eat of the good things wherewith We have provided you, and render thanks to Allah if it is (indeed) He whom you worship. He has forbidden you only carrion, and blood, and swine flesh, and that which has been immolated to (the name of) any other than Allah. But he who is driven by necessity, neither craving nor transgressing, it is no sin for him. Lo! Allah is Forgiving, Merciful" (2:172-173).

The lawful and prohibited items are further elaborated in the following two verses:

"O ye who believe! Fulfill your undertakings. The beast of cattle is made lawful unto you (for food) except that which is announced unto you (herein), game being unlawful when ye are on pilgrimage. Lo! Allah ordaineth that which pleaseth Him" (5:1)

"Forbidden unto you (for food) are carrion and blood and swineflesh, and that which hath been dedicated unto any other than Allah, and the strangled, and the dead through beating, and the dead through falling from a height, and that which hath been killed by (the goring of) horns, and the devoured of wild beast, saving that which you make lawful (by the death-stroke), and that which has been immolated unto idols.

And (forbidden is it) that you swear by the divining arrows. This is an abomination" (5:3). The Qur'an prohibits firmly and repeatedly "not to eat of that meat on which Allah's name has not been pronounced since that is most surely a transgression. In fact the shaitans inspire their friends to argue with you and if you obey them you will be considered a mushrik (idolators)". (6: 121).

It may be noted that exception has been made if forbidden things are eaten if one is "forced by hunger, not by will, not with the intention to disobey Allah and commit sin."

The Qur'an further adds that "They ask you (O Muhammad) what is made lawful for them. Say: (all) good and clean things are made lawful for you. And those

beasts and birds of prey which you have trained as hounds are trained, you teach them that which Allah taught you; so eat of that which they catch for you and mention Allah's name upon it, and observe your duty to Allah. Lo! Allah is swift to take account :

“This day are (all) good things made lawful for you. The food of those who have received the Scripture is lawful for you, and your food is lawful for them. And so are the virtuous women of the believers and the virtuous women of those who received the Scripture before you (lawful for you) when ye give them their dowries and live with them in honour, not in fornication, nor taking them as secret concubines.” (5:4-5).

Intoxicants:

Any drink that leads to intoxication is prohibited in Islam. Consumption of drinking wine was pervasive in the Arab society at the advent of Islam. It was completely prohibited in stages. Initially the believers were informed that there is greater degree of harm in drinking wine compared to its benefits. Later they were asked not to offer Salaat in a state of intoxication. Finally verses were revealed in Surah Al Maedah which completely prohibited drinking: “O you who believe! Truly, intoxicants and gambling and divination are an abomination of Satan's doing: avoid it in order that you may be successful. Assuredly Satan desires to sow enmity and hatred among you with intoxicants and gambling, and to hinder you from the remembrance of Allah and from Salaat. Will you then not desist? (5:90-91)

An intoxicant is haram in any quantity. The Prophet (SAWS) declared concisely “Every intoxicant is Khamr and every Khamr is haram”.

And Umar declared from the pulpit of the Prophet “Khamr is that which befogs the mind” (Qardawi op. cit. p: 72)

Prohibition of Adultery and Fornication (Zina)

According to Qur'an any sexual relation outside the wedlock even with with mutual consent of man and woman is adultery and strictly forbidden: "And do not come near Zina; indeed it is an abomination." Thus the concept of live-in partners is a disgusting act and condemned in Islam. It is totally unacceptable.

Muslim men cannot marry the following categories of Women:

"And do not marry those women whom your fathers had married, except what happened prior to this commandment. Surely it was shameful, disgusting and an evil practice. Forbidden to you for marriage are your mothers, your daughters, your sisters, your paternal aunts, your maternal aunts, daughters of your brothers, daughters of your sisters, your foster mothers, your foster sister, the mothers of your wives, your step daughters under your guardianships from those wives with whom you have consummated your marriage, but there is no blame on you in marrying your step daughters if you have not consummated your marriage with their mothers whom you have divorced, and also forbidden are the wives of your own real sons; and to take two sisters in the wedlock at the same time, except what happened prior to this commandment; surely Allah is forgiving Merciful" (4:22-23) Muslims are prohibited from marrying idol worshippers.

Muslim men are warned against marrying "fornicatresses (Al-Zaniyah 24:3). Similarly temporary marriages (Mut'ah) were also gradually declared Haram (prohibited). The Prophet initially permitted it but with the institution of formal marriage, according to Shariyah, permission for Mut'ah was completely withdrawn, according to Ali (RA) and many other companions.

It may thus be concluded that Allah (SWT) has prohibited things which are socially, morally and health wise harmful to human beings. The forbidden things are few. What are good for human beings they have been made lawful and they are far too many.

When asked by some of his companions the Prophet (SAWS) said “What Allah has made lawful in His Book is Halal and what He has forbidden is Haram, and that concerning which he is silent is allowed as His favour. So accept from Allah His favour and Allah is not forgetful of any thing. He then recited: “And thy Lord is not forgetful” (19:64) – Reported by Hakam and classified as Sahih (sound). It may thus be concluded that it is suffice for us to know what Allah has prescribed some acts and items as Haram or forbidden and items not included as Haram are Halal or permissible. According to a saying of the Prophet (SAWS): “Allah has prescribed certain obligations for you, so do not neglect them; He has defined certain limits so do not transgress them. He has prohibited certain things, so do not do them; and He has kept silent concerning other things out of mercy for you and not because of forgetfulness, so do not ask questions concerning them.” (Reported by al-Darqutni and classified as Hasan (good) by al-Nawawi).