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**THE
TRUTH**

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R **RADIANT** **Y**
REALITY

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Niyyat

A Niyyat (intention) is in actual fact an ‘amal (deed). It is even better than an apparent or a physical ‘amal because there is a possibility of pride being attached to it, while a niyyat made in the heart remains within the heart and since no-one knows about it there is no pride involved. Even if someone did know about it what was there to be proud of as no actual deed is done except the deed of making the niyyat. One person actually donates Rs.500 to charity while another person makes an intention to do the same but due to his circumstances could not do so. He is not going to be proud of just the intention he had made. In fact he does not even regard his intention as a deed!

This deed of making a Niyyat carries so much weight that it is referred to as Roohul ‘Amal (soul of deeds) and Sayyedul ‘Amal (chief of deeds).

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This journal is dedicated to the Greatest and the Last Prophet

Hadhrat Muhammad

(Sallallahu Alaihi Wasallam)

on whom the Prophethood got ended and sealed forever.

May Allah Ta'ala enlighten entire humanity with

the Divine Attributes with which He sent

Rasulullah (Sallallahu Alaihi Wasallam)

to this world.

Only way to salvation for the mankind is in

following the blessed teachings of

Hadhrat Muhammad (Sallallahu Alaihi Wasallam).

..... Let us all follow him with utmost spirit.

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EDITORIAL

All thanks for Almighty, the most Merciful and Exalted.

How to Lower Our Gaze

What has gone wrong with our Ummah? Us Muslims, called by Allah, our Creator, as the best Ummah, Model Community, custodians of Truth and the Upholders of Morality behaving in this way? Why are we adopting the attitudes and routes of the Kuffar? How can we rectify ourselves?

What follows are a series of practical, though graphic advice which can work for us and set us free from Satan's stronghold, insha Allah.

Prophet Muhammad, Sallallahu alayhi wa sallam, by way of warning and as a reminder said: *"I have not left a fitnah (trial, calamity or cause for calamity) after me more than (the fitnah) with women for men"* (Bukhari and Muslim). Also was related by our Prophet : *"The world is sweet and verdant, and Allah having put you in it in your turn watches how you act; so fear the world and fear women, for the first trial of the Bani israel had to do with women"* (Muslim)

Being optimistic, a ray of hope was also wisely provided during Prophet's Last Sermon on way to avoid the above pitfall: *"If the Ummah hold on to the Quran and the Sunnah, it will not go astray"*.

When Allah created us humans will all the desires and urges, He also revealed to us sufficient and complete guidance to contain them through proper channels. All we need to do is seek this guidance, contemplate on it and implement it. *"This day I have perfected you deen for you, completed my favors upon you and chosen Islam as your deen"* (5:3)

Realize the fact that the great Sahabas were humans beings too. Biologically they were no different from us, they too had desires and temptations of the human species, and yet they controlled them in the best of ways. We can too, insha Allah. To possess sensual passions is Human, to control them is Muslim.

When confronted with a luring situation, like passing by a non-mahram on the street, office, or a school, Satan is constantly tempting us to glare at her with evil thoughts. Satan is probably excitingly saying with a big smile 'Yes', 'Yes', 'Yes', when we steer into the bait he is setting. During these situations immediately and consciously realize that when we give a second or following glances, we are obeying Satan. *"O you who believe, follow not the footsteps of the devil..."* (24:21). By immediately averting our gazes and disobeying Satan, we are giving him a one two punch in the face which leaves him frustrated, accursed and defeated.

Satan rebelled and was expelled by Allah, so lets all rebel against Satan and expel him from our hearts. Satan intends to fight a war against the believers, so lets gather our forces behind Quran and Sunnah and defeat him.

Remember that even if no human eye is watching us, the ever watchful Allah is constantly monitoring the innermost regions of our heart. Our eyes, limbs, tongue and private parts will all be witnesses for or against us on the Day of Judgement and not an atoms worth of our deeds will remain unexamined.

Psychologically our minds are conditioned to associate our thoughts of stealing clothes from a store to being in handcuffs and hauled into a police van. Likewise, we should condition our minds to bring the verses of Surah Nur in front of our eyes during any tempting situation and imagine that during that particular instance Allah (SWT) is speaking to us directly: *"Say to the believing men that they should lower their gaze and guard their modesty, that will make for greater purity for them...Say to the believing women that they should lower their gaze and guard their modesty...O you believers! Turn you all together towards Allah that you*

may attain success" (24:30,31). What a beautiful guidance and what a sublime reward for implementing it.

With practice, the above associations and the remembrance of Allah during tempting situations will prevent us from getting stuck by devilish arrows. Successful controlling our gazed also depends upon our avoidance of sinful situations. Al Islamic idiom (Usul Al-Fiqh) says: "Anything that leads to haram is haram in itself". Therefore cutting any unlawful situation in their bud is what we should strive for. Performance of a pious deed is rewarded and avoidance of a sinful deed is also rewarded, Al-Hamdulillah.

One of the biggest culprits which encourage us to disobey the ayahs in Surah Nur, are the movies. In the name of entertainment, to please our peers and children and as an excuse to do something together as a family, we astonishingly allow the development of un-Islamic scenes and dialogues in front of our eyes. Can we ever imagine (Na'udubillah) any Sahaba renting the latest hit from Blockbuster videos, or listening to music with luring lyrics at high volume?

Likewise, we watch news on TV and stare at the anchorwomen, female gymnasts, and female swimmers who are scantily dressed. Prophet Muhammad, sallallahu alayhi wa sallam, was once approached by a women with a proposal for

marriage. He took a single glance at her and turned his face way. Jabir bin Abdullah reported: "I asked Allah's messenger about the sudden glance on the face of a non-Mahram. He commanded me that I should turn away my eyes" (Muslim). Thus we are not suppose to stare at the faces of non-Mahrams of opposite gender, be they our fellow students, elders, saleswomen or the one of TV.

Pious ladies of the Prophet's household were even ordered to do purdah in front of a Blind Sahaba. Upon the curious question as to why purdah when the blind Sahaba can't see them, Prophet wisely replies: "But you could see him" (Ahmed, Trimidhi, Abu Dawood)

Each one of us may have become culprit of not obey the ayahs in Surah Nur. It is not too late to realize these short comings and work at rectifying ourselves. Above all, we should always ask forgiveness of Allah (SWT). Indeed blessed are those Muslims who are able to check their gazes, thus conserving their precious time and energy, and working in the cause of Allah to reclaim our positions as the superpowers of the world.

Let's contemplate on the above humble advises and constantly make the following supplication: "O Allah help us in controlling our sensual desires until we get married, and after our marriage, let our desires be only towards our spouses...aameen"

Words of Wisdom

Hazrath Luqman (A.S.), who was given the title of Hakeem (the Wise), used to work in an orchard. Once his master came to the orchard and asked for a cucumber. When the cucumber was brought, peeled and sliced, the master gave the first piece to Hazrath Luqman (A. S.) to eat. He placed it in his mouth and began eating it with great relish. When the master observed the degree of relish with which Hazrath Luqman (A.S.) ate the cucumber, he assumed that it must be very tasty. Hence he also put a piece into his mouth. To his horror he found the cucumber to be extremely bitter. He immediately spat it out and asked in astonishment: "O luqman, how can you eat such a bitter cucumber with such relish?" Hazrath Luqman (A.S.) replied: "The cucumber is indeed bitter. However I thought that if the hand that has already given me countless sweet things gives me one bitter thing, how ungrateful it would be of me to complain about it!!!"

Question & Answer

Parents and Oppression

Question: *I am the eldest of two brothers and three sisters. Some years back my father took ill and I was brought out of university to run the family business. Over the years my brothers and sisters have all completed their schooling. My sisters are married while my brother is completing his final year at medical school. Everybody was supported from the business while I was the only one working in the business. Over the past decade while I worked in the business it has grown from strength to strength. My father has now decided to share his assets equally among all his children in his lifetime. I strongly apposed this move as I feel that I am definitely entitled to much more than my brothers and sisters. My father has started the process of distributing his assets. How can I stop this oppression?*

Answer: May Allah Ta'ala reward you abundantly for having served your parents and family. Kindness to one's parents is a means of great barakah. The doors of Jannah are also opened for the one who serves his parents.

While you have certainly performed a great service to your parents, you are greatly mistaken if you feel that you are entitled to something in return. It is clear from your question that there was no partnership arrangement with your father. You merely made his khidmat (served him) for which you will insha-Allah be greatly rewarded. However, your service to your parents, irrespective of how much it may be, cannot fulfil one fraction of the rights of your parents upon you. Your parents served you from birth when you could do nothing for yourself. Have you repaid that service?

SUSTENANCE

Furthermore, you have mentioned that the business grew from strength to

strength. Do not regard this to be any personal achievement. This barakah has come due to your ailing father. Rasulullah (Sallallahu Alaihi Wasallam) is reported to have said: "Verily you are granted sustenance and assistance due to the weak among you." (Ibn majah) This means that due to some weak or sick person in the family, the entire family is granted sustenance. You should therefore realise that Allah Ta'ala has opened the doors of sustenance to you due to you taking care of your parents.

If your father wishes to distribute his assets in his lifetime, he is entitled to do so. In his lifetime he will give all his children equal shares. The rule of sons sharing double the shares of daughters pertains to inheritance which is only applicable after death.

As for stopping the "oppression", you should have already understood that they have not oppressed you at all. However, had they truly been guilty of oppression, in that case you should reflect on the following hadith: Hadhrat Ibn Abbaas (R.A.) is reported to have said: "A person who both his parents are alive and he commences the morning in treating them kindly, Allah Ta'ala opens two doors of Jannah for him. If one is alive, one door of Jannah is opened for him. Further, if he displeases any one of them, Allah Ta'ala will not be pleased with him until he makes them happy." Someone asked: "Even if they are oppressive (must I still make them happy first to acquire the pleasure of Allah Ta'ala)?" Ibn Abbaas (R.A.) replied: "Even if they are oppressive!"

Therefore do not oppose your father. Rather please him and serve him. Allah Ta'ala will bless you abundantly in both worlds.



Lesson From The Qur'an

Commentary: *Mawlânâ Mufti Mohammad Shafî Sahib (RA)*

Verses 102 -103

certain Judaic traditions, which have given rise to a number of doubts, especially in the minds of Muslims with a Western orientation. Maulana Ashraf 'Ali Thanavi has provided very simple and clear solutions to these exegetical problems, and we shall reproduce them here:-

(1) The Jews were impertinent and senseless enough to attribute magic and sorcery to a prophet — namely, Sayyidna Sulayman (Solomon AS). So, in saying that they used to learn the black arts of the devils (*Shayatin*), the Holy Qur'an takes care to deny, as a parenthesis, such a vile allegation against Sayyidna Sulayman (AS).

(2) These verses condemn the Jews for indulging in black magic. In connection with the verses, some commentators have reported a long and well-known story about a woman called *Zuhrah*, which is not based on any authentic Islamic tradition. Those scholars who have found the story to be infringing the regulations of the Shari'ah, have rejected it as mere fiction; but those who believe that it can be interpreted so as to come in line with the Shari'ah, have not dismissed it totally. For the moment we are not concerned with the question whether the story is true or false. But what we would like to insist upon is the fact that a proper understanding does in no way depend on this story.

The Jews knew very well that their indulgence in black magic was not only a sin, but also involved infidelity (*Kufr*). They could also see that such activities would do them no good even in this world, for their sorcery could not harm anyone except when Allah willed it so. Thus their practice went against their knowledge, and they made no use of their understanding to see this discrepancy. That is why the Holy Qur'an, to begin with, states that they "knew", and then goes on to negate this 'knowledge' by saying, "Only if they knew!"

And they followed what the devils used to recite in the reign of Sulayman (Solomon) -- it was not Sulayman who became an infidel, but the devils did become infidels, teaching people magic, and what had been sent down to the two angels, Harut and Marut, in Babylon. And these two did not teach anyone without having said, "We are nothing but a trial, so do not go infidel." Then, they used to learn from them that with which they could separate man from his wife. But they were not to bring harm through it to anyone, without the will of Allah. And they used to learn what harmed them and did no good to them. And they certainly knew that he who buys it has no share in the Hereafter. And, indeed, vile is the thing for which they sold themselves away. Only if they knew! And had they accepted the faith, and been God-fearing, the reward from Allah would have always been far better. Only if they knew!

(Verses 102 -103)

In connection with these two verses, some commentators have reported

For, if one does neither act upon what one knows nor tries to understand it properly, one's knowledge is no better than ignorance.

There was a time when black magic had grown very popular in the world, particularly in Babylon. Seeing its astonishing efficacy, ignorant people began to confuse its effects with the miracles of prophets, and to suppose that the two were identical in nature. Some even looked upon magicians as being holy men, and worthy of being obeyed; still others actually started learning and practising black magic as if it were a good deed bearing a divine sanction. (Just as there has been a sudden outburst of enthusiasm for the occult sciences in the West since the middle of the sixties in this century, particularly in America where even the universities have been inundated by it.

In short, this extraordinary veneration for magic and magicians had become a potent source of misguidance. In order to eradicate this misunderstanding, Allah sent down to Babylon two angels, Harut and Marut, for informing the people as to the true nature of magic and as to its different forms, so that they should distinguish it from the miracles of prophets, and keep away from obeying magicians and practising magic themselves. Just as the prophethood of prophets is divinely confirmed through miracles, signs and rational or other arguments, in the same way the angelical nature of Harut and Marut was confirmed on the basis of different signs and arguments, so that people should listen attentively to them and follow their guidance.

This particular function was not assigned to the prophets for two reasons. Firstly, the need of the hour was to establish a distinction between the prophets and the magicians, and, the prophets being in a way a party to the dispute, it was proper that a third party should be the arbitrator. Secondly, the necessary distinction between the two could not, in a normal course, be defined without citing and reporting the verbal formulas employed in magic. Merely to report heretical speech is not in itself a her-

esy - this is a logical and rational principle, and the Shari'ah too accepts it. So, the prophets could have been allowed to cite these formulas; but, they being a manifestation of divine guidance, Allah did not ask them to perform such a function, and chose two angels for the purpose. For, Allah's commandments are of two kinds -- those pertaining to *Takwin* (creation and the cosmic order), and those pertaining to *Tashri'* (legislation) -, and it is quite possible that sometimes the two may not seem to accord with each other. The order of creation is made up of good and evil both, and it is the angels through whom divine commandments are enforced in this sphere. So, the angels are made to do things which, in the perspective of the cosmic order, always lead to general good, but which, in so far as they necessarily involve some kind of partial disorder, are seen to be evil -- for example, the growth and upkeep of a human tyrant, or of a harmful beast, each of which is right in the context of the order of creation, but wrong from the point of view of the order of legislation. On the other hand, the prophets are entrusted only with the functions of the legislative order, which are, in their general as well as particular applications, nothing but good.

Although, in view of the ultimate purpose, this reporting of the formulas of magic too was related to the legislative order, yet there was probability -- which even materialized -- that a reporting of such formulas could give an incentive to the practice of black magic. So, Allah preferred not to make the prophets even an indirect means of such reprehensible activities. All the same, the prophets too were made to serve the main purpose by announcing the basic regulations of the Shari'ah with regard to magic, though not the details pertaining to the minor rules derived from them, for that could have possibly given rise to temptation. We shall explain it through an analogy. The prophets have, for example, told us that it is forbidden to accept a bribe, and have also explained the nature of bribery, but have not given us the details as to how

a bribe is given or taken, for a delineation of such minute details would have served only to teach men the different methods of giving or taking a bribe. Or, take an example from different branches of magic. If one utters a certain formula, one would, on getting up from the bed in the morning, find money under his pillow or in his pocket. The Shari'ah makes it quite clear that such a practice is not, in principle, legitimate, but does not specify what that formula is.

In short, the two angels came down to Babylon, and started the work assigned to them — that is to say, they used to explain the basic principles of magic, its different forms and the specific formulas, and then used to dissuade the people from getting themselves involved in these activities or with the magicians. Their work was exactly like that of a scholar who, finding that illiterate people sometime fall into uttering heretical words or phrases on account of their ignorance, should collect in his speeches or writings all such phrases that have gained currency, and inform them as to what they must carefully avoid.

Now, all sorts of people started coming to the angels for seeking information about the nature and the specific formulas of a magic lest ignorance should lead them into error, in the matter of doctrines or that of deeds. In order to provide the correct teaching on this subject and to protect the people from error, the angels were scrupulous enough to make it a point to warn them of possible dangers in giving them the information. They insisted on making it quite clear that in allowing them to provide this kind of information to the people in general, Allah intended to put His servants through a trial, for He would see who uses this knowledge for protecting his *'Iman* (faith) by recognizing evil and avoiding it, and who falls into misguidance by adopting evil that he has come to recognize as evil — a choice which can easily lead one into *Kufr* (infidelity) in the matter of deeds or in that of doctrines. The angels repeatedly advised them to seek this dangerous information only with a good intent and to remain stead-

fast in this good intent, and not to misuse the knowledge so as to earn perpetual damnation.

The angels could not be more honest and forthright. So, they explained the basic principles of magic and even the subsidiary details to all those who were ready to take the pledge to remain steadfast in their faith. Of course, if anyone broke the pledge and fell into transgression or infidelity, it was his own business, and the angels could not be held responsible for it. Some were true to their promise, while many did not fulfil the pledge, and made their knowledge of magic a means of doing harm to people - this in itself is sin and transgression, while some modes of magic actually involve infidelity (*Kufr*). Thus, through a misuse of their knowledge of magic, some turned into sinners and others into infidels.

Let us repeat that the angels had taught magic for the purpose of reforming the people and helping them to keep to the straight path, but those who misused this teaching did so out of their own perversity. An example would make the situation still more clear. Let us suppose that a man goes to a master of the Islamic sciences, who is an expert in the traditional branches of learning and in philosophy as well, and who also acts upon his knowledge, and this man requests the master to teach him philosophy, ancient or modern, so that he may protect himself against the doubts raised by the philosophers with regard to Islamic doctrines, and may also be able to give a satisfactory reply to those who raise such doubts. Apprehending that he might turn out to be insincere, and might finally bring the knowledge of philosophy to the aid of false and anti-Islamic ideas, the master warns him against such an eventuality, and the man takes a pledge that he would not misuse his knowledge. Having satisfied himself, the master gives him a thorough training in philosophy. But the man, contrary to his promise, begins to accept the anti-Islamic and false theorizing of philosophers as the truth. Obviously, in such a case, the teacher can in no way be held responsible for the

way the pupil behaves. Similarly, there can be no room for doubting the integrity of these two angels.

Although Allah Himself knows how things were, yet one can suppose that once the angels had done the work assigned to them, they must have been recalled to the Heavens. (Bayan al-Qur'an)

What is Magic? Definition and effects

Since the study of magic has been enjoying a weird currency in the Western countries since 1968, and has sometimes been accepted as a part of academic research, we had better consider the subject at some length from the Islamic point of view. According to the authoritative Arabic dictionary "*Al-Qamus*", the word *Sih*r (Magic) signifies an effect the cause of which is not apparent, whether the cause may actually lie in something which possesses a luminous quality (as the effect of certain phrases), or in things with an extra-sensory reality (as the effect produced by jinns and devils), or in the power of imagination (as the effect of hypnotism), or in things which are sensory yet hidden (as a magnet drawing to itself a piece of iron, when the magnet is concealed from the onlookers; or the effect of drugs, when they have been furtively administered; or the influence of stars and planets). The causes at work being numerous, the forms of magic too are numerous.

Magic and Charms

In everyday language, magic signifies those practices which involve the co-operation of jinns and devils, or the exercise of the power of imagination, or the use of certain words or phrases. It is a rationally established proposition, accepted by ancient philosophers and by some of the modern ones as well, and equally confirmed by observation and experiment, that words and phrases in themselves possess a certain efficacy, and that when certain letters, words or phrases are recited or written down for a specified number of times, they produce certain specific results. Similar

results are obtained by employ-ing human hair or nails or the clothes worn by the person concerned, etc. - a practice which is usually described as the preparation of "Charms". All such things are commonly known as magic.

Sihr or Magic: The Islamic view

*But in the terminology of the Holy Qur'an and the Hadith, Sih*r (magic) refers to all those usual happenings which have been brought about with the active help of the devils (*Shayatin*), won over through certain practices likely to please them. There are several ways of pleasing the devils. Sometimes one sings the praises of the devils, and sometimes recites formulas of a heretical nature which deny Allah or associate others with Him. The worship of stars and planets too gladdens their heart, as do certain evil deeds - for example, preparing a charm with the blood of a person killed unlawfully, or refusing to adopt the prescribed modes of purifying one's body, or living constantly and deliberately in a state of uncleanness and impurity. Just as the aid of the angels can be won only through those modes of speech and action which they like (for example, remembrance of Allah, fear of Him and obedience to His commandments, cleanliness and purity, avoidance of all kinds of dirtiness, physical or otherwise, and good deeds in general), similarly the co-operation of the devils can be obtained through those modes of speech and action which are pleasant to them. That is why only those are successful in the practice of black magic who are habitually unclean and impure, avoid required purification and remembrance of Allah, and are given to all kinds of evil deeds - for example, it is usually during the period of menstruation that women become effective in the practice of black magic. So much for black magic or sorcery in the exact sense of the term. As for sleights of hand, mesmerism, hypnotism, or the tricks of jugglers, they are sometimes described as magic only by an extension of the meaning of the word, or metaphorically. (Ruh al-Ma'an)

Lesson From The Bukhari Sharief

Dr. Rafiq Ahmad

Chapter 3 : Whoever raises his voice in (conveying) knowledge.

Purpose of Tarjamatul Baab

Hadhrat Shaikh-ul-Hind says that it is against the dignity of a prophet to make noise and to talk loudly. In this Hadith it is shown that one can talk loudly with a lashing tongue in order to convey the message of Deen with firmness.

Hadith Number 57

Narrated 'Abdullah bin 'Amr

Once the Prophet remained behind us in a journey. He joined us while we were performing ablution for the prayer which was over-due. We were just passing wet hands over our feet (and not washing them properly) so the Prophet addressed us in a loud voice and said twice or thrice, "Save your heels from the fire."

Comments

Abdullah bin Amr says that once they were on a journey and got late for the Salah; they tried to make Wudhu in haste, and probably water was available in less quantity. In this hastiness the heels of some people remained dry; Rasulullah (saw) who

was coming from behind saw that and addressed them twice or thrice in a loud voice that they should save their heels from fire, because that part of the feet which is not washed properly during wudhu will be made to taste Hellfire.

Chapter 4 : The sayings of the narrator conveying the Hadith: (narrated) or (told us) and (informed us).

Hadith Number 58

Narrated Ibn 'Umar

Allah's Apostle said, "Amongst the trees, there is a tree, the leaves of which do not fall and is like a Muslim. Tell me the name of that tree." Everybody started thinking about the trees of the desert areas. And I thought of the date-palm tree but felt shy to answer the others then asked, "What is that tree, O Allah's Apostle ?" He replied, "It is the date-palm tree."

Purpose of Tarjamatul Baab

It has already been stated after Iman knowledge is has been given high importance in Islam. Now Imam Bukhari wants to tell us that the reliable knowledge

is only that which is quoted from Rasulullah (S) with authentic chain of narrators (Sanad). It is a well accepted fact near the learned scholars of Islam that the Sanad or authentic chain of narrators is an important thing in the Shari'ah. Here Imam Bukhari shows that the words like haddasana (حدثنا) akhbarana (اخبرنا) ambana (انبانا) etc while narrating a Hadith are also taken from the Qur'an and Hadith and that these are not fabricated by the narrators themselves. He also is of the opinion that these three words are synonymous, while some scholars believe that the words haddasana and akhbarana denote a stronger authenticity than ambana. Ibn Hajar says that the narrators of Hadith use the word 'haddasana' if they have personally heard the Hadith from their teacher and 'akhbarana' if they read the Hadith in presence of their teacher.

He further says that the purpose of adopting this title for this Hadith is that this Hadith has been quoted in different chains with the all these three words i.e., haddasana, akhbarana and ambana.

Narrating Hadith with the word "Un" (عن)

When the Hadith is quoted with the word "Un", from Rasulullah (S), this hadith is also taken as authentic. Whatever Rasulullah (S) says is actually quoted from Allah, as Allah says:

"Nor does he say (aught) of (his own) Desire". (53.003)

But what he (S) quotes from Allah with the word "Un" (عن ربه) that is called the Hadith-e-Qudsi (حديث قدسي).

Comments

Ibn Umar, when he was just a young boy, says that one day he was sitting with senior Sahaba al Kiram; Rasulullah (S) asked the Sahaba, "which tree is like a Muslim and whose leaves do not fall?" The senior Sahaba could not immediately guess about this tree, Ibn Umar says that though he was young, he thought that it was the date tree but he did not dare to open his

mouth in presence of senior Sahaba, then Rasulullah (S) himself told them that it was the date tree.

Similarities between a Muslim and date tree

Ulema have suggested many similarities, viz.,

1. Both are straight and upright and resemble in Istiqamat (استقامت)
2. Both have very deep roots, the roots of the faith of a Muslim (إيمان) are very deep in his Qalb. It is reported in Tirmidhi, Nasai and Ibn Hibban on the authority of Anas that once Rasulullah (S) recited the verse,

Then he (saw) said, "it is date tree".

3. Every and every part of a date tree is useful, like its fruits, both ripe as well as unripe, leaves and stem etc. It is also used for medicinal purposes. Similarly every state of a Muslim is useful for him. His eating, drinking, sleeping, walking, earning livelihood are all counted as worship, hence useful for him.
4. Some say that both have male and female genders.
5. Some say that the date tree resembles a man because if its upper part is cut it becomes dead.
6. Some say that both have the attribute of love.

Chapter 5 : The Imam explored the case to his companions in order to test what they have of knowledge.

Hadith Number 59

THE ROLE OF SOCIAL SCIENTISTS IN MUSLIM SOCIETIES

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*The basis for happiness in this world and
the next is Knowledge
(Plato, Al Farabi and Al Ghazali).*

The Importance of Social Sciences

One of the most important objectives of Islam is to enable its followers to live an enlightened life. The Quran does not hide its preference for those who possess knowledge and those, whose faith is tempered by reason. Muslims correctly value those who have knowledge and Ulema have for centuries determined how Muslims understand Islam and the world. But over time Muslims have mistakenly began equating knowledge with a narrowly defined conception of religious knowledge, and scholars with again narrowly defined conception of scholarship. Thus ironically as the frontiers of knowledge expanded and human understanding of things and the scope of sciences expanded, -- sometimes astronomically -- the Muslim vision of what is knowledge and who is knowledgeable shrunk.

There is no doubt in my mind that the diminishing Muslim vision of knowledge and the knowledgeable is singularly responsible for the decline of creativity, dynamism, vitality and power of the Islamic civilization. Today, without doubt, the Muslim world lags behind all other civilizations in its production and consumption of knowledge. Today most Muslims think of knowledge as that limited to the familiarity with medieval Muslim understanding of law and jurisprudence. Scholars are only those who "memorize" Quran and the traditions and are familiar with pedagogical and epistemological tools

Narrated Ibn 'Umar

The Prophet said, "Amongst the trees, there is a tree, the leaves of which do not fall and is like a Muslim. Tell me the name of that tree." Everybody started thinking about the trees of the desert areas. And I thought of the date-palm tree. The others then asked, "Please inform us what is that tree, O Allah's Apostle?" He replied, "It is the date-palm tree."

Purpose of Tarjamatul Baab

In this Baab Imam Bukhari has got the previous Hadith but has added a new title to this Baab. By doing so he wants to convey yet another thing which is important for learning and teaching of knowledge, i.e., the teacher should test the student. From this it is clear as to how significant the "Tarjamatul Baab" or titles of the chapters are important in this book.

The teacher should test his students

By getting this Hadith here Imam Bukhari wants to impress that the teacher should off and on test his students, put questions before them in a little difficult way. By this the teacher gets an idea of the capability of his students.

Sometimes a junior knows more than his senior

Ibn Umar was just ten years old that time and he thought about the right answer whereas it did not strike the senior people.



developed a thousand years ago. It is therefore not surprising that under the intellectual leadership of this class of scholars the Ummah has gone from one low to another lower low.

One area of knowledge that has been deeply neglected by Muslims is the arena of social sciences. Except for the Islamization of Knowledge project and the American Journal of Islamic Social Sciences, both initiatives launched by American Muslims in early 1980s, there has been very little attempt by Muslims to indigenize social sciences. Social sciences, unlike Islamic sciences, which are essentially normative paradigms, have an empirical focus. Social sciences are more interested in understanding and describing the world as it is rather than on postulating on how it ought to be. Without being prejudicial about what is more important, we must realize that while medieval Islamic sciences do provide a view of how the world ought to be a thousand years ago they do not equip our jurist-scholars with the training and tools necessary to understand the world as it is. Ulema's discourses on how the world ought to be become meaningless and therefore ineffective because they are not grounded in contemporary realities. Very simply, if you do not understand where you are, even if you know where you have to go, you will go no where.

Hence you need social sciences to understand where you are and put religious knowledge of where to go to effective use. To put it bluntly, without social sciences, traditional Islamic sciences are useless.

The Role of Social Scientists

The most important function that social scientists can perform is provide our leaders and the attentive public with an empirical understanding of our existential conditions. Without an accurate analysis of where we are effective remedial policies cannot be articulated. Social scientists provide the in depth analysis necessary for informed decision making.

The Quran in a beautiful passage

praises those who reflect on the empirical realities of our world – contemplate the creation – in *Surah Al Imran*:

Verily in the creation of the heavens and the earth, and the alternation of night and day - there are indeed signs

for men of understanding; Men who remember Allah, standing, sitting, and lying down on their sides, and contemplate the creation of the heavens and the earth [Quran 3:190-191]

The Quran also exhorts Muslims to undertake empirical study in *Surah Al Anka-but*.

Say: Travel through the earth and see how Allah originated creation [Quran 29:20].

Some countries such as Japan, India and China have developed indigenized social scientists who use advanced analytical and research skills in the interest of their nations and provide the necessary information to make effective policy. The progress and growth and development of these nations are indicative of the success of their social scientists. The Muslim world, which often looks to "the Ulema" to ask all questions such as is it *halal* to eat gummy bears or if one can one marry two sisters simultaneously, and is it ok to join the WTO and is democracy a good idea, remains strikingly underdeveloped. While the Ulema are "trained" to answer the first two questions, contemporary reality is outside their domain.

The success of non-Muslims and the failure of Muslims in worldly matters can be explained only through the knowledge deficit that plagues the Muslim community. The Quran once again is so clear on this issue:

Allah will raise up to (suitable) ranks (and degrees) those of you who believe and who have been granted knowledge. [Quran 58:11]

While I cannot comment on the faith of anyone, I can understand that Allah has raised the West and the Far East to great heights and honor purely because of their commitment to freedom of thought and knowledge. The best universities and the

most productive work in knowledge accumulation is taking place in the West and the Far East. Actually everywhere except in the Muslim World.

Social scientists must not only be consulted but also encouraged to research, speak and write freely on the most important and pressing issues such as external and internal security, geopolitics, globalization, inter-faith politics, economics, social and public policy and short and long term planning. Other issues that they can enrich are normative discussions based on empirical experience of institutions and politics that are best suited for our times. Social sciences are now very diverse, very complex and very advanced. They deal with issues all across the board and their findings impact policy at all levels.

The Ummah today does not need Ulema who are incapable of knowing the world we live in, but rather social scientists that are also familiar with the maqasid al Shariah -- the divine way -- to help develop and govern our societies efficiently and effectively.

Islamic sciences that were developed -- remember they were developed by human beings not revealed by God -- were quite advanced for their time and help vitalize the Islamic world and make it a dominant and thriving civilization. However they have enjoyed little development in over a thousand years. In Islamic Madrassahs syllabi have not been revised in over 200 years! All good social scientists revise their curriculum every time they teach their courses. While Islamic sciences have languished, social sciences have advanced. While the former remains a dead tradition the latter is alive and growing.

Social sciences have also added Islamic studies to their realm and have developed a more nuanced, more sophisticated and even empowering vision of Islam by critiquing and building upon traditional Islamic sciences. Today it is easy to find Muslim social and humanities scholars who are also trained in traditional methods, who now empowered by new epistemologies

and are doing wonderful research that if the Ummah were to embrace would resuscitate the community.

Today the knowledge to revive and develop the Islamic Ummah is available. It is time the community recognizes that for centuries we have failed to become leaders of humanity and fulfill our mandate as Allah's vicegerents on earth (Quran 2:30) is because we have surrendered our vision, our faith and our reason to deadwood. Power is a function of knowledge.

Say: Are those equal, those who know and those who do not know? [Quran 39:9]

The Ummah is powerless because those who they consider as knowledgeable have failed for over 500 years to provide us with an empowering vision.

American Muslims now live in times where the basic objectives and even values of the community are questioned. It is time American Muslim social scientists stepped up to the plate and addressed some of these issues. The community needs new vision and new direction. In academic journals and conferences Muslim social scientists have provided sophisticated analysis of our condition and also enlightening pathways for a better and more secure future for all. It is now up to the community leaders to connect the output of these scholars with the direction of the community.

Scholars by nature are isolationists. They need seclusion to think, research and write. It is not fair to expect them to come forward, some do like yours truly, but the community must also seek them and seek their guidance.

The future belongs to those who have thought the deepest about it.

Loved Expression

Abu Dharr (RA) reported: The Messenger of Allah (Sallallahu Alaihi Wasallam) said to me, "Shall I tell you the expression that is most loved by Allah?" It is 'Subhan-Allahi wa bihamdihi' (Allah is free from imperfection and His is the praise)'. [Muslim].

Making it Safe for Rapists

Justice Mawlana Taqi Usmani Sahib (DB)

[In November 2006, Pakistan's military ruler steamrolled the Protection of Women Bill 2006 into law claiming to end injustices against women. It was promptly rubber stamped by the National Assembly. In reality, this bill makes it much more difficult to punish crimes against women and provides all kinds of protection to rapists and fornicators. In this blatant attempt to make Pakistan safe for rapists, one can see the true face of "Enlightened Islam" that General Musharraf has been tasked to introduce in Pakistan.

The account is important not just for the people of Pakistan; Muslim women everywhere can expect similar treatment from their "moderate" rulers.

The text below is based on an article in Urdu and an interview by **Mufti Taqi Usmani.**

The major "accomplishments" of the bill are as follows:

1. The *hadd* for rape has been abolished.
2. It has been made much more difficult to file complaints for *zina* deserving *hadd* and *zina* deserving *ta'zeer*. They are also now much more difficult to prove. Further the government can forgive/commute *hadd* punishments.
3. The Shariah process of *li'an* has been tampered. Consequently, a woman in a failed marriage who is accused by her husband of adultery will remain at his mercy. Previously *li'an* provided her a way out.
4. Several clauses in the Hudood Ordinance that reduced legal complexities and provided protection for women have been repealed.

In the following discussion it is important to note that the Hudood Ordinance covered two types of punishments for *zina*:

1. *Hadd*: If there were four witnesses to the act of *zina*, then *hadd* (immutable

Shariah punishment) was to be inflicted on the offender(s).

2. *Ta'zeer*: If four witnesses were not available, but the crime was proved beyond doubt, the offender(s) were to be given a *ta'zeer* (i.e. discretionary punishment).

Abolishment of *Hadd* for Rape

First, the new bill abolishes the *hadd* for the crime of rape. The authors claim that the punishment ordained by the Qur'an and Sunnah only applies in the case of adultery, and not in the case of rape.

Proof of *Hadd* from the Qur'an

The Holy Qur'an prescribes the punishment of adultery in Surah an-Noor as follows: "The female perpetrator of *zina* and the male, scourge ye each one of them (with) a hundred stripes." (An-Noor, 24:2)

In this injunction the word *zina* is absolute and includes *zina bir ridha* (adultery) as well as *zina bil jabr* (rape). It is obvious that rape is a more serious offense, and consequently deserves at least as severe a punishment as that for adultery.

One may point out that this verse mentions both the female and male perpetrators of *zina*, so this verse could not possibly apply to rape. However, in the same surah the punishment for rape is clarified: it only applies to the man. The Holy Qur'an says:

"And if one forces them (i.e. those women), then, (unto them) after their compulsion, Allah is Forgiving, Merciful." (Surah Noor, Verse 33)

Thus, it is clear that if any woman is forced to commit *zina*, then she cannot be punished for this, rather the one who transgressed will have to suffer the prescribed punishment (*hadd*) that has been mentioned in Surah Noor, Verse 2.

Proof from the Ahadith

The stated *hadd* of one hundred

stripes is to be inflicted on an unmarried offender. From the Sunnah Mutawatar it is further established that a married person is to suffer *rajm* (lapidation). The Messenger of Allah, (Sallallahu Alaihi Wasallam), did not differentiate between *zina bil jabr* (rape) and *zina bir-ridha* (adultery with mutual consent).

In one hadith, Sayyidna Wail bin Hajr, Radi-Allahu anhu, narrates that during the time of the Prophet, (Sallallahu Alaihi Wasallam), a woman had gone out to offer the prayer. On the way a man overcame and raped her. The woman cried for help and the man ran away. Thereafter the man admitted that he had raped her. The Messenger of Allah, (Sallallahu Alaihi Wasallam), then inflicted the *hadd* on the man only, and not on the woman.

Imam Tirmidhi related this Hadith in his *Jami'* with two different chains of transmission, and he declared the second chain of transmission as reliable. (Jami Tirmidhi, Kitabul Hudood, Bab 22, Hadith Number 1453, 1454)

Similarly, in Sahih Bukhari there is a hadith according to which a slave had raped a slave-girl. Sayyidina Umar, Radi-Allahu anhu, then imposed the *hadd* on the slave, but not on the slave-girl. (See Sahih Bukhari, Kitabul Ikrah, Bab 6)

It is hence firmly established from the Holy Qur'an, the Sunnah, and the decisions of the rightly guided caliphs, Radi-Allahu anhum, that the same punishment is to be awarded for both adultery and rape and that in the case of rape, only the man is punished. It is by no means correct to say that the *hadd* mentioned in the Holy Qur'an and in the Ahadith applies only to adultery.

The Propaganda against the Hudood Ordinance

What is the rationale for removing the Shariah punishment for rape? The authors argue that the Hudood Ordinance treated a victim of rape who was unable to produce four witnesses as a criminal herself; she was jailed for allegedly having committed adultery. This claim is simply

false.

I myself had been directly hearing cases registered under Hudood Ordinance, first as a Judge of Federal Shariah Court and then for seventeen years as a member of Shariah Appellate Bench of the Supreme Court. In this long tenure, not once did I come across a case in which a rape victim was awarded punishment simply because she was unable to present four witnesses.

In fact it was not possible to do so. First, according to the Hudood Ordinance, the condition of four witnesses only applied to enforcing the *hadd* for rape. Clause 10 (3), which awarded the *ta'zeer* punishment, did not have this requirement; the crime could be proven through one witness, medical reports, and chemical analysis report. Consequently most rape criminals were awarded punishment as per this clause.

Further, a woman claiming rape could not be punished under Qazf (false accusation of *zina*) since Exemption 2 in Qazf Ordinance Clause 3 clearly stated that if someone approaches the legal authorities with a rape complaint, she could not be punished in case she was unable to present four witnesses.

The only possibility was that the woman could be awarded punishment for committing adultery with her own free will. Obviously, if the available evidence did prove her guilt, punishing her was the just course of action. However, such cases were rare, since usually there was insufficient evidence to prove that the woman was lying; in 99% of the cases the court was neither convinced that the man had compelled the woman, nor could it prove her guilt and so she was given the benefit of doubt and set free.

This can be verified very easily by analyzing the cases executed under the Hudood Ordinance in the last 27 years. In fact, there was an independent study conducted by Charles Kennedy, an American professor. He surveyed all the data related to the Hudood Ordinance cases and presented the results in the form of a report, which was published in 1991. The report

states:

Women fearing conviction under Section 10(2) frequently bring charges of rape under 10(3) against their alleged partners. The FSC finding no circumstantial evidence to support the latter charge, convict the male accused under section 10(2)the woman is exonerated of any wrongdoing due to reasonable doubt rule. (Charles Kennedy: "Islamic Legal Reform and The Status of Women in Pakistan", *Oxford Journal of Islamic Studies* 2:1 (1991) page 50)

The Behavior of the Police

Thus far we have discussed the legislative issues; it is clear that the punishment for rape is decided by the Shariah and that the Hudood Ordinance's implementation was just and correct.

One matter remains: the behavior of the police while investigating the crime. It is possible that during police investigations, some rape victims were indeed unjustly arrested as committers of adultery. Unfortunately the police in our country are quite prone to committing such acts of injustice while enforcing the law. This, however, does not mean that the law must be abrogated. For example, keeping heroin in one's possession is a crime. Yet quite often the police themselves secretly place some heroin with innocent citizens only to pressurize them afterwards. Should we then abolish the law according to which possession of heroin is a crime?

This, in fact, was dealt with by the Federal Shariah Court; it had passed several decisions that effectively set an end to this abuse. However, if one was to assume that the risk has not yet been fully eliminated, one could draft a law according to which no woman claiming to have been a victim of rape could be arrested under any article of the Hudood Ordinance until the court had delivered its final judgment. Besides, one could make laws that prescribed punishment for wrongly arresting a rape victim. But under no circumstances is it permissible to abolish the punishment that the

Shariah has decreed for rape.

Zina in the New Bill

The second major arena of modifications is in the sections dealing with *zina* deserving *hadd* and *zina* deserving *ta'zeer* (now called "fornication"). The modifications have little to do with the protection of women, but a lot to do with protecting the perpetrators of these crimes.

First, the offence of *zina* is no longer under police jurisdiction. Now one must take the witnesses to the court and file a complaint there. *Zina* deserving *hadd* requires four witnesses; if four are not available, one may file a complaint of "fornication" which requires two witnesses. In both cases, an FIR (First Information Report, the essential document for criminal investigations) can no longer be registered with the police. Obviously, the courts are no where nearly as accessible as the police, and the police themselves are not allowed to apprehend the offenders, so this modification can only entail protection for the perpetrators of this crime.

Zina and fornication are crimes against the society, not just against an individual. Hence the crimes ought to be under the jurisdiction of the police.

Zina Deserving Hadd

While the police are out of the picture, the government is now allowed to interfere in *hadd* punishments even after the court has awarded them. The new bill eliminates the clause in the Hudood Ordinance that prevented the government from forgoing, altering, or reducing the *hadd* punishment. This blatantly violates the injunctions of the Qur'an and Sunnah. The Qur'an states:

And it becomes not of a believing man or a believing woman, when Allah and His Messenger have decided an affair (for them), that they should claim any say in their affair. (Surah Ahzab, Verse 36)

There is also a well-known incident according to which a high-ranking companion had interceded with the Noble Prophet,

(Sallallahu Alaihi Wasallam), for a woman who had committed theft (as a result of which she deserved *hadd*). The Noble Prophet, (Sallallahu Alaihi Wasallam), reprimanded the companion and said:

Had Muhammad's ((Sallallahu Alaihi Wasallam)) daughter committed theft, I would have cut her hand off. (Sahih Bukhari, Kitabul Hudood, Bab 12, Hadith Number 6788)

When even the Prophet, (Sallallahu Alaihi Wasallam), did not have the authority to reduce a *hadd* punishment for someone, whence does the government obtain the authority to do so?

Fornication

There are still further modifications with regards to "fornication" (the situation when four witnesses are unavailable, but the crime can still be established using other evidence):

1. The offence is now awarded a maximum sentence of five years as opposed to the ten years in the original Hudood Ordinance.
2. To file a complaint in the court, one must go with at least two eye-witnesses, whose testimony will be immediately recorded. If the court deems the case worthy of further proceedings, it will summon the accused. The court will then be limited to demanding a personal bond from the accused to guarantee that he/she present him/herself at the court.

There are several major issues here. First, demanding two eyewitnesses is quite unwarranted. Nowhere in the entire legal system pertaining to testimony—apart from Hudood—is there mention of a certain minimum number of witnesses. At times decisions are made in the total absence of eye-witnesses, only on account of circumstantial evidence. From the Shariah perspective a *ta'zeer* punishment can be awarded with availability of even one reliable witness as well as in the presence of circumstantial evidence such as medical reports and chemical analyses. The requirement of producing two witnesses at the time

of complaint registration provides unnecessary protection to the criminals of fornication.

Similarly, prohibiting the court from demanding any bail besides a personal bond is impeding justice. Court cases vary in their circumstances, which is why Military Act 496 already authorizes the court to decide whether to free the criminal on a personal bond or ask for any additional guarantees it deems necessary. This applies even in case of minor crimes. Yet it has been invalidated for a major crime like fornication.

3. Further, filing a complaint in the court now carries a huge risk. The judge in his sole discretion may decide that the accusation is false and then without further hearing decide to award punishment to the complainant for false accusation.

Converting Other Cases to Fornication

Further, the new bill disallows converting cases of rape or *zina* deserving *hadd* into fornication. In the legal system, if there is not enough evidence to convict the accused under one crime, he may still be convicted under other crimes that can be proved using the available evidence. Yet, in the case of fornication this has been explicitly disallowed.

1. Converting *Zina* Deserving *Hadd* to Fornication

According to the original Hudood Ordinance if necessary evidence to enforce *hadd* was not found against someone but the crime could still be proven otherwise then he could be awarded *ta'zeer* punishment as per clause 10(3). The new bill has done away with this. Clause 203C, Paragraph 6 states that if someone is acquitted in a case of *hadd*, he cannot be tried in a case of fornication (i.e. he cannot even be given a *ta'zeer* punishment).

Now, it is obvious that the extremely strict conditions laid down for enforcement of *hadd* cannot sometimes be fulfilled merely due to technicalities. In such a situation when otherwise strong evidence is available to prove the crime, the court can

neither award any punishment, nor can it even register a case of fornication against the criminal. Is this anything but providing protection to fornication?

2. Converting Rape to Fornication

Similarly, the bill states in article 12A that if someone is accused of rape his case cannot be converted into a case of fornication at any time in future. Consequently if a woman registers a case of rape against someone but some doubt remains in proving that the act was committed by force, the criminal will be released and even a case of fornication will not be made against him.

It is easy to see where this can lead. In the days before the Hudood Ordinance when adultery was not a crime, rape criminals used to adopt the line that what they did was with the free will of the woman. So if the court suspected the woman's connivance it would dismiss the case and free the accused. The Hudood Ordinance did not allow this line of defense because adultery was declared a crime even if it was done with the woman's free will. And the court that was hearing the case of rape could also award him the *ta'zeer* punishment. (At the same time, the woman could not be punished as mentioned earlier.) This new amendment has restored the situation wherein if a man accused of rape succeeds in creating doubts about the woman's being forced then no one will be able to bring him to justice.

The only option is to register afresh a case of fornication. Yet this too would not be possible, since a case of fornication now requires two eye-witnesses, while in this case two eye-witnesses are not available. As a result such a person will go scot-free and no court will be able to take any new action against him.

Now, this bill does list fornication as a criminal offence. So we need to ask its authors the obvious question: is fornication indeed a criminal offence? If so then why is this bill making all these provisions to save the offender from punishment?

Li'an in the New Bill

Third, the process of *li'an* is no longer in accordance with the Shariah. In Clause 14 of the original Qazf Ordinance the procedure of *li'an* was mentioned in accordance to the Qur'an: If a man accuses his wife of adultery and fails to produce four witnesses then on the woman's demand he will have to take oath in the process of *li'an*. After both parties take oaths the marriage will dissolve. The Qazf ordinance stated that the man would be kept under arrest if he did not agree to undergo this process.

In the new bill, the man may now refuse to undergo the process of *li'an*, in which case the woman will be left helpless—unable to prove her innocence through *li'an* or dissolve her marriage. How does this relate to the protection of women? In addition, a woman who admits to adultery during *li'an* may not be punished. How is it just not to punish a person after she has pleaded guilty—all the while the process of *li'an* was initiated at her own behest and no one forced her to confess?

Repealed Clauses

Finally, several clauses that resolved legal complexities and simplified legal procedures have been repealed.

First, the superiority of the regulations in the Hudood Ordinance over other laws has been nullified. This superiority was coded in Article 3 of the Hudood Ordinance in order to resolve many legal perplexities that arose due to contradictions between the Hudood Ordinance and other laws. It also provided protection to many oppressed women.

Consider divorce: According to family law, the divorce does not take effect until the union council has been notified. On the other hand, the Shariah says that a woman is free to remarry once she has passed her *iddat*. Suppose a man divorces his wife but does not send a notice to the union council, while the woman, considering herself as a divorcee, contracts a new marriage after having passed her *iddat*. Now her malicious husband lodges a case of adultery against

the woman, because as per the family law she is still his wife.

When such cases were reported, the Shariah Bench of the Supreme Court used Article 3 to order the release of the woman. The argument would be simple: the Hudood Ordinance is based on the Shariah and supersedes all other laws; since the Shariah allows this woman to perform a second marriage, the family law cannot apply here.

The new bill removes this line of defense by both repealing this clause and annulling the definition of nikah from the Hudood Ordinance. Thus, it is again possible that women will suffer in the new situation.

Second, the court is now severely restricted in dealing with crimes relating to *zina*, even though they may become apparent after testimony. In clause 20 of the Hudood Ordinance it was stated that if it is proven that the offense committed is a crime punishable by a law other than covered by the Hudood Ordinance but the crime falls under the jurisdiction of the court it can award punishment to the accused.

The new bill has revoked this authority of the court. All punishable crimes similar to adultery/rape have been taken out of the Hudood Ordinance and incorporated in the ta'zeerat-e-Pakistan.

Let us see what can happen now. Suppose a man has been accused of *zina* which calls for *hadd*, but after hearing the witnesses it turns out that the man had actually compelled the woman, or say *zina* cannot be proven, but it can be proven that the man had abducted the woman. The amendment states that the court can neither award a punishment for rape, nor for abduction, rather the court must let the culprit go, knowing perfectly well that he had kidnapped the woman and/or raped her. The only way to try him for these crimes will be to lodge a new complaint for the relevant crime, so that the court takes up its proceedings again.

Western Education vs. Muslim Children

Khadija Anderson

"Understanding Islamic Education" is the title of a tape by Hamza Yusuf that I have been listening to recently. Interestingly, just last week, an article came to me via the internet called "The Impact of Western Hegemony on Muslim Thought" by Prof. Yusuf Progler. First of all, I had to look up "hegemony" in the dictionary. According to the dictionary, it means, "predominance of one state over others". As I had hoped, the article was a link to understanding the differences between Islamic and Western Education. In both articles, the authors spoke about the contradiction of Western education and Islamic education, the effects of Western education on the Ummah in recent history, and most importantly, the effects on us and the next generation of Muslims, our children.

In my family, this has recently become a predominant topic of study and conversation as my three and a half year old daughter is rapidly becoming the human sponge that Allah Subhanahu wa ta'ala created children to be. The important thing about this phenomenon is the way that children learn from watching and imitating what is around them. I did not realize this fully until one day during Maghrib prayer she recited the Fatiha and two other surahs . Just like that. I was pretty surprised and upon coaxing, I found out that she also knew two more surahs and could call the Iqama. Subhana Allah ! The need for formal education for her in another year and a half has led me to investigate different avenues available to us; private Islamic school, homeschooling, or public school.

In Prof. Yusuf Progler's paper, he

warns against Muslims participating in the Western educational system. He says that by using it, one adopts Western assumptions on the nature of existence. "Most Western practices of education have institutionalized (their) one version of what it means to be a human being...Muslims ought to re-evaluate their situation because the Western understanding of existence is quite different than the teachings of Islam. Islam has its own explanation..."

Western colonizers of Muslim countries knew the importance of taking Islam out of the minds of Muslims, and achieved this by secularizing schools and teaching Islam only in an historic context at the end of the school day when the student's concentration was at its lowest. Results of this can be seen in many immigrant Muslims in America. When someone suggested to an immigrant sister that she should not let her children watch so much TV, and instead, teach them about their deen, she said that only Allah made people Muslims and she prayed that Allah would make her children Muslims. She honestly didn't understand the concept of educating her children about Islam.

On the internet, a sister raised in a Muslim country was writing about the wonderful freedoms of living in the US. Some Muslims seem to take the influence of an Islamic atmosphere for granted ; adhan being called at each prayer time, modestly dressed people, halal food the norm, everyone greeting with salaams, lack of crime, availability of Qur'anic teachers and people treating one another as brothers and sisters in Islam, as being an influence in their upbringing. The importance of this environment on a young Muslims's mind can not be replaced by the material advantages of living in a western country. The Western society teaches children by exposure that the norm of society is high crime, alcohol, fornication, high divorce rate, teenage pregnancies, deviant sexual practices, immodest clothing, putting individual desires over societal needs, lack of morals and charity, etc. According to Dr. Shahid Athar in "Sex Edu-

cation: An Islamic Perspective", children in America are exposed to 9,000 sexual scenes per year through the media and on television . Even now in public schools children are taught that homosexuality is an acceptable alternative form of family life.

Homeschooling can help Muslim families veer away from Western influences not only physically, but by allowing the family to choose it's curriculum. There are many Muslim homeschooling resources, and one comprehensive program is an academy which is overseen by writer and educator Umm Sulaiman. She offers many solutions for Muslim families including lesson plans ranging from complete daily plans to monthly overviews. Also offered are on and offline correspondence courses with secular education taught via classic Islamic viewpoints, again with curriculum designed for each families needs.

Another family has fought the battle of raising their children in an Islamic household and then sending them to local public schools. They seemed to be a good example of how the two opposite institutions could coexist. After many years of this apparently good mixture of two worlds, things began to fall apart. The peer pressure of participating in Western culture raises it's ugly head during the teen years. A typical problem is teenage daughters refusing to wear hijab unless praying or attending Islamic functions.

Prof. Proglar also says that "...it's not enough for Muslims to say that the West is bad without an understanding and development of what may be an alternative. This requires a delicate balance. Imbalance will lead to teaching religion without any understanding of how the modern world is affecting the practice and understanding of religion". Many Islamic schools in America try to create this balance within their curriculums. The Islamic School of Seattle, for instance, commits to "...provide children with an atmosphere as close to the Islamic ideal as possible...strengthen them to meet and deal effectively with the challenges of living in the modern American society, and...to instill

in them a pride in their heritage by enabling them to approach knowledge from an Islamic point of view."

According to Imam Yusuf in "Understanding Islamic Education", Arabic has to be a foundation for Islamic education. Knowledge is obtained by first learning the tools of knowledge; language, reasoning and the ability to articulate. The Arabic language has been preserved since the time of the Qur'anic revelations. This allows one to perceive the meanings of the Quran as it was intended and revealed to the people of that time, which is crucial as the Qur'an is not interpreted through conjecture, but through knowledge. That is why The Prophet, may peace be upon him, said that whoever interprets the Qur'an from his own opinion is mistaken, even if he is correct. Also, traditional Islamic education teaches children to memorize the whole Qur'an between the ages of 7 and 9. This, Yusuf says, "...develops a memory in a child that will surpass others in any school system." From a purely academic point of view, "the idea is to empower a child with the ability to absorb information, as a good deal of learning is based on that ability."

The next step after Arabic and Qur'an according to Imam Yusuf, is the study of Hadith, followed by fiqh. He then commented that at least one or two people in every family should dedicate themselves to this learning, or we will seriously decrease our knowledge in the future. We need to produce scholars to lead the future ummah. The Prophet, may peace be upon him, said that the two parents of a child who memorizes the whole Qur'an will be given crowns of light on Yauma Qiyauma. Why would we rather teach our children to be engineers or doctors? Imam Yusuf and Prof. Proglar both quoted the following hadith in their works: The Prophet, upon

whom be peace, walked into a mosque where there was a group of people surrounding a man. The Prophet inquired, "Who is that?" He was told, "That is a very learned man." The Prophet asked, "What is a learned man?" They told him, "He is the most learned man regarding Arab genealogies, past heroic episodes, the days of Jahiliyyah, and Arabic poetry." The Prophet said, "That is knowledge whose ignorance does not harm one nor is its possession of any benefit to one."

We know the history of the Islamic state since the time of the Prophet, may peace be upon him. We have had successes and failures. The Prophet, may peace be upon him, said that the believers are a mirror to each other. It is imperative that we look in the mirror of history and see that the successes were achieved through seeking Allah. To do this, we must ask ourselves some serious questions. What are we living this life for? What do we want to teach our children to live their lives for? To work for Microsoft, or to work for the pleasure of Allah Subhanahu wa t'ala ?

Many warnings about this life are given by Allah throughout the Qur'an, as in surah 31:33; "...Indeed, the promise of Allah is truth, so let not the worldly life delude you and be not deceived about Allah by the Deceiver (i.e., Satan)."

This ayat appears again in surah 35:5. To ignore this would be to participate in the deception of our children. It is our responsibility as parents to give them the education they need in order to not be deluded by this worldly life. What this is ascribing us to is an ideal Islamic life. There are difficulties, but it is our responsibility to build ourselves and our children up to the Islamic excellence that Allah and His Messenger, may peace be upon him, have provided us with the guidance to achieve.

'Abdullah bin Khubaib (RA) reported: The Messenger of Allah (Sallallahu Alaihi Wasallam) said to me, "Recite Surat Al-Ikhlās and Al-Mu'awwidhatāin (Surat Al-Falaq and Surat An-Nas) three times at dawn and dusk. It will suffice you in all respects." [Abu Dawud and At-Tirmidhi].

Islamic Finance

Justice Mawlana Taqi Usmani (DB)

Ijarah Fund

Another type of Islamic Fund may be an *ijārah* fund. *Ijārah* means leasing the detailed rules of which have already been discussed in the third chapter of this book. In this fund the subscription amounts are used to purchase assets like real estate, motor vehicles or other equipment for the purpose of leasing them out to their ultimate users. The ownership of these assets remains with the Fund and the rentals are charged from the users. These rentals are the source of income for the fund which is distributed *pro rata* to the subscribers.

Each subscriber is given a certificate to evidence his proportionate ownership in the leased assets and to ensure his entitlement to the *pro rata* share in the income. These certificates may preferably be called 'sukūk' -- a term recognized in the traditional Islamic jurisprudence. Since these sukūk represent the *pro rata* ownership of their holders in the tangible assets of the fund, and not the liquid amounts or debts, they are fully negotiable and can be sold and purchased in the secondary market. Anyone who purchases these sukūk replaces the sellers in the *pro rata* ownership of the relevant assets and all the rights and obligations of the original subscriber are passed on to him. The price of these sukūk will be determined on the basis of market forces, and are normally based on their profitability.

However, it should be kept in mind that the contracts of leasing must conform to the principles of Shari'ah which substantially differ from the terms and conditions used in the agreements of conventional financial leases. The points of difference are explained in detail in the third chapter of this book. However, some basic principles are summarized here:

1. The leased assets must have

some usufruct, and the rental must be charged only from that point of time when the usufruct is handed over to the lessee.

2. The leased assets must be of a nature that their *halāl* (permissible) use is possible.

3. The lessor must undertake all the responsibilities consequent to the ownership of the assets.

4. The rental must be fixed and known to the parties right at the beginning of the contract.

In this type of the fund the management should act as an agent of the subscribers and should be paid a fee for its services. The management fee may be a fixed amount or a proportion of the rentals received. Most of the Muslim jurists are of the view that such a fund cannot be created on the basis of *mudārabah*, because *mudārabah*, according to them, is restricted to the sale of commodities and does not extend to the business of services and leases. However, in the Hanbali school, *mudārabah* can be effected in services and leases also. This view has been preferred by a number of contemporary scholars.

Commodity Fund

Another possible type of Islamic Funds may be a commodity fund. In the fund of this type the subscription amounts are used in purchasing different commodities for the purpose of their resale. The profits generated by the sales are the income of the fund which is distributed *pro rata* among the subscribers.

In order to make this fund acceptable to Shari'ah, it is necessary that all the rules governing the transactions of sale are fully complied with. For example:

1. The commodity must be owned by the seller at the time of sale, because short sales in which a person sells a com-

modity before he owns it are not allowed in Shari'ah.

2. Forward sales are not allowed except in the case of salam and istisnâ' (For their full details the previous chapter of this book may be consulted).

3. The commodities must be halâl. Therefore, it is not allowed to deal in wines, pork or other prohibited materials.

4. The seller must have physical or constructive possession over the commodity he wants to sell. (Constructive possession includes any act by which the risk of the commodity is passed on to the purchaser).

5. The price of the commodity must be fixed and known to the parties. Any price which is uncertain or is tied up with an uncertain event renders the sale invalid.

In view of the above and similar other conditions, more fully described in the second chapter of this book, it may easily be understood that the transactions prevalent in the contemporary commodity markets, specially in the futures commodity markets do not comply with these conditions. Therefore, an Islamic Commodity Fund cannot enter into such transactions. However, if there are genuine commodity transactions observing all the requirements of Shari'ah, including the above conditions, a commodity fund may well be established. The units of such a fund can also be traded in with the condition that the portfolio owns some commodities at all times.

Murabahah Fund

'Murabahah' is a specific kind of sale where the commodities are sold on a cost-plus basis. This kind of sale has been adopted by the contemporary Islamic banks and financial institutions as a mode of financing. They purchase the commodity for the benefit of their clients, then sell it to them on the basis of deferred payment at an agreed margin of profit added to the cost. If a fund is created to undertake this kind of sale, it should be a closed-end fund and its units cannot be negotiable in a secondary market. The reason is that in the

case of murabahah, as undertaken by the present financial institutions, the commodities are sold to the clients immediately after their purchase from the original supplier, while the price being on deferred payment basis becomes a debt payable by the client. Therefore, the portfolio of murabahah does not own any tangible assets. It comprises either cash or the receivable debts. Therefore, the units of the fund represent either the money or the receivable debts, and both these things are not negotiable, as explained earlier. If they are exchanged for money, it must be at par value.

Bai'-al-dain

Here comes the question whether or not bai'-al-dain is allowed in Shari'ah. Dain means 'debt' and Bai' means sale. Bai'-al-dain, therefore, connotes the sale of debt. If a person has a debt receivable from a person and he wants to sell it at a discount, as normally happens in the bills of exchange, it is termed in Shari'ah as Bai'-al-dain. The traditional Muslim jurists (fuqahâ') are unanimous on the point that bai'-al-dain with discount is not allowed in Shari'ah. The overwhelming majority of the contemporary Muslim scholars are of the same view. However, some scholars of Malaysia have allowed this kind of sale. They normally refer to the ruling of Shâfi'ite school wherein it is held that the sale of debt is allowed, but they did not pay attention to the fact that the Shâfi'ite jurists have allowed it only in a case where a debt is sold at its par value.

In fact, the prohibition of bai'-al-dain is a logical consequence of the prohibition of 'riba' or interest. A 'debt' receivable in monetary terms corresponds to money, and every transaction where money is exchanged for the same denomination of money, the price must be at par value. Any increase or decrease from one side is tantamount to 'riba' and can never be allowed in Shari'ah.

Some scholars argue that the permissibility of bai'-al-dain is restricted to a case where the debt is created through the sale of a commodity. In this case, they say,

the debt represents the sold commodity and its sale may be taken as the sale of a commodity. The argument, however, is devoid of force. For, once the commodity is sold, its ownership is passed on to the purchaser and it is no longer owned by the seller. What the seller owns is nothing other than money. Therefore if he sells the debt, it is no more than the sale of money and it cannot be termed by any stretch of imagination as the sale of the commodity.

That is why this view has not been accepted by the overwhelming majority of the contemporary scholars. The Islamic Fiqh Academy of Jeddah, which is the largest representative body of the Shari'ah scholars and has the representation of all the Muslim countries, including Malaysia, has approved the prohibition of bai'-al-dain unanimously without a single dissent.

Mixed Fund

type of Islamic Fund may be of a nature where the subscription amounts are employed in different types of investments, like equities, leasing, commodities etc. This may be called a Mixed Islamic Fund. In this case if the tangible assets of the Fund are more than 51% while the liquidity and debts are less than 50% the units of the fund may be negotiable. However, if the proportion of liquidity and debts exceeds 50%, its units cannot be traded according to the majority of the contemporary scholars. In this case the Fund must be a closed-end Fund.

The rights of a Muslim

Abu Hurairah (May Allah be pleased with him) reported: The Messenger of Allah (PBUH) said, "Every Muslim has five rights over another Muslim (i.e., he has to perform five duties for another Muslim): to return the greetings, to visit the sick, to accompany funeral processions, to accept an invitation, to respond to the sneezer [i.e., to say: 'Yarhamuk-Allah (may Allah bestow His Mercy on you),' when the sneezer praises Allah]." [Al-Bukhari and Muslim].

Once upon a time in Andalusia

Dr. Abdul latif Charafi

This article is intended to be a trip in time to a very special period in world history: from the ninth to the thirteenth century in Andalusia, and more specifically in Córdoba, where a million people lived in Europe's largest city, the cultural center of that period. There existed no separation between rigorous scientific study, wisdom and faith. Nor was East separated from West; nor was the Muslim from the Jew or the Christian. It was there that the European Renaissance actually began, and from where it grew.

By examining the trajectory of Islam in Andalusia, the objective is not to praise an illustrious dead, but to reintroduce in our life the affirmation of absolute and universal values of Islam without which our society will inevitably disintegrate.

The Myth of the Muslim Conquest of Spain

More than five hundreds years have elapsed since Islam was eradicated from Spain. The event was celebrated in grandeur at Expo '92 in Seville, during which the organizers tried to make us believe that Spain was formed by over seven centuries of continuous struggle against Islam. But was the defeat of the Muslims on 2 January 1492 a liberation for the Spaniards? Was the reign of the Muslims a colonization of the Iberian Peninsula?

When looking at the Muslim expansion in Spain one is struck by its speed, its generally peaceful aspect and civilizational component. It took the Muslims less than

three years (from 711 to 714) and one battle (at Guadalete, near Cadiz) to spread throughout the whole of Spain. In contrast to this, it took the Prophet Muhammad twenty-two years (from 610 to 632) and nineteen expeditions to get Arabia to accept Islam. This difference in both time and effort, to gain Arabia and Spain to Islam, is due to theological affinities as well as socio-cultural and politico-economical reasons which appealed to the Spaniards.

Pre-Islamic Arabia was predominantly polytheist, with small Jewish and Christian communities. There, Islam had to fight against a 'world without law' (*Jahiliyya*) to make monotheism prevail. Pre-Islamic Spain was Christian with important Jewish communities. This difference, according to Roger Garaudy, not only explains the speed of the expansion, but also its type.

W. Montgomery Watt in *A History of Islamic Spain* states:

It is a common misapprehension that the holy war meant that the Muslims gave their opponents a choice "between Islam and the sword". This was sometimes the case, but only when the opponents were polytheist and idol-worshippers. For Jews, Christians and other "People of the Book", that is, monotheists with written scriptures - a phrase that was very liberally interpreted - there was a third possibility, they might become a "protected group", paying a tax or tribute to the Muslims but enjoying internal autonomy

The case of Spain is therefore not exceptional and that is due to the very essence of Islam.

The Prophet Muhammad never pretended to create a new religion: 'Say: I am no bringer of a new-fangled doctrine among the Messenger' (45:9); and 'Nothing is said to thee that was not said to the messengers before thee' (41:43).

He came to remind the people of the Primordial Religion: 'Say ye: We believe in God, and the revelation given to us, and to Abraham, Ishmael, Isaac, Jacob, and the tribes, and that given to Moses and Jesus, and that given to all the Prophets from their

Lord: we make no difference between one and another of them: and we bow to God (in Islam).' (2:136). Islam came to confirm the previous messages, to purify them from historical alterations to which they were subjected and to complete them. The Qur'an says: 'If thou wert in doubt as to what We have revealed unto thee, then ask those who have been reading the Book from before thee.' (10:94).

The Muslim community was then opened, without distinction to all those who believe in the unity and transcendence of God.

Besides, in the Iberian Peninsula there raged a civil war between Trinitarian Christians, who accepted the Trinity and the divinity of Jesus, and Arian Christians, who saw Jesus not as God but as a Prophet inspired by God. The Council of Nicea in 325, invoked by the emperor Constantine in order to unify ideologically his empire, imposed the dogma of Trinity and condemned the teachings of Anus of Alexandria who refused these dogmas. The conflict erupted, when in 709, the Trinitarian Christians declared Roderick as king. The archbishop of Seville opposed him and the inhabitants of present Andalusia (Bétique) revolted against his rule. When Roderick invaded Andalusia, the inhabitant of the latter looked south help. The able Berber General Tariq ibn Ziyad crossed to Algeciras and a battle in Guadalete, near Cadiz took place. The Bishop of Seville as well as that of Toledo rallied to the Muslim army.

The peasants had a very difficult time, were ill-treated and reduced to the status of slaves. Poverty, corruption, ignorance and instability were the order of the day. Even the free men felt themselves to be underprivileged. There was much discontent, and many ordinary people looked on the Muslims as liberators and gave them all the assistance they could. The Jews who have been persecuted for a long time under the Visigoth rule (e.g. a special decree in 694 enslaved all those who did not accept baptism), opened the gates of many cities. So deep and widespread was the satisfac-

tion given to all classes that during the whole of the eight century there was not a single revolt of the subjects.

It is difficult to understand how a small army could cross the whole of Spain in less than three years if one imagines a military invasion. The historian Dozy, in *Histoire des Musulmans d'Espagne*, describes the event as 'a good thing for Spain' which produced an important social revolution, setting the country free from the chains it was groaning under for centuries. Taxes were much less compared to those imposed by previous governments. The Muslims introduced land reforms by taking land from the rich and distributing it equally among serf-peasants and slaves. The new owners worked it with zeal. Commerce was liberated from the limitations and high taxes that caused its demise. Slaves could set themselves free in return for a fair compensation, something which threw in new energies. All these measures, says Dozy, created a state of well-being which was the reason behind the welcoming of the Muslims.

The great Spanish writer Blasco Ibanez in *Dans l'ombre de la cathédrale* talks about a 'civilizational expedition' coming from the south rather than a conquest. To Ibanez, it was not an invasion imposing itself by arms, it was a new society whose vigorous roots were sprouting from everywhere. Describing the conquering Muslims, he says: 'The principle of freedom of conscience, cornerstone of the greatness of nations, was dear to them. In the cities they ruled, they accepted the church of the Christian and the synagogue of the Jew.'

History, therefore makes it clear that the legend of fanatical Muslims sweeping through Spain and forcing Islam at the point of the sword is an absurd myth. The expansion of Islam in Spain was not a military conquest, but a liberation

The Meaning of Life in Andalusia

The meaning of life and its goal in Andalusia at the time of its Islamic apogee, directed each act of day to day life, as well as scientific and technical research. The

spiritual giants like the Muslims Ibn Rushd (1126-1198) known in the West as Averroës and Ibn Arabi (1165-1240), or the Jewish philosopher Maimonides (1135-1204), are some of the men who put across most brilliantly the message of Andalusia. This spirit lay behind all the scientific and technical progress of those golden centuries.

Science was not set apart from wisdom and faith, and nothing can express this fact better than Ibn Rushd when he writes:

Our philosophy would serve for nothing if it were not able to link these three things which I have tried to join in my 'Harmony of science and religion':

A Science, founded on experience and logic, to discover reasons.

A Wisdom, which reflects on the purpose of every scientific research so that it serves to make our life more beautiful.

A Revelation, that of our Qur'an, as it is only through revelation that we know the final purposes of our life and our history.

The unity of the Abrahamic tradition and the critical approach to philosophy are expressed with the same force, in the work of the Jewish philosopher Maimonides, who was a contemporary of Ibn Rushd. At the synagogue before the Torah, he said:

If for Ibn Rushd the Holy Book is not our Torah but the Qur'an, we both agree about the contributions of reason and of revelation. These are two manifestations of one same divine truth. There is only a contradiction when one is faithful to a literal reading of the scriptures, forgetting about their eternal meaning.

In Andalusia, Islam takes a new dimension with Ibn 'Arabi, nicknamed *Muhyi al-Din* (the one who gives life to faith). What interested Ibn Arabi was not what a man said about his faith, but rather what this faith makes of that man. He states:

God is unity. The unity of love, of the lover and the beloved. Every love is a wish for union. Every love consciously or unconsciously is a love for God.

Bear witness to this presence of God within yourself, of God's creation, which never ceases. The act is the exterior

manifestation of faith. Islam recognizes all the Prophets as messengers of the same God. Learn to discover in each man the seed of a desire for God, even if his belief is still dim and sometime idolatrous. Help to lead him towards the fullest Light.

Ibn Rushd endeavours to bring to light the universal message of Islam overshadowed by regional traditions, when he defines the best society as, 'That where every woman, every child and every man is given the means of developing the possibilities God has given to each of them.' The power to establish it 'will not be a theocracy, like that of the Christians of Europe, a power of religious accomplices or tyrants: God says in the Qur'an, "He has breathed into man His spirit". Let us make Him live in every man!' When asked about the conditions of such a society, he answers: 'A society will be free and pleasing to God, when none acts either out of fear of the Prince or of Hell, nor the wish of a reward from a Courtesan or of Paradise, and when no-one says: This is mine.'

Islam in Andalusia gave birth to a number of spiritual giants who have shown that humanity has no future without the warmth and the spiritual values that emanate from the belief in the transcendence and oneness of God. Men such as Ibn Masarra of Córdoba (883-931), for whom man was responsible of his own history; Ibn Hazm of Córdoba (994-1064) who was a pioneer of the comparative history of religions; Ibn Gabirol of Malaga (1020-1070) whose fundamental work was the synthesis of the Jewish faith and the philosophy of Ibn Masarra; Ibn Bajja (1090-1139) with whom the Islamic philosophy was presented in a systematic way with its own direction; Ibn Tufayl (1100-1185) whose central theme was the relation between reason and faith.

All these men of knowledge, wisdom and faith stand as memories to a glorious past when true Islam was preached and practised; a time when the beautiful example of the Muslims won them fame and respect; a time when these peace-loving people would rise simply because injustice was

being practised and would fight in the name of God with a strength that led handfuls of believers to victory over armies of non-believers.

The Style of Life in Andalusia

Andalusia was unique in terms of its tangible accomplishments in all spheres of life. Learning was emphasized, marked by a fascination with science, the Arabic literature and the philosophical discourse on reason and faith. In the world created in the land of Andalusia, there was commercial wealth, wealth in terms of consumption, and wealth of productivity and exchange. There was also a wealth of information, thanks to the libraries of Córdoba and a wealth of thinking about the meaning of life, God, and material things. And there were even poets who sang to all the ways of wealth.

We will restrict ourselves to a brief description of the scientific and technical achievement, and a more detailed account of the Mosque of Córdoba as it is one of the first monumental expressions of Muslim rule, and arguably the building that most fully embodied an image of the Muslim hegemony in Andalusia.

Scientific and Technical Achievement

When discussing the scientific development in Andalusia, one cannot separate it either from the contributions of the other great civilizations, nor from the wisdom and faith that inspired the efforts of all researchers in Andalusia: science is One because the world is One, the world is One because God is One. This principle of *tawhid* commanded all aspects of scientific research in Andalusia as well as in other parts of the Islamic world, at its period of apogee. The following are some of the achievements of such a philosophy of life.

The first attempt to fly was in Córdoba by Abu Abbas al-Fernass. Al-Zahrawi, born near Córdoba in 936, was one of the greatest surgeon of all times. His encyclopedia of surgery was used as a standard reference work in the subject in all universities of Europe for over five hundred years.

Al-Zarqalli, who was born in Córdoba, devised the astrolabe: an instrument which is used to measure the distance of the stars above the horizon. The astrolabe made it possible to determine one's position in space and the hours of the day, to navigate and to call the faithful to prayer at the given time.

Al-Idrisi, who was born in Ceuta in 1099 and studied at Córdoba, drew maps for the King Roger II of Sicily in which he used methods of projection to pass from the spherical shape of the earth to the planisphere that were very similar to those used by Mercator four centuries later.

The agricultural and irrigation methods of the Muslims of Spain were revealed by the great Italian engineer Juanello Turriano, who came to Andalusia to study the hydraulic and agricultural techniques of eleventh century Muslim Spain to solve his problems of the sixteenth century in Italy.

The Great Mosque of Córdoba

Córdoba deserves its titles of the 'bride of the cities' and the 'jewel of the tenth century'. A city of factories and workshops, which attracted many scholars and produced her own. It was the first city with street lights in Europe. It rose to eminence as the torch of learning and civilization at a time when the Normans had savaged Paris and England had been ransacked by the Danes and Vikings. Its showpiece was its magnificent mosque, which is the most famous building of Spain after the Alhambra palace in Granada.

The foundations of the mosque were laid by Abd al-Rahman I in 785 on the site of an old Christian church. Since the time of the conquest in 711, the church had been used by both Muslims and Christians. The Muslims bought the church because of the growth of the population at that time, and not because of religious intolerance. It had been enlarged between 832-848, then in 912, and mainly in 961, by al-Hakam II, with its splendid mihrab. Al-Mansur, in 987, doubled the prayer hall which then contained 600 columns. It had already been

perturbated in 1236, when Córdoba fell to Ferdinand III of Castile and chapels were inserted, and further in 1523 when a cathedral was built in the heart of the mosque. King Charles V is recorded to have remarked upon seeing the new cathedral: 'Had I known what this was, I would not have given permission to touch the old, because you are making what exists in many other places and you have unmade what was unique in the world.' As we can see it today, despite the opposition of the Spanish government to a UNESCO project to move the cathedral as it is without omitting the least detail (as the temple of Abu Simbal in Egypt was moved), the Mosque of Córdoba still reflects the image of the Muslim art at its best.

The practical problem faced by the architect of the Córdoba Mosque for the construction of a huge room for a big community, was to raise the roof of the oratory to a height proportionate to the extent of the building, so that a feeling of depression-like the one we feel when we get into an underground parking can be dispelled. The antique columns, or the building-spoils which were available, were insufficient. It was therefore necessary to supplement them, and the example of Damascus suggested arcades on two levels. But the model of Córdoba has a very surprising feature: the lower and upper arcades are no longer part of a wall, but are reduced to their pillars and arches without any intermediate masonry. The upper arches which support the roof, rest on the same pillars as the lower arches. Such a concept, without precedent in the history of architecture and unique to the Córdoba Mosque, is a real defiance to the weight and inertia of stones.

Let us say, to give a better picture of the image evoked by this architecture, that the curves of both series of arches soar like palm-fronds from the same trunk, which rests upon a relatively slender column, without the feeling of being too heavy for it. The arches with their many-coloured and fan-shaped wedge-stones have such expansive strength that they dispel any sug-

gestion of weight. This expression in static terms of a reality which goes beyond the material plane, is due to the outline of the arches. The lower ones are drawn out beyond the shape of a pure semicircle, whereas the upper ones are more open and purely semicircular.

Many archaeologists have suggested that the composition of the arcs used by the architect of Córdoba was inspired by the Roman aqueduct in Merida. However, there is a fundamental difference between the two compositions. The Roman architect had respected the logic of the gravity, a building's support must be proportionate to the weight, thus the upper arcs must be lighter than the supporting elements. For the Córdoba architect-and more generally for all Islamic architecture-this rule does not work. Why?

To answer this question we have to move from the technical considerations, to the symbolic expression of space in the Muslim prayer, which was the most important factor preoccupying the 'Master' of Córdoba. The purpose was not to achieve an architectural exploit, but rather to create a new type of space-one that seems to be breathing and expanding outwards from an omnipresent centre. The limits of space play no role at all; the walls of the prayer hall disappear beyond a forest of arcades. Their sheer repetition (there were 900 of them in the original mosque) giving an impression of endless extension. Space is qualified here not by its boundaries but by the movement of the arcades, if one may describe it as movement. This expansion which is both powerful yet in reality immobile. Titus Burckhardt describes this as being 'a logical art, objectively static but never anthropomorphic.'

It is to al-Hakam II that we owe the marvellous *mihrab*, the master piece of Córdoba art, as well as the various copulas which stand before it, including their sub-structures, of interlacing arcades. The niche of this *mihrab*, which is very deep, is surrounded in its upper part by an arch, that is like an apparition and a source of light, of

which the very curve seems to dilate, like a chest breathing in the air of infinity. According to the highest Muslim spirituality, beauty is one of the 'signs' which evokes the Divine Presence. The inscription above the symphony of colours, in severe Kufi script, proclaims the Oneness of God.

The Mosque of Córdoba is the embodiment of the universal message of Islam. Muhammad Iqbal in his poem A la mosquée de Cordoue wrote:

Oh! Holy Mosque of Córdoba
 Shrine for all lovers of art
 Pearl of the one true faith
 Sanctifying Andalusia's soil
 Like Holy Mecca itself
 Such a glorious beauty
 Will be found on earth
 Only in a true Muslim's heart

Who Killed Islam in Andalusia

The scientific and philosophical learning of the Andalusians was channeled off beyond the Pyrenees, to irrigate the dry pastures of European intellectual life. Students from Western Europe flocked to the libraries and universities set up by the Muslims in Spain. This decisively changed the European mind, and it is no exaggeration to say that Western civilization owes its regeneration to the intellectual energy released by the dynamo that was Islam. The period of regeneration, which started in Florence in sixteenth century Italy, is referred to by the West as the Renaissance. It was a direct result of another European Renaissance which began at the university of Córdoba in ninth century Spain. This profound truth of our common history becomes clear when we know how to listen to the music of the stones of Córdoba. There is, however, a fundamental difference between the two 'renaissances': the one which started in Córdoba was based on faith and was conscious of the universality of the divine; the one which began in Florence was made against God with its essential project of secularising all aspects of life.

The reasons leading to the death of the Córdoba-type renaissance generated

by Islam, can be understood best by reference to the causes of its success. Islam owed its spectacular success entirely to the teachings of the Qur'an and the example (*Sunna*) of the Prophet Muhammad (s). The active vigour of the system was neutralized as soon as the Muslims relegated the Qur'an to the status of a treatise on dogmas, and the Sunna became a mere system of laws and a hollow shell without any living meaning. In his *Muqaddima*, Ibn Khaldun condemns the methods of education practised by some of the *fuqaha'* of Andalusia when, he says that, instead of helping the student to 'understand the content of the book on which he is working', they force him 'to learn it by heart'.

Many great Islamic scholars were treated in a way unparallel in history. Ibn Massara was forced to exile; Ibn Hazm was evicted from Majorca; al-Ghazali's books were burned; the universal library of al-Hakam II was thrown into the river; Ibn Tufayl and Ibn Rushd were expelled; and Ibn Arabi evicted. All these acts were not performed by Christians, but by fellow Muslims! These were but signs that this grand structure represented by Islam which had weathered many a storm, had reached a stage when its inner vitality had been slowly sapped away and one powerful blast might well uproot it from the soil on which it has been thriving for centuries.

The early Muslim conquerors in Spain had a mission which made it impossible for them to be selfish, cruel or intolerant. The moment this was lost on their successors, their clannish spirit replaced their unity of purpose. At one time there were as many as twelve Muslim dynasties. That was a signal for collapse. The Muslim society came to represent a decadent social order incapable of dynamic growth and with no capacity for effective resistance. Under such circumstances, it is difficult for any society to survive a serious external threat. The Muslim rule over the Iberian Peninsula started to shrink on account of the treachery of the different Muslim Princes until Granada fell to the hands of the Crusades on 2

January 1492.

When Abu Abdullah the last king of Granada, looked at the Alhambra for the last time, tears came into his eyes. At this, his aged mother Aisha said: 'Abu Abdullah Cry like a women for a kingdom you could not defend as a man.' But our history should play a more inspiring and guiding function than to reminisce about the past. When one sees all these marvels, and all these palaces left in Andalusia-one wonders: Surely, there must have been injustice, there must have been oppression. As Abu Dharr said to Mu'awiya: 'O Mu'awiya! If you are building this palace with your own money, it is extravagance and if with the money of the people, it is treason'. We should not glorify our past and our ancestors regardless of their mistakes. Our study of the history of Islam should be more objective, and not a mere justification of all acts by our predecessors.

Conclusion

We must aim to ensure that the tragedy of Andalusia is not repeated. To do that we must not address our children: Once upon a time in Palestine... Once upon a time in Bosnia... We need a true Islamic Renaissance that will lead us to the eternal and universal Islam. An Islam that is the constant appeal for resisting all oppression because it excludes any submission other than to the will of God and holds man responsible for the accomplishment of the divine order on earth. An Islam, in the words of Roger Garaudy, whose principles are: *in the economical field: God alone possesses,* *in the political field: God alone commands,* *in the cultural field: God alone knows.*

It is for us to respond to this eternally living call: without imitating the West and without imitating the Past.

"And whoever does evil or wrongs himself but afterwards seeks Allah's forgiveness, he will find Allah Oft-Forgiving, Most Merciful." (4:110)

Why I Shed Bikini for Niqab: The New Symbol of Women's Liberation

Sara Bokker

I am an American woman who was born in the midst of America's "Heartland." I grew up, just like any other girl, being fixated with the glamour of life in "the big city." Eventually, I moved to Florida and on to South Beach of Miami, a hotspot for those seeking the "glamorous life." Naturally, I did what most average Western girls do. I focused on my appearance and appeal, basing my self-worth on how much attention I got from others. I worked out religiously and became a personal trainer, acquired an upscale waterfront residence, became a regular "exhibiting" beach-goer and was able to attain a "living-in-style" kind of life.

Years went by, only to realize that my scale of self-fulfillment and happiness slid down the more I progressed in my "feminine appeal." I was a slave to fashion. I was a hostage to my looks.

As the gap continued to progressively widen between my self-fulfillment and lifestyle, I sought refuge in escapes from alcohol and parties to meditation, activism, and alternative religions, only to have the little gap widen to what seemed like a valley. I eventually realized it all was merely a pain killer rather than an effective remedy.

By now it was September 11, 2001. As I witnessed the ensuing barrage on Islam, Islamic values and culture, and the infamous declaration of the "new crusade," I started to notice something called Islam. Up until that point, all I had associated with Islam was women covered in "tents," wife beaters, harems, and a world of terrorism.

As a feminist libertarian, and an activist who was pursuing a better world for all, my path crossed with that of another activist who was already at the lead of indiscriminately furthering causes of reform and justice for all. I joined in the ongoing campaigns of my new mentor which included, at the time, election reform and civil rights,

among others. Now my new activism was fundamentally different. Instead of "selectively" advocating justice only to some, I learned that ideals such as justice, freedom, and respect are meant to be and are essentially universal, and that own good and common good are not in conflict. For the first time, I knew what "all people are created equal" really means. But most importantly, I learned that it only takes faith to see the world as one and to see the unity in creation.

One day I came across a book that is negatively stereotyped in the West--The Holy Qur'an. I was first attracted by the style and approach of the Qur'an, and then intrigued by its outlook on existence, life, creation, and the relationship between Creator and creation. I found the Qur'an to be a very insightful address to heart and soul without the need for an interpreter or pastor.

Eventually I hit a moment of truth: my new-found self-fulfilling activism was nothing more than merely embracing a faith called Islam where I could live in peace as a "functional" Muslim.

I bought a beautiful long gown and head cover resembling the Muslim woman's dress code and I walked down the same streets and neighborhoods where only days earlier I had walked in my shorts, bikini, or "elegant" western business attire. Although the people, the faces, and the shops were all the same, one thing was remarkably distinct--I was not--nor was the peace at being a woman I experienced for the very first time. I felt as if the chains had been broken and I was finally free. I was delighted with the new looks of wonder on people's faces in place of the looks of a hunter watching his prey I had once sought. Suddenly a weight had been lifted off my shoulders. I no longer spent all my time consumed with

shopping, makeup, getting my hair done, and working out. Finally, I was free.

Of all places, I found my Islam at the heart of what some call "the most scandalous place on earth," which makes it all the more dear and special.

While content with Hijab I became curious about Niqab, seeing an increasing number of Muslim women in it. I asked my Muslim husband, whom I married after I reverted to Islam, whether I should wear Niqab or just settle for the Hijab I was already wearing. My husband simply advised me that he believes Hijab is mandatory in Islam while Niqab is not. At the time, my Hijab consisted of head scarf that covered all my hair except for my face, and a loose long black gown called "Abaya" that covered all my body from neck to toe.

A year-and-a-half passed, and I told my husband I wanted to wear Niqab. My reason, this time, was that I felt it would be more pleasing to Allah, the Creator, increasing my feeling of peace at being more modest. He supported my decision and took me to buy an "Isdaal," a loose black gown that covers from head to toe, and Niqab, which covers all my head and face except for my eyes.

Soon enough, news started breaking about politicians, Vatican clergymen, libertarians, and so-called human rights and freedom activists condemning Hijab at times, and Niqab at others as being oppressive to women, an obstacle to social integration, and more recently, as an Egyptian official called it--"a sign of backwardness."

I find it to be a blatant hypocrisy when Western governments and so-called human rights groups rush to defend woman's rights when some governments impose a certain dress code on women, yet such "freedom fighters" look the other way when women are being deprived of their rights, work, and education just because they choose to exercise their right to wear Niqab or Hijab. Today, women in Hijab or Niqab are being increasingly barred from work and education not only under totalitarian regimes such as in Tunisia, Morocco,

and Egypt, but also in Western democracies such as France, Holland, and Britain.

Today I am still a feminist, but a Muslim feminist, who calls on Muslim women to assume their responsibilities in providing all the support they can for their husbands to be good Muslims. To raise their children as upright Muslims so they may be beacons of light for all humanity once again. To enjoin good--any good--and to forbid evil--any evil. To speak righteousness and to speak up against all ills. To fight for our right to wear Niqab or Hijab and to please our Creator whichever way we chose. But just as importantly to carry our experience with Niqab or Hijab to fellow women who may never have had the chance to understand what wearing Niqab or Hijab means to us and why do we, so dearly, embrace it.

Most of the women I know wearing Niqab are Western reverts, some of whom are not even married. Others wear Niqab without full support of either family or surroundings. What we all have in common is that it is the personal choice of each and every one of us, which none of us is willing to surrender.

Willingly or unwillingly, women are bombarded with styles of "dressing-in-little-to-nothing" virtually in every means of communication everywhere in the world. As an ex non-Muslim, I insist on women's right to equally know about Hijab, its virtues, and the peace and happiness it brings to a woman's life as it did to mine. Yesterday, the bikini was the symbol of my liberty, when in actuality it only liberated me from my spirituality and true value as a respectable human being.

I couldn't be happier to shed my bikini in South Beach and the "glamorous" Western lifestyle to live in peace with my Creator and enjoy living among fellow humans as a worthy person. It is why I choose to wear Niqab, and why I will die defending my inalienable right to wear it. Today, Niqab is the new symbol of woman's liberation.

To women who surrender to the ugly stereotype against the Islamic modesty

of Hijab, I say: You don't know what you are missing.

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Check Before you Click

The phenomenal pace with which technology has advanced makes it possible for a person to communicate with thousands of people in a matter of seconds. The simple press of a button enables one to e-mail information to the furthest corner of the globe.

Although electronic mail has made light work of communication, due to its easy accessibility it has potential for great benefit and equally great harm. We often witness how false and dubious e-mails are circulated to hundreds of mailing lists wreaking confusion and uncertainty in the minds of the recipients.

As Muslims we are required to be cautious about the information we disseminate. We learn from several Ahadith that the person who indicates towards an evil is like the one who has perpetrated it. Similarly a person who initiates an evil deed will bear the burden of all those who are misled by it.

It is therefore imperative that one verifies the information received before accepting and acting upon it. Caution should be exercised in transmitting it to others. It is also incumbent that before sending the information or news to anyone else the information is thoroughly checked and verified by a reputable authority. It is always safer to trace the initial source of the information and communicate with the original sender before disseminating the information. Experience has proven that all sorts of bogus and unauthentic material floats around by e-mail. By blindly sending this false or bogus information to others one will unnecessarily be earning the sin for propagating falsehood.

A simple rule would be to delete whatever seems to be suspicious or bogus. In this way a person is sure not to be deceived or misinformed and will also be saved from misguiding others.

Saviours of Islamic Spirit

S. Abul Hasan Ali Nadvi (RA)

Sheikh ul Islam Izz ud Din Abdul Salam (RA)

The heroic endeavours of Salah ud-din who set himself to work in the most earnest fashion with the re-introduction of orthodox doctrines of Islam in place of the Shia ite creed, the chain of educational institutions started for the purpose all over his wide realm and, above all, the personal example set by him and some of the Muslim rulers in following the religious precepts and code of moral conduct redirected the energies of the people towards learning and teaching of the religious sciences. As a result thereof, we find several erudite scholars during the seventh century, who had devoted themselves, body and soul, to the dissemination of Islamic teachings among their compatriots. The most outstanding personage among these savants was Sheikh ul-Islam Izz ud-din ibn Abdul Salam (d. 660 A.H.). Reputed for profound learning, piety and courage, he never compromised with the corrupting influences of his time and the degenerate ways of the then rulers.

Erudition of Izz ud-din

Izz ud-din ibn Abdul Salam was born in Damascus in 578 A.H. He had the honour of being a student of several eminent scholars of those days such as Fakhr ud-din ibn Asa'kir, Saif u-din Amedi and Hafiz Abu Mohammad al-Qasim. According to certain annalists, he started education, quite late but he soon acquired such a proficiency in the then sciences that his contemporaries have paid glowing tributes to his deep learning and brilliance of mind, Ibn Daqiq al-Id calls him Sultanul-Ulema (king

of scholars) in some of his works. When Izz ud-din migrated to Egypt in 639 A. H., Hafiz Abdul Azim al-Munziri, the writer of al-Tarhib wat-Tarhib, suspended giving legal-opinions. When he was asked the reason for it, he said : "It does not behove any jurist to give legal-opinion where Izz ud-din happens to be present." Another scholar Sheikh Jamal ud-din ibn al-Hajib was of the opinion that in Fiqah (jurisprudence) Izz ud-din excelled even al-Ghazali,

Al-Zahabi writes in his book entitled al-Ebar: "In his knowledge of Fiqah, devotion to religion and awe of God he had attained that degree of perfection which makes one capable of Ijtihad i.e. of interpreting the revealed law of God and of deducing new laws from it."

Izz ud-din occupied the chair of professor for a fairly long period in the Madarsa Zawiyah Ghazftiyah of Damascus along with holding the offices of Khatib and Imam in the principal mosque of the city called the Ummayyad Mosque. Sheikh Shahab ud-din Abu Shama relates that Izz ud-din vehemently opposed the innovations and later-day accretions like Salat al-Raghayeb and the special prayers of mid-Shaban which had become so popular in his time that several scholars of note thought it prudent to keep silence about these.

Al-Malik al-Kamil insisted on Izz ud-din for accepting the office of Cadi in Damascus which he accepted reluctantly after imposing a number of conditions. During the same period al Malik al-Kamil appointed him as his envoy to the court of the then Abbasid Caliph.

Righteousness of Izz ud-din;

Among the religious scholars of Syria, Izz ud-din was held in such a high esteem that he was received by the then King with the most honourable marks of distinction. On his own part, however, Izz ud-din never visited the king unless he was request-ed to do so. Being dignified, straight-forward and self-respecting he did not like to curry favour with the king; instead, he insisted always upon the king to follow the

course beneficial for Islam and the Muslims. During his illness Sultan al-Malik al-Ashraf who held the principality of Aleppo after the demise of his father, al-Malik al-Adil, sent for Izz ud-din. Earlier the Sultan had had some misunderstandings' with the Sheikh on account of certain views held by the latter but the same were removed as a result of their meeting. The Sultan requested the Sheikh to forgive him for his mistake and also to let him have a word of advise. "So far as the request for pardon is concerned," replied Izz ud-din, "I forgive everyone with whom I happen to be displeased; for, I never allow the sun to go down upon my animus against anybody. Instead of seeking my recompense from the human beings, I desire it from God alone as the Lord has said : But whosoever pardoneth and amendeth, his wage is the affair of Allah.". "As for my benedictions for you", added Izz ud-din, "I very often pray to God for the well-being of the Sultan, for this also means the welfare of Islam and the Muslims. God may grant the Sultan insight and understanding of the matters which may be helpful to him in the life to come. Now, coming to the advice, it is my bounden duty to enjoin the right course since the Sultan has asked for it. I know that the Sultan is reputed for his valour and the brilliant victories he has won, but Tartars are making inroads into Islamic territories. They have been emboldened by the fact that the Sultan has pitched his arms against al-Malik al-Kamil and thus he would not have time to face the enemies of God and the persecutors of Muslims. Al-Malik al-Kamil is, however, the elder brother of the Sultan and, therefore, I would request the Sultan to give up the idea of fighting against his own brother, instead I would advise him to turn his forces against the enemies of Islam. The Sultan should make up his mind, in these critical days of his illness, to fight for the sake of God alone and for restoring the supremacy of His faith. We hope to overcome the infidels with the help of the Sultan, if God restores him his health. This would verily be a great achievement but if God has willed otherwise, the Sultan would

undoubtedly be recompensed for his intention to come to the rescue of Islam".

Al-Malik al-Ashraf thanked Izz ud-din for his sincere advice and immediately issued orders redirecting his forces to face the Tartars instead of al-Malik al-Kamil. As soon as the orders of the Sultan were communicated to the commander of his army, who retreated to Kasirah.

On al-Malik al-Ashraf's further request to counsel him something more, Izz ud-din said, "The Sultan is bedridden but his chiefs and officials are having rounds of pleasure ; they are reveling in wine and wickedness while Muslims are being burdened with new taxes and tithes. The most valuable presentation that the Sultan can offer to God is that this cesspool of corruption is cleansed ; illegal imposts are abolished, tyranny is stopped and justice is made available to the people." Al-Malik al-Ashraf not only acted on the advice of Izz ud-din but profusely thanked him saying, "May God give you a goodly reward for performing the duty enjoined by the religion, on behalf of all the Muslims whose well-wisher you undoubtedly are. Sire, allow me to be your companion in the Paradise." The Sultan also presented one thousand Egyptian gold mohurs to Izz ud-din but he refused to accept them saying, "I met you only for the sake of God and I do not want any worldly temptation to be made an additional reason for it."

Courage of Izz ud-din :

Al-Malik al-Ashraf was succeeded by Saleh Ismail who sought help of the Christians against the impending danger of invasion from Egypt. In lieu of the aid promised by the Christians the cities of Salda, Thakif and few other forts were ceded to them. The friendly relations thus established by Saleh Ismail encouraged the Christians to purchase arms and ammunition from the Muslim traders in Damascus. Izz ud-din deprecated these deals as the arms purchased by the Christians were likely to be used against the Muslims and, therefore when the arms dealers asked for his legal-

opinion in the matter, he advised that all such bargains were prohibited by the Shariah. This was not all, Izz ud-din gave up benedictions for the King in the Friday sermons and started invoking the wrath of God on the enemies of Islam. The matter was brought to the notice of the King who ordered to imprison him. After some time, he was transferred to Jerusalem from his Damascus gaol.

In the meantime Saleh Ismail along with his allies, al-Malik al-Mansur, the King of Hams and a few Christian monarchs converged at Jerusalem with the intention of invading Egypt. Although Saleh Ismail had imprisoned Izz ud-din, he was feeling guilty in his heart of heart and wanted to set him free provided Izz ud-din was prepared to give him an excuse for the same. He, therefore, gave his handkerchief to one of his trusted councillors with the instruction that he should present it to Izz ud-din and tell him courteously that if he so desired, his previous position would be restored. The councillor was also directed to present Izz ud-din before the King in case he agreed to the suggestion with the highest respect, otherwise to imprison him in a tent beside that of the King. The Councillor did what he had been commissioned ; paid his compliments and related the admiration of the King for the Sheikh, and then said, "Everything will be set right and your previous position will be restored in no time, if you just kiss the hands of the king and show courtesy to him." History can perhaps offer few such striking examples of fearless expression, for, Izz ud-din replied, "What a fool you are ! You expect me to kiss the hands of the King while I would not like my own hands to be kissed by him. My friend, you are living in a world other than that of mine. Praise be to Allah that I am not a prey to the temptations which have captured your soul. The Councillor then told him that in that case he had orders to imprison him again. The Sheikh was accordingly placed under confinement in a tent beside the king's, who heard him daily reciting the Qur'an. The King one day told his Christian

ally that the person whom he heard reciting the Quran at the moment was the chief pontiff of Muslims but he had been divested of his post and honours and kept under confinement because of his opposition to the cession of cities and forts to the Christians. The Christian monarch, however, replied that if he were to have such a man as his bishop, he would have felt honoured to sit at his feet.

Shortly thereafter Saleh Ismail was defeated and killed in an encounter with the Egyptian forces, and Izz ud-din was honourably taken to Egypt.

While on his way to Egypt Izz ud-din passed through the principality of Kark. When its Governor requested Izz ud-din to settle in Kark, he replied, "This small city of yours is not befitting my learning.

Izz ud-din in Egypt:

Izz ud-din was received by the then Sultan of Egypt, al-Malik al-Saleh Najm ud-din Ayyub, with great reverence and honour. He was appointed Khatib of the Mosque of Amr ibn al-As as well as the grand Cadi of Egypt. He was also entrusted with the task of looking after the rehabilitation of deserted mosques and the professorship of Shafei jurisprudence in Madarsa Salihya founded by the King.

Fearlessness of Izz ud-din:

A man by the name of Fakhr ud-din 'Uthman who was an intendant of the palace had come to wield a great influence over the King. This man got a drum-house constructed over the roof of a mosque. When Izz ud-din came to know of it, he ordered the structure of the drum-house to be pulled down. He declared Fakhr ud-din Uthman as an unreliable witness for the purposes of tendering evidence in a court of law and also resigned from the post of Chief Justice as a mark of protest against the blasphemous action of Fakhr ud-din Uthman. Izz ud-din continued to enjoy the esteem of the king who, however, did not consider it prudent to appoint Izz ud-din as grand Cadi for the second time. Notwith-

standing this decision of the King, juristic-opinions tendered by Izz ud-din were acted upon with the same respect as before. During this period al-Malik al-Saleh Najm ud-din Ayyub sent an embassy to the court of the Caliph in Baghdad. When the Egyptian envoy was presented before the Caliph he enquired of the envoy if the Sultan of Egypt had himself commissioned him to convey the message. On being told that he had been charged to convey the message by Fakhr ud-din Uthman on behalf of the Sultan, the Caliph replied that since Fakhr ud-din Uthman had been declared an unreliable witness by Izz ud-din, no credence could be placed on a message conveyed through him. The envoy had to return to Egypt to obtain the orders of the Sultan afresh.

There is yet another incident which bespeaks of Izz ud-din's fearlessness. The Sultan who was holding a durbar on the occasion of Id was seated on the throne in a large reception hall, with the princes and chiefs of the State ranged on his right, and the courtiers and dignitaries on the left. In front of the Sultan stood all the people entitled to enter and salute the sovereign, when a voice was suddenly heard addressing the Sultan by his first name: "Ayyub, what would be your reply before God when He would ask you whether the kingdom of Egypt was given to you so that people should openly indulge in drinking-bouts and you should enjoy public receptions?" "Is it," blurted out the Sultan who was taken aback, "is it a fact?" "Yes," came the reply from Izz ud-din, "Wine is being freely sold and consumed in the city while people indulge in other vices too". Surprised as the Sultan was, he replied, "But 't is not my fault, Sire, for it has been happening from the time my father held (he reigns of this kingdom)". "Then, you are one of those," admonished Izz ud-din, "who say that we found our fathers acting on this wise." The Sultan immediately gave orders to stop the sale of wine in his realm.

While returning from the court one
Cont'd on page 40

The Seven Under the Shade of Allah

The Prophet said:

There are seven whom Allah will shade in His Shade on the Day when there is no shade except His Shade: a just ruler; a youth who grew up in the worship of Allah, the Mighty and Majestic; a man whose heart is attached to the mosques; two men who love each other for Allah's sake, meeting for that and parting upon that; a man who is called by a woman of beauty and position [for illegal intercourse], but he says: 'I fear Allah', a man who gives in charity and hides it, such that his left hand does not know what his right hand gives in charity; and a man who remembered Allah in private and so his eyes shed tears.' Narrated by Abu Hurairah & collected in Saheeh al-Bukhari (english trans.) vol.1, p.356, no.629 & Saheeh Muslim (english trans.) vol.2, p.493, no.2248

In this beautiful Hadeeth, the Prophet spoke about small acts of worship which result in such a huge reward: shade on the Day when there will be no shade except His Shade [1]. This may not seem like much at first but then reflect upon the following Hadeeth: 'On the Day of Resurrection, the sun would draw so close to the people that there would be left a distance of only one mile. The people will be submerged in perspiration according to their deeds, some up to their ankles, some up to their knees, some up to the waist and some would have the bridle of perspiration and, while saying this, the Messenger of Allah put his hand towards his mouth.' Narrated by al Miqdaad ibn Aswad & collected in Saheeh Muslim (eng. trans) vol.4, p.1487-8, no. 6852}.

And in another Hadeeth, some will be submerged in sweat 'seventy arm-lengths in the earth.' Narrated by Abu Hurairah and collected in Saheeh al-Bukhari

(eng. trans.) vol.8, p.353, no.539) and Muslim (eng. trans.) vol.4, p.1487, no.6851

So who would want more than, on this Day, than to be under the Shade and protection of Allah Azza wa Jal

Let us examine now the characteristics and virtues of these seven categories of people who will be worthy of such an exalted position on the Day of Gathering.

1. 'A Just Ruler...'

The concept of Justice in Islaam is very important and it is something which the Muslim - Ruler and the ruled - must apply in all matters without exception. Justice means to give each the right he deserves: Muslim or non-Muslim, relative or stranger, friend or enemy. Allah says: '...And do not let hatred cause you to act unjustly, that is nearer to piety [Soorah al-Maa'idah (5):8].

Unfortunately, even if we admit this in theory, we quickly forget it in practice. So we find that when we speak about our friends and loved ones, we praise them beyond reason and when we speak about those whom we hold difference with, we can find no good in them and we just capitalise on their bad points. This is far removed from the justice which Allah loves and gives great reward for, as mentioned in the following Hadeeth: 'The doers of justice will be on thrones of light at Allah's Right Hand - and both of Allah's Hands are Right Hands' - those who were just in their Ruling, with their families and in all that over which they were given authority [2].

The Prophet assigning to Abdullah ibn Mas'ud the open spaces in Medina between the dwellings and palm gardens of the Ansar, and when the Banu Abd ibn Zuhrah said, "Remove from us the son of Umm Abd (Ibn Mas'ud)," replying, "Why then did Allah send me. Allah does not

bless a people among whom a weak man is not given his right." Baghawi transmitted it in Sharh as-Sunnah. Sunan at-Tirmidhi no.3003

The concept of justice is most important for the Ruler, since he is in charge of his people and the primary disposer of justice in the land. For this reason, the Ruler is given special mention as one of the seven who will be honoured with Allah's Shade.

2 'A youth who grew up in the worship of Allah...'

The great scholar, Ayyoob as-Sakhtiyaanee (d.131H) said, 'From the success of a youth is that Allah guides him to a scholar of the Sunnah.' Hasan - Reported in Sharh Usoolis-Sunnah of al-Laalika'ee (no.30).

Indeed, it is a great blessing from Allah for a youth to be guided towards worship and be befriended by the righteous, since it is in youth that a person is most vulnerable to the temptations of life and liable to drift away from the Islaamic Path. This becomes apparent when we look at society around us and we see that most of the worldly distractions, such as music, games, clubs, fashion etc. are all specifically targeted at the young. 'You're only young once!' they are told, which is why many Muslims nowadays waste their youth thinking that they will pray, wear hijab and go on Hajj, etc. when they are old, as if they have a guarantee of longevity from Allah! How well we would do to heed the Prophet's advice when he said: 'Take benefit of five before five: your youth before your old age, your health before your sickness, your wealth before your poverty, your free time before you are preoccupied and your life before your death.' Saheeh - Narrated by Ibn Abbaas & collected in al-Haakim & others. Authenticated by Shaykh 'Alee ibn 'Abdul Hameed in Forty Hadeeth of the Call and the Caller.

3. 'A man whose heart is attached to the mosques...'

There is great encouragement in the Sunnah for men to pray in the mosques and the reward associated with it is tremendous [3]. Not only does it make the person eligible for Allah's Shade on the day of Judgement, but, 'he does not take a step [towards the mosque except that because of it, he is raised by one rank and one sin is removed from him. Then when he prays, the Angels do not cease supplicating for him [for] as long as he remains at his place of Prayer [sayings]: O Allah send blessings upon him, O Allah have mercy upon him...' Narrated by Abu Hurairah & collected in Saheeh al-Bukhari (eng. trans.) vol. 1 p.352 no.620).

It must be emphasised here however, that all the Hadeeth encouraging the men to be attached to the mosques are not intended to lead one to the conclusion that Islaam is a Religion which should be confined to the mosques, as many people imagine. Nonetheless, the mosque should be at the heart of the Muslim community, and the role of those in authority of the mosques is vital here. They are the ones mainly responsible for making the mosque a welcome refuge for the Muslims, rather than an arena for politics and power struggles as many seem to have become these days. And we seek Allah's refuge from this!

4. 'Two men who love each other for Allah's sake, meeting for that and parting upon that...'

Having mutual love for the sake of Allah is one of the great doors leading to the good of the Hereafter and a cause of tasting the sweetness of Eemaan in this world. Loving one another for Allah's sake means that the Muslim does not love another except for the correctness of his Deen. So it does not matter what the person looks like, what he wears, how rich or poor he is, where he comes from, or what the colour of his skin is - perhaps you dislike everything about him, but you love him for his Eemaan: this is loving for Allah's sake.

'Allah, the Mighty and Magnificent says: 'Those who have mutual love for the

sake of My Glory will have pillars of light and will be envied the Prophets and martyrs.' Saheeh - Collected in Sunan at-Tirmidhee & Musnad Ahmad (5/336-7).

SubhanAllah! Imagine being envied by Allah's chosen Messengers and those who were slain in His Path! Such is the reward of those who love one another for Allah's sake.

5. 'A man who is called by a woman of beauty and position but he says: 'I fear Allah...'

This world is full of temptations which lead to burning in the Fire and amongst them is that which comes from women. Many a man has led his soul into destruction on account of the lure of a woman which is why the Prophet warned his Ummah specifically about this. He said, 'The world is sweet and green and verily Allah is going to install you as successors upon it in order to see how you act. So avoid the allurements of women: verily the first trial for the Children of Israa'eel was caused by women.' Narrated by Aboo Sa'eed al-Khudree & collected in Saheeh Muslim (eng. trans.) vol.4, p.1432, no.6606

The most important provision which we need to protect ourselves from this and all other temptations in life is the fear (khawf) of Allah. This fact is alluded to in the following Qur'aanic Aayah: 'And as for him who feared standing before his Lord and restrained himself from impure evil desires, verily Paradise will be his abode.' [Soorah an-Naazi'at (79):40 1].

6. 'A man who gives in charity and hides it, such that his left hand does not know what his right hand gives in charity...'

This describes the type of person who goes to great lengths to protect himself from ar-Riyaa. Ar-Riyaa means to do deeds in order to earn the praise and recognition of people. This sin destroys all the benefits that lie in righteous deeds and brings on a serious punishment for the one who commits it. It is particularly dangerous because it is in man's nature to desire and enjoy the

praise of others. Thus, great care has to be taken to ensure that one's intentions begin and remain pure whenever good actions (such as charity) are being done. Not like what we see today where we have mosque notice boards announcing who gave what to whom, why and when! Allah warns: 'O you who believe! Do not render vain your charity by reminders of your generosity or by injury, like him who spends his wealth to be seen of men and he does not believe in Allah nor in the Last Day.' [al-Baqarah (2):264]. May Allah preserve us from this.

7. '...A man who remembered Allah in private and so his eyes shed tears.'

Our noble Prophet informed us: 'If you knew what I knew, you would laugh little and weep much.' Narrated by Aboo Hurairah and Anas & collected in Saheeh al-Bukhari (eng. trans.) vol.8, p.326-327, nos.492 and 493

Crying is not a sissy' thing to do. The Prophet, who was the best of all creation, would weep as would all of his Companions. Tears are a genuine expression of fear of Allah's Punishment and of our sincere love and awe of Him. But how often do we remember Allah in seclusion and are then moved to tears? How much do we laugh and how little do we weep? The Prophet said, 'There is nothing more beloved to Allah than two drops and two marks: A tear shed due to fear of Allah, and a drop of blood spilled in the path of Allah. And as for the two marks, then a mark caused in the path of Allah, and a mark caused by fulfilling one of the duties made obligatory by Allah.. Hasan - collected by at-Tirmidhee and al-Mishkaat (3837)

Alhamdulillah, through these seven types of people mentioned in the Hadeeth, we have been given clear signposts of the way to attain Allah's pleasure and satisfaction. So dear brothers and sisters in Eemaan, devote yourself to being one amongst those seven, for indeed fortunate will be those who are granted Allah's Shade on the Day when there will be no shade but His.

Business Around the Grave

Source: *Al-Haadi Newsletter*

THE calico-covered corpse is gently lowered into the grave. Loving hands of sons and brothers receive the body of their loved one and place it in the narrow pit. The strips of plank are placed firmly next to each other. The last plank is placed leaving a dark and lonely grave under it. Spades are grabbed and heaps of sand come crashing down from all directions. However, all around the grave, business goes on as usual.

While the most stark reminder of death is right in front of the eyes, the latest car on the market, the rand/dollar exchange and other gossip continues among many of those present. While they patiently wait for the 'fatihah' to commence, the time is passed by idle gossip. Carrying the janaza on our shoulders and witnessing the deceased being lowered into the grave also does not remind us of our own death. What then will remind us of that moment (which could be extremely soon) when we will breathe our last?

Rasulullah (Sallallahu Alaihi Wasallam) is reported to have said: "Remember excessively that which severs all pleasures — **DEATH**." The best reminder of death is the graveyard itself. Hence Rasulullah (Sallallahu Alaihi Wasallam) has greatly encouraged that one should regularly visit the graveyard. While this Sunnah of Rasulullah (Sallallahu Alaihi Wasallam) is unfortunately rarely practised, at least we get an opportunity to visit the graveyard when attending a funeral. However, this occasion of remembering death is also wasted gossiping.

The condition of Rasulullah (Sallallahu Alaihi Wasallam) when attending a funeral is clearly described in the following Hadith of Bara' (R.A.). He says: "Once we went with Rasulullah (Sallallahu Alaihi Wasallam) to attend the funeral and burial of a person. When we reached there, Rasulullah

(Sallallahu Alaihi Wasallam) sat by the side of a grave and wept so profusely that the ground became wet with his tears. He then said: "Prepare yourself for (your entry in) the grave." (Targheeb)

Rasulullah (Sallallahu Alaihi Wasallam) has also instructed us as to what we should be doing when attending a janazah. Rasulullah (Sallallahu Alaihi Wasallam) once said to the Sahaba (R.A.) when they had buried a person: "Seek forgiveness for your brother and beseech Allah Ta'ala to keep him firm for verily he will be questioned now" (*Mishkaat p.26*)

Thus the rare occasions when we visit the graveyard should serve as a reminder of our own death. Those few moments among the graves should not be wasted in idle gossip and worldly talk. While the burial is in progress, one should engage oneself in silently reciting whatever one is able to of the Qur'an with the intention of passing the rewards to the deceased. This would be of immense benefit to oneself as well as the deceased. May Allah Ta'ala enable us to remember our death often, **especially while in the graveyard**. Aameen.

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of the pupils of Izz ud-din asked him why he had raised the question on that occasion. Izz ud-din replied, "When I saw the Sultan surrounded by that pomp and show I thought that he might give himself airs and become a slave to his baser-self. I, therefore, thought it necessary to admonish him publicly." "But were you not seized with fright," demanded the disciple further. "Oh no," replied Izz ud-din, "I was so much seized by the awe and glory of God Almighty that the Sultan appeared to me as meek as a cat."



The Aadaab of Speech

- Do not mumble when speaking. **Speak with clarity.**
- Be to the point. Do not beat about the bush when speaking.
- Think before speaking. Sometimes a wrong statement uttered without thinking leads to Jahannam. One will obtain salvation from this calamity by inculcating the habit of thinking before speaking.
- Do not insult anyone. Do not say to anyone: '**Faasiq, kaafir, Mal'oon** (cursed), **the enemy of Allah.**
- Do not be two-tongued, expressing views in the presence of a person calculated to please him, but when **in the company of one holding another view, then speaking to please him.**
- Never engage in gossip, slander and scandalising. However, it will be permissible to speak contrary to fact and reality in order to restore peace and good relationship between antagonists or enemies.
- Do not flatter anyone.
- Do not become embroiled with anyone in obstinate debate and argument. **When you realise that the person is not prepared to accept the truth,** maintain silence. Do not become intransigent and bigoted. Bigotry is exceptionally evil.
- Abstain from statements in which there is neither Deeni benefit nor worldly benefit.
- Do not curse or speak ill of time (the age). **Time is blameless.** By implication, the criticism is directed to **Allah** . We seek refuge in **Allah**.
- Do not praise those who are not upholders of the Deen. (Abstention from praising them should not be construed to mean permissibility to hold them in contempt. It is not permissible to despise them nor to adopt a holier than thou attitude.)
- It is haraam to speak ill (**Gheebat**) of even children, insane persons and non-Muslims.
- To deliberately listen to Gheebat being spoken is as if one has made Gheebat.
- Juniors should not call their seniors by their names. They should adopt a name or title of respect and honour.
- When meeting someone casually, e.g. along the road or by chance, do not engage in a topic which you will not be able to complete in the short while you are with him. If by the time of separating, the topic has not been concluded, you will either waste your time to complete the story or you will depart with the story unfinished. **This leaves the listener in suspense and doubt.**
- If a person mistakes you for another, then immediately rectify him and state your identity.
- In the presence of others do not use such terms which are considered uncultural. Express yourself in a cultured way, e.g. say 'the call of nature', etc.
- Where the company consist of three persons, two should not speak by whispering to each other, nor should they ask the third one to leave, nor should they speak in a language which the third person does not understand. This causes distress to him.

Our Tests

*We have been told numerous times
That the journey to Jannah is not a free ride.
Trials and tests we must all face
To distinguish between the true and weak-faith.*

*Many give up while on the true path
We can see that the weak-hearted never last.
True love for Allaah always sees us through
If you keep making duâ'aa, He'll respond to you.*

*Nay! He is not named Al-Mujeeb for nothing
Verily, Allaah truly is The Responsive.
The plea of His slave, He loves to Hear
Surely, can you believe that Allaah's not there?*

*Patience is a virtue that must be attained
By the Will of Allaah, Jannah will be gained.
With every hardship definitely comes ease
Allaah's our Witness, Al-Shaheed.*

*Along with patience comes gratitude
Allaah's The Loving, Al-Wadood.
Truly He loves us when we obey
If we stick to Islaam, we'll never go astray.*

*Tribulations befall those whom Allaah loves
Passing His tests makes you free like as a dove.
To know that you stuck through it with Him
Truly Allaah Knows all, He's Al-'Aleem!*

by sister Umm Junayd