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TRUTH

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RADIANT  
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.***A STUDY IN CONTRAST INTROSPECTION**

Intercultural clash has been engaging the attention of intellectuals and the learned since long; debate and analysis on the subject continues till date. Opinion with the Islamic world is also not quite unanimous.

The theme initially was "clash or unision" between various cultures. Some intellectuals mooted the idea of unity and synchronism between various cultures. Seminars and conferences in several parts of the world were organized to discuss the subject openly. View points were put forward by people belonging to different cultures, specially the Muslims and Christians. The Pope of the day also endorsed the steps being taken. Apparently the debate seemed to revolve around differences in religious beliefs where as, in reality such clash does not exist. History bears testimony that the followers of various faiths had full liberty to pursue their own religious tenets, shunning interference in each other's actions.

As far as Islam is concerned, it has been an epitome, non-pareil, of open mindedness, tolerance and forgiveness, and affords full liberty to people of all faiths to act according to their own beliefs. Even during the period of their dominance, no coercive actions were resorted to nor any obstacles placed in performances of rites and rituals. Upon entering any country as conquerors, they treated the citizens with compassion, justice and were extremely condescending. People flocked into the fold of Islam of their own volition, so much so that several countries embraced Islam without any armed action and despite passage of centuries are Muslim majority regions.

Contrast between the attitude of Christian and Muslim conquerors is exemplified by the history of Spain.

Before the entry of Muslims as victors into Spain, flag of Christian power fluttered all over the land. Jewish community

were under duress, suffering all indignities and humiliation. Islamic conquest resulted in total liberation for them, to the extent of being afforded a hand in administrative affairs. As a result of the contribution of Jews and Christians in all round development of Spain in all fields: viz., education, industry, trade and commerce along side that of Muslims in self-evident. The communities received equal and just treatment. In stark contrast is the treatment meted out to Muslims by the Christians when they managed to wrest power once again by overthrowing the Muslim government from Spain. Freedom and justice were murdered, virtually; Muslims were forced to convert to Christianity under severe duress and threat of extradition; their schools and mosques were shut down. In the event, hardly any Muslim survived in the entire country.

Similar was the scenario at the time of conquest of Holy land (Palestine) by Muslims. The other two communities received the same treatment and provided equal facilities. Places of worship and other monuments held sacred by Jews and Christians were just as sacrosanct to Muslims. Their monks and preachers enjoyed the same status as they did under their own rule. Peace and tranquillity held sway and no outrage of female population occurred anywhere. The great Caliph Omar bin-Khattab (RA), in his letter to the Muslim governor of Palestine, Abu-Obaida-bin-al Jarrah (RA), advised at length to be just and compassionate to non-Muslims, as a result of which transfer of power to Muslims was entirely smooth.

The reputed, reliable historian Stanley Lane Poole has described the conquest of Palestine by the Christians:

Upon their foray into the holy land they let loose a reign of terror and massacre, to the extent that horses of the riders, who entered the mosque of Omar, were knee

deep in blood. Children were either banged against the walls or thrown down from the parapets. Jews were all burnt alive inside their place of worship, (Tarikh-i-dawat-o-azeemat)

In direct contrast is the case of reconquest of Palestine by the youthful, prudent Sultan Salah-ud-din Ayyubi (Saladin to the English writers), who earned accolades for all and sundry, including the western writers and historians. Stanley Lane Poole in his book "Sultan Salah-ud-din Ayyubi" is eloquent in vivid terms:

The sultan took no stern action against any non-Muslim. One exception was to chastise Reginald for his threat to invade Makkah and Madinah and for using utterly derogatory language for the mausoleum of the Holy Prophet (Sallallahu Alaihi Wasallam). Sultan saw to it that life and property of his subjects were fully safeguarded.

Message of Holy Quran on the subject are explicit:

*"Revile not ye those whom they call upon besides Allah, lest they out of spite revile Allah in their ignorance (Al-Anam 6:108)*

Another message is for believing in every messenger of Allah (peace be upon them) and to respect what they held sacred:

Say: O people of the Book! come to common terms as between us and you: That we worship none but Allah: That we associate no partners with Him: That we erect not, from among ourselves, Lord and patrons other Allah." (Aal-Imran3:64)

The era of western despotism is not too ancient history yet and perpetration of terror is fresh in human memory. No deep probe is required for judging the contrasting attitudes of non-Muslims and Muslim conquerors. While Christianity professes mutual affection, sympathy and forbearance among all human beings, history testifies to just the opposite. Similar is the state of current affairs, with all round air raids and mass massacre. What transpired in Iraq and Afghanistan, the inhumanities committed in Abu Gharib and Guantanamo jails hardly need to be described. Atrocities upon prisoners in secret dungeons of USA continue unabated.

Entire Western and Christian media have waged an anti-Islam vendetta all through the Muslim world and beyond, spreading concocted versions of the holy message and their missionaries attempting to impose their own faith. Even the realm of education is not immune from pollution aimed at the nascent minds. In the western countries even the observance of Islamic dress code by Muslim women folk is not tolerated. Any member of a legislature or a government employee, observing the tenets of Islam is forthwith suspended or dismissed. On the other hand, Islam imposes no blanket ban on any form of dress, as long as the norms of decency and decorum are not violated.

Every conceivable hindrance is being placed on Islamic faith and religious belief in Europe. Cartoonists and writers, journalists seem hell bent on maligning Islam and its history, so much so that they would not desist from targeting the holy prophet (Sallallahu Alaihi Wasallam). Propagation and preaching of Christianity goes on unbridled and reports of several Muslim countries entering the fold of Christendom pour in. Even purely welfare and religious organisations are made targets of violent action. Muslim countries which are influenced by the West are being forced to take action against Islamic movements, specially their educational institutions, without any exception.

Publication of cartoon in blatant derogation of the holy prophet (Sallallahu Alaihi Wasallam), received united support from entire Europe, under the guise of freedom of expression and media. No effort was spared to suppress the show of natural resentment among Muslims, to the extent of using main force. Muslims, on the other hand exercised restraint. No word was uttered nor did a pen rise against the prophets Moses or Jesus (AS). History is replete with instances when Muslims have stuck to the path of fair play, peace and forbearance. Jews and Christians have forever resorted to cruelty.

A case in point is of death sentence by Afghan government passed on one Abd-

Contd on page 9

## Question & Answer

Q. Does ones Wudhu break if he eats or drinks anything that has been cooked on fire?

A. No, Wudhu does not break if one eats or drinks anything that has been cooked on fire.

Q. We see some people who after performing Wudhu and Salaah smoke cigarette etc and when the time of next Salaah comes, only wash their mouths with water. Is this action enough for them to perform next Salaah?

A. Smoking cigarette etc does not nullify Wudhu, but it is necessary to remove bad smell of mouth before performing Salaah. If the smell of cigarette etc comes out of ones mouth, this will make his Salaah Makrooh.

Q. Does ones Wudhu break if he looks at mirror or watches television?

A. Wudhu does not break if one looks at a mirror. To watch un-Islamic programmes on television is a sin and it is Mustahab to perform Wudhu after doing any sin.

Q. Does ones Wudhu break if he looks at any doll etc?

A. Wudhu does not break if one looks at dolls etc.

Q. While doing manual work dirt gets accumulated inside nails; if one performs Wudhu without cleaning this dirt, is his Wudhu valid?

A. The persons Wudhu is valid but it is against inherent nature and also un-Islamic to leave nails growing.

Q. A person having his Wudhu itches his ear with his finger and takes ear wax out with his finger. Is his Wudhu still valid?

A. The Wudhu of this person is valid. However if there is some kind of watery secretion that come out with his finger, he Wudhu

will be invalid as this watery secretion is impure.

Q. If a person has his hair cut, or makes his beard or has his nails cut; is his Wudhu still valid?

A. Doing any of these things will not have any effect on Wudhu of any person. There is no need to do repeat Wudhu.

Q. If a women suckles her child; will her Wudhu become invalid?

A. No.

Q. A person has filled his tooth with silver filling. Is his Wudhu and Gusul valid even if the water does not reach below this filling?

A. The Wudhu and Gusul of this person is valid.

Q. Will the Wudhu and Gusul of a person having artificial teeth become valid or he has to remove it before doing Wudhu or Gusul?

A. There is no need for such a person to remove his teeth before doing Wudhu or Gusul. His Wudhu or Gusul is valid even if he keeps his teeth intact.

Q. Is it necessary for a woman to cover her head while performing Wudhu?

A. It is necessary for a women not to uncover her head, however her Wudhu will be valid.

Q. It is an admitted fact that the use of nail polish by women is not permissible according to Islam. What if they use cream, powder etc that are in vogue nowadays? Keeping in view that the water goes down through these creams and powders.

A. If these creams and powders do not contain any impure contents then there is no harm. But if anything among these kinds has sticky nature then it is necessary to remove it before performing Wudhu or Gusul.

## From a Sister's Desk

*This column is not meant for mere reading, but it is meant to knock at the doors of your conscience, if the article has knocked, don't just sit and ponder but the time demands action right now!*

### MUSLIM MISSIONARY HOSPITALS—NEED OF THE HOUR.

I was amazed to see St. John's hospital in Bangalore. A state of art hospital with all specialties and super specialties, an attached medical college, college of nursing and laboratory technology and of course a centre of advanced research for postgraduates, PhD, and post doctoral fellows. The hospital is providing an incredible service to lakhs of people in and around Karnataka. St. John's hospital is a Christian missionary hospital, more than 90% of its staff is Christian. It is one in many hundred hospitals started by Christian missionary groups in India to take care of their community's health and education needs, and also to act as a platform to spread the message of Christianity. A concept realized beautifully by the visionaries of the hospital and the staff.

Again, miles away from St. John's hospital on the outskirts of Bangalore, there is Sri Sathya Sahi Institute, a super specialty hospital providing care to patients who have cardiological and neurosurgical problems. The astonishing things about the hospital is that the said care is being provided to the people—absolutely free. There is no fee counter in the hospital—just imagine! The hospital is founded by local and NRI disciples of Sai Baba. How many more Christian missionary hospitals and hospitals run by Hindu Ashrams are there—it is difficult to say but their conspicuous presence in every corner of India makes me think that these groups are there to help their community. Now how about us—we the Muslims for whom charity forms a part of faith, have we forgotten the concept of a selfless service to our community by providing the healthcare needs to Muslims.

Indian Muslim community is a massive force and many Muslims are rich, influential and educationally sound enough—but how many hospitals are there which are man-

aged by Muslims. How many Muslim hospitals are providing a free service to the community? Is there really no need for such hospitals and training centers? For Muslims religion is the boundary and there is no life beyond Islam. Our physical, mental, moral and social needs are absolutely different—non-Muslims can hardly understand those leave alone treating them. What may be a healthy practice for others, may be a disease for us and what may be a disease for others may be health for us. Again the poor and needy patients of our community need attention—where will they get that? Science is advancing, technology is expanding and definitely this all has an impact on us—who will look into the problems/issues that concern us—non-Muslims??

Charity is being collected right and left, donations are being given liberally—then why our own hospitals are a distant dream. This is the wish of a Muslim woman who asks for Pardah at the time of childbirth, the cry of young couples who are subject to un-Islamic procedures for the treatment of infertility, the cry of disabled and diseased poor Muslims who cannot afford medical care. Isn't it our duty to provide the same to them?

There are a few good doctors here and there, a few good researchers amongst us but what we lack is a common platform, a common voice, a training ground for our youngsters and a learning track for the able—why is there no one bothered about this cause?

The community is in need of hospitals, research centers and training institutions. Yoga is in vogue, Ayurveda is in style, so where are the followers of 'Tibbe Nabvi'? What has sidelined them—their disinterest lack of will or inability? When Aasans can become talk of today's good health, why not Saum or Salaah?

# Lesson From The Qur'an

Commentary: Mawlânâ Mufti Mohammad Shafî Sahib (RA)

## Verses 94 – 95

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**Say: 'If the Last Abode near Allah is for you purely, short of all people, then make a wish for death, if you are true.'**

**But they will never wish for it because of what their hands have sent ahead. And Allah is all-aware of the unjust.**

The Jews used to claim that the blessings of the other world were specially reserved for them, and were not, meant for any other people. Certain other verses of the Holy Qur'an too refer to such a claim on the part of the Jews, and also of the Christians: وَقَالُوا : "لَنْ نَمَسَّنَا النَّارُ إِلَّا أَيَّامًا مَعْدُودَةً : They say: The fire will not touch us but for a few days"(2:80), وَقَالُوا لَنْ يَدْخُلَ الْجَنَّةَ إِلَّا مَنْ كَانَ هُودًا أَوْ نَصَارَى : "And they say: No one will enter Paradise except he who is a Jew or Christian" (2:111), وَقَالَتِ الْيَهُودُ وَالنَّصَارَى نَحْنُ أَبْنَاءُ اللَّهِ وَأَحِبَّاؤُهُ : And the Jews and the Christians said: We are the sons of Allah and His close friends" (5:18). What they meant in making such a claim was that since their own faith was the true one, they must certainly attain salvation in the other world - the repentant and the forgiven being admitted to Paradise from the very beginning, the sinners finding release from the fires of Hell after undergoing a punishment for a few days, and the obedient receiving a welcome like sons and beloved friends.

The use of certain improper expressions like "sons of Allah" notwithstanding, these claims are in themselves quite correct, provided that they pertain to people who follow a true and valid faith. But the Jews (and the Christians as well) were still following a faith which had been abrogated, and was thus no longer valid -- a fact which nullified their claim. So, the Holy Qur'an has

refuted the claim again and again in different ways, and the present verse has adopted a special mode. The habitual method of settling a dispute is to have a discussion and let both the parties present their own arguments. Since the Jews knew they could not win, they fought shy of this normal way. So, the Holy Qur'an suggests an abnormal method, which would not call for much knowledge or understanding, but only put a little strain on the tongue. The proposed trial consists in this -- if the Jews are so sure of the blessings of the other world being reserved for themselves, they should declare that they wish to die, and this declaration would establish them as being genuine in their faith; but if they refuse to accept the challenge, it would show that they were liars. The Holy Qur'an also predicts that they would never have the courage to go through the trial.

In view of their hostility to the Holy Prophet (Sallallahu Alaihi Wasallam), one could expect them to take up such a simple challenge very zealously. But they knew very well in their heart of hearts that the Holy Prophet (Sallallahu Alaihi Wasallam) and the Muslims stood for the truth, while they themselves were the champions of falsehood, and were, in actual fact, infidels. So, they refused to go through the trial, for they were struck with awe, and feared that as soon as they had expressed the wish to die, death would come over them, and they would be sent to Hell. This recalcitrance is, thus, in itself an evidence of the truth of Islam.

Here we must note that the trial was proposed not for all the Jews of all the ages, but specially for those who were the contemporaries of the Holy Prophet (Sallallahu Alaihi Wasallam), and who used to deny him out of sheer envy and malice, in spite of having recognized that he was a genuine prophet.

Nor should one raise the doubt here that they had perhaps accepted the challenge, and "wished" for death in their hearts, as the Holy Qur'an seems to ask. For one, the Holy Qur'an itself reports the prediction that they would never "wish for it." Secondly, if they could wish for death in their hearts, they must have declared it orally too, for their victory lay in just such a declaration, and this was a very easy way of refuting the Holy Prophet (Sallallahu Alaihi Wasallam). But they did not avail themselves of this opportunity.

Nor can one suppose that they did make an oral declaration, for the fact has not been reported, and thus has not come down to us. Such a supposition would be wrong, because the opponents of Islam have always outnumbered its adherents, and if such a thing had happened, they must have been trumpeting it aloud to show to the world that the Jews had successfully passed the test proposed by the Holy Qur'an itself.

#### Verse 96

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***And you shall surely find them, of men, the most avid for life - even more than the polytheists. Of them, one would love to be aged a thousand years. But it will not remove him from punishment to be so aged. And Allah is watchful of what they do.***

This verse shows the basic weakness of the Jews which did not allow them to accept the challenge proposed in Verse 94, and thus exposes the hollowness of their claim to the blessings of the other world being reserved for them. The Holy Qur'an puts a special emphasis on the fact that the Jews loved physical life much more than did the Arab polytheists. Such an inclination should not have been surprising on the part of the latter, for, after all, they did not believe in the other world, and physical

life was the be-all and end-all for them. But the Jews acknowledged the existence of the other world, and even had the illusion that they alone deserved its joys, and yet it was they who, above all others, wished to live in this world as long as possible. This very desire shows how baseless their pretention was, and how they themselves knew that they would have to face the fires of Hell in the other world, and that physical life was, as long as it lasted, a kind of protection against their final fate.

#### Verse 97 – 98

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***Say, whoever be an enemy to Jibra'il (Gabriel) -- it is he who has brought it down upon your heart by the permission of Allah, confirming what has been before it, and a guidance and good tidings to the believers. Whoever be an enemy to Allah, His angels, and His messengers, and to Jibra'il and Mika'il, surely Allah is enemy to the disbelievers.***

The perversity of the Jews was very fertile, and gave them ever-new excuses for denying the Holy Prophet (Sallallahu Alaihi Wasallam). When they learnt that it was Archangel Jibra'il (Gabriel AS) who brought the Glorious Qur'an to the Holy Prophet (Sallallahu Alaihi Wasallam), they said that the Archangel was their enemy, as it was through him that rigorous commandments or catastrophic punishments had always descended on them,, and that for this reason they would not accept a Book which had been revealed through his agency. They also added that they could have accepted the Holy Qur'an, if the Archangel Mika'il (Michael AS) had brought it down, for he is connected with rain and with divine mercy.

In refuting this argument, the Holy Qur'an points out that Jibra'il (AS) is only a

messenger, and has, acting only as a messenger, brought down the Holy Qur'an under a divine command to the Holy Prophet (Sallallahu Alaihi Wasallam). So, why should the Jews be so particular about the messenger, and not look at the Book itself? As for the Book, it confirms the earlier Books of Allah, provides guidance to men, and gives good tidings to the believers. This being what the Divine Books are meant for, the Holy Qur'an is evidently enough a Divine Book, and must, as such be obeyed. To deny it on account of one's hostility to Jibra'il (AS) is sheer stupidity or outright perversity. Now, as for the attitude of the Jews towards Jibra'il (AS), the Holy Qur'an declares that to be hostile to the angels (including Jibra'il and Mika'il AS) or to the prophets is tantamount to being hostile to Allah Himself. Verse 98 puts down the enemies of angels and prophets as infidels (Kafirin) in saying that Allah is the enemy of the infidels. In other words, those who deny or oppose the angels and the prophets will have their due punishment in the other world.

Maulana Ashraf 'Ali Thanavi has, in his "Bayan al-Qur'an", warned against the possibility of very grave error that may arise with regard to the statement in Verse 97 that the Archangel Jibra'il (Gabriel AS) has "brought down the Book on the heart" of the Holy Prophet (Sallallahu Alaihi Wasallam). The error would lie in drawing from this phrase the conclusion that Allah has not revealed the words of the Holy Qur'an but only the meanings. Such a supposition is quite baseless, because many verses of the Holy Qur'an itself mention the Arabic language as the vehicle of revelation in the case of this particular Book of Allah. That should leave no room for any doubt. Moreover, the "heart" perceives words as much as it does meanings; in fact, the perceiving agent is the "heart", while the ears etc. are only its instruments. Specially, in the state of revelation, the external organs of the senses become dormant, and the heart receives even the words directly without the intervention of the ears. Although we can-

not understand the nature of revelation properly, yet, choosing a mundane analogy, one can say that while dreaming in our sleep we do hear words and remember them afterwards, in spite of our external sense of hearing having been suspended while we dreamt. This example should make it easy to see that the revelation of meanings to the heart does in no way preclude the revelation of words as well. Anyhow, it is a sin - and an intellectual dishonesty - to rely on one's own conjectures in defiance of a clear and definite statement in the Holy Qur'an.

#### Verse 99

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***And certainly We have revealed to you clear signs. And no one denies them except the sinful.***

In denying the Holy Prophet (Sallallahu Alaihi Wasallam), the Jews used to say that no clear evidence or sign of his prophethood had been revealed to him such as they could recognize and accept. In reply to this the Holy Qur'an says that Allah has revealed a number of very clear signs and evidences of his prophethood which even they know and understand very well. So, their denial is not based on a lack of recognition or knowledge, but on their habitual disobedience, for, as a general rule, no one denies such evidence except those who are wilful and stubborn in their disobedience.

#### Verse 100

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***Would it always be that every time they enter into a pact, a group from among them should throw it aside? In fact, most of them do not believe.***

Allah had, as the Torah itself reports, made the Jews take the pledge that they would have faith in the Holy Prophet (Sallallahu Alaihi Wasallam) when he ap-

peared. On being reminded of it, the Jews flatly denied even having taken such a pledge. Commenting on this effrontery, the Holy Qur'an says that this is not the only instance of such a conduct on their part, for the Jews have, in fact, never fulfilled even those pledges which they acknowledge, and one group or another from among them has always been breaking the compacts they have entered into, specially with regard to religious matters. It can even be said that most of those who have been guilty of such gross violations, did not at all believe in the compacts which they made with Allah. Going against a pledge is only a sin and transgression, but having no faith in the pledge which one gives to Allah is outright infidelity.

The Holy Qur'an specifically speaks of one group or another breaking the pledge, and not of all the Jews. For there were some among them who did fulfil the pledges, so much so that many Jews finally accepted Sayyidna Muhammad (Sallallahu Alaihi Wasallam) as a true prophet, and joined the ranks of the Muslims.

### Verse 101

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***And when came to them a messenger from Allah, confirming what was already with them, some from among the people of the Book threw away the Book of Allah behind their backs, as if they did not know.***

The previous verse had told us how the breaking of pledges and disobedience had become a regular habit with the Jews. The present verse gives us the latest instance, which is the most relevant to the context.

The Torah had already given the Jews the good tidings of the coming of the Holy Prophet (Sallallahu Alaihi Wasallam). When he actually came with all signs which the Torah had indicated, thus confirming the Sacred Book of the Jews, a large number of

them refused to accept him as a prophet. In doing this, they were, in fact, denying the Torah itself, and behaving as if they know nothing of the prophecy, or even the Torah being a Book of Allah. Thus, they were being guilty of infidelity (Kufr) even in terms of

*Contd from page 3*

ur-Rahman who had turned apostate. European media lost not a moment in propagating the subject in adverse tight, harping upon the usual theme of personal freedom. Another instance is the onset of violent reaction following the demolition of the statue of Mahatma Budh by Taliban. Several mosques were raided and copies of Holy Quran consigned to flames. USA threatened to attack the holy Makkah. On the other hand no adverse publicity from Western media is coming forth on the atrocities of the worst degree unleashed on innocent persons in known and not so well known, jails of USA.

The current reign of sheer despotism is touted as an era of liberty, equality, justice and compassion. The powerful few have taken on the role of sole judge between right and wrong and even are in control of legal jurisprudence. The only aim seems to be concentrating all power in one hand so as make the rest of the nations its subservient satellites, ultimately to enforce one religious and cultural order, the world over. Alongside there is an ostentatious programme of negotiations through conferences and seminars, diplomatic exchanges, which in effect boils down to orchestrated delirium, in reality internal or external peace, brotherhood and fair play are nothing more than a pipe dream.

More is the pity that those who should take up cudgels against such unbridled rule are neither united nor find themselves in any position to even enter into an incisive and fruitful dialogue. Such steps are possible only if there was some sort of common platform for such nations, strong enough to spring up a situation akin to tussle between Communism and Capitalism, much like the days of cold war. The current scenario seems to inspire no confidence."

# Lesson From The Bukhari Sharief

*Dr. Rafiq Ahmad*

And the statement of Allah Ta'ala: My Lord,  
Increase me in knowledge (20:114)

## KITAB-UL-ILM

Imam Bukhari started his book with the Chapter of Wahy, followed it with the Chapter of Iman and then by the Chapter of knowledge. The reasons for starting with the Chapter of Wahy have already been discussed in that chapter. After Wahy, the Iman is the basis of whole Deen, regarding both the beliefs as well as the deeds. After obtaining Iman, one has to know the things related to it, and in order to follow them as per Shari'ah he needs to have knowledge. That is why Imam Bukhari followed the Chapter of Iman with that of knowledge. There exists a debate amongst the scholars whether the knowledge is axiomatic (self-evident) (بديهي) or speculative (ظني). Qadhi Ibn al Arabi and Imam Razi are of the opinion that knowledge is axiomatic, hence does not need any definition, whereas Imam Ghazali says that knowledge is speculative and accepts specification (تعديد). Mula Ali Qari says that the knowledge is a Noor that is borrowed from the niche of the Prophet-hood (مشكاة نبوة) of Rasulallah (Sallallahu Alaihi Wasallam). Allah puts it in the Qalb of a believer by which hidden things get manifest for him.

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Chapter 1 : The excellence of knowledge, and the saying of Allah: "Allah will exalt, in degree those of you who believe and who have been granted knowledge. And Allah is aware of what you do (58:11)

## Virtues of knowledge

Imam Bukhari has started with virtues or excellences of knowledge rather than the true state or actuality (حقائق) of knowledge. Qadhi Ibn Arabi says that it is because Imam Bukhari believes that the knowledge is so evident that it does not need any definition, and secondly he is not discussing the actuality of things in this book. Imam Bukhari has quoted two verses of the Holy Qur'an in this Baab and has not mentioned any Hadith under this Baab. The verses are:

*Allah will exalt those of you who believe,  
and those who are given knowledge, in high  
degrees; and Allah is Aware of what you do.  
(58:11)*

*Increase me in knowledge (20:114)*

By quoting these two verses, Imam Bukhari intends to prove the significance and excellence of the knowledge. In the first verse Allah Ta'ala says that 'He raises the status of a believer' and then specifically mentions the raising of the status of those who have knowledge - thereby establishing the excellence of these people over those who do not have knowledge. In the second verse Rasulallah (Sallallahu Alaihi Wasallam) is asked to pray for increase in his knowledge, this also proves the excellence of acquiring knowledge, otherwise Rasulallah (Sallallahu Alaihi Wasallam) would not have been directed to ask for something that is not excellent.

**Note: Knowledge means the knowledge of Shari'ah**

Knowledge here means the knowledge of the Shari'ah. Allah Ta'ala says in the Qur'an;

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*Therefore turn aside from him who turns his back upon Our reminder and does not desire anything but this world's life. That is their goal of knowledge; surely your Lord knows best him who goes astray from His path and He knows best him who follows the right direction. (53:29,30)*

Knowledge is of various kinds, viz., Fardh (obligatory), Wajib, Sunnat, Mubah (permissible) and Haram (forbidden). The worldly knowledge that benefits humanity like medicine, mathematics, physics, chemistry etc. is permissible in Islam, whereas the knowledge that is harmful to humanity like sorcery, witchcraft etc. is Haram (forbidden). The knowledge that is neither useful nor harmful like some of the subjects taught these days at university level are useless to humanity, hence not liked by Islam.

**Non-Citation of Hadith in this Baab**

The scholars of Hadith give different explanations for this. Some say that Imam Bukhari did not get any Hadith that fulfilled his criterion for this Baab. Others say that Imam Bukhari had first written the titles of the chapters (i.e., Tarjamatul Baab), and forgot to write Hadith under this Baab. Ibn Hajar says that Imam Bukhari believed that these two verses were self explanatory, hence enough for this Baab. And Allah knows best.

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Chapter 2: That who was asked what about knowledge while busy in some conversation

and completed his talk before answering the questioner.

**Purpose of Tarjamatul Baab**

In the previous Baab the increase or advancement in knowledge was mentioned, and in this Baab, the method for achieving the same is mentioned. The best way for achieving knowledge is to ask questions to the learned persons (i.e., Ulema). Knowledge is the name of question and answer, and it is said that a good question is half of the knowledge (حسن السؤال نصف العلم). In this Baab the etiquettes pertaining to a student and a teacher are taught. Allah Ta'ala says:

*"If ye realise this not, ask of those who possess the Message" (16:43)*

**Comments**

A Bedouin comes to Rasulallah (Sallallahu Alaihi Wasallam) and asks him a question about the Day of Judgment at a time when Rasulallah (Sallallahu Alaihi Wasallam) was addressing people. He (Sallallahu Alaihi Wasallam) did not answer his question immediately. Here the question arises as to when should one answer a question. If the question is about the beliefs or is time related then one should answer it immediately.

Once Rasulallah (Sallallahu Alaihi Wasallam) was delivering a sermon (khutba) and someone came and asked something about Deen, Rasulallah (Sallallahu Alaihi Wasallam) stopped his sermon and first answered this person as his question was about more important matter i.e., about his belief. But here in this particular Hadith under discussion, Rasulallah (Sallallahu Alaihi Wasallam) was busy in more important issue than the question of the inquirer, that is why Rasulallah (Sallallahu Alaihi Wasallam) didn't answer him immediately. In answering the question one has to keep many things in mind - like the nature of the question, the condition of the inquirer, whether he is a local or from far off place and further the teacher should

assess the overall scenario and then decide the timing and the nature of the answer.

#### **Hadith Number 56**

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#### **Narrated Abu Huraira**

*While the Prophet was saying something in a gathering, a Bedouin came and asked him, "When would the Hour (Doomsday) take place?" Allah's Apostle continued his talk, so some people said that Allah's Apostle had heard the question, but did not like what that Bedouin had asked. Some of them said that Allah's Apostle had not heard it. When the Prophet finished his speech, he said, "Where is the questioner, who enquired about the Hour (Doomsday)?" The Bedouin said, "I am here, O Allah's Apostle." Then the Prophet said, "When trust is lost, then wait for the Hour (Doomsday)." The Bedouin said, "How will that be lost?" The Prophet said, "When the power or authority comes in the hands of unfit persons, then wait for the Hour (Doomsday.)"*

#### **Display of Politeness**

In this Hadith, we see that a Bedouin asks his question in a crude manner, and does not wait for Rasulullah (Sallallahu

Alaihi Wasallam) to finish his talk. At the same time, we see that Rasulullah (Sallallahu Alaihi Wasallam) politely calls him in the end, answers his question and does not show any kind of anger to him. This act of Rasulullah (saw) is a guideline of politeness that a teacher is supposed to show if he is questioned.

#### **Clarification for not understanding**

The Bedouin in this Hadith asks the clarification as to how would honesty be lost. This shows that a Student should ask for clarification if he does not understand the answer.

#### **Suitable Answer**

The Bedouin asked about the Day of Judgment and Rasulullah (Sallallahu Alaihi Wasallam) told him the signs of that day. This means that a teacher should only answer what he thinks is suitable for the inquirer.

#### **The Meaning of Trust (أمانة)**

It is said that the trust here means the same trust, which is mentioned in this verse of the Qur'an,

*We did indeed offer the Trust to the Heavens and the Earth and the Mountains; but they refused to undertake it, being afraid thereof: but man undertook it;- He was indeed unjust and foolish. (33:72)*

When this trust was offered to the heavens, earth, mountains etc.; all these realized their capabilities and found that they were unable to hold this trust. When it was offered to man, he did not look at his capability but set his eyes on the One Who was offering it, i.e., Allah (SWT), and thus accepted it as a true lover. That is why the Qur'an said – 'he is unjust and foolish (as regards to his self)' (إِنَّهُ كَانَ ظَلُومًا جَهُولًا)

Others say that this trust is the seed of Iman (faith). It is because of this seed of

faith that one is able to do justice with every job one is supposed to do. Higher the grade of Iman, higher will be his ability to do justice.

#### Timing of the Day of Judgement

*"When the power or authority comes in the hands of unfit persons, then wait for the Hour (Doomsday.)"*

Rasulullah (Sallallahu Alaihi Wasallam) was asked about the timing of the Day of Judgment, since Allah alone knows that, so he only told him the sign that points towards the nearness of that day. He told the Bedouin that when dishonest and untrustworthy people will be handed over the charge of administration, then it is the time to wait for the Day of Judgment.

#### Why Imam Bukhari quoted this Hadith in this chapter

In this Hadith it is said that when the administration is handed over to dishonest and unfit people, that will be a sign of the nearness of Doomsday. Ibn Hajar says that this will take place only when the knowledge (of Deen) is lifted from the world, and only ignorant people will remain there in the world and no scholars of Deen is left. That is why this Hadith has been quoted in this chapter.

### Anger

*Narrated Atiyyah as-Sa'di: Abu Wa'il al-Qass said: We entered upon Urwah ibn Muhammad ibn as-Sa'di. A man spoke to him and made him angry. So he stood and performed ablution; he then returned and performed ablution, and said: My father told me on the authority of my grandfather Atiyyah who reported the Apostle of Allah (Sallallahu Alaihi Wasallam) as saying: Anger comes from the devil, the devil was created of fire, and fire is extinguished only with water; so when one of you becomes angry, he should perform ablution*

*(Abu Dawood)*

# Religious Tolerance

*Dr. Mustafa Saba'i*

*The first part of this article has been published in the Sept. 2006 issue of this journal.*

#### Honouring the Non-Muslims Literati and Poets

Closeness to the rulers and conferring of honour by them was more or less the same with the literati and the poets. The poets and literati were honoured at the court of Banu Umayyah and Banu Abbas and other Chieftains, without any discrimination, the only condition being excellence and expertise. We all know what position Akhtal held at the Umayyid court. He had the permission of the caliph to approach him any time he was pleased. So he came to see the caliph Abdul Malik any time of the day or the night, when he was seen dressed in a silken gown and a cross, amulet fashion, suspended by a golden chain from his neck and droplets of wine rolling down his beard. He is the same person who had reviled the Ansars of Madinah in which he had said, "And disgrace and reproach lie beneath the turbans of Anasars." At this the Ansars (helpers) of the Prophet were very much grieved, and they sent one of their elderly men, N'oman bin-e-Bishr, who had the honour of being a companion of the Prophet, to Abdul Malik. He saw Abdul Malik and taking off his turban showed its interior and his own scalp to him, saying, "Where is 'disgrace and reproach' here?" Abdul Malik himself apologised for this insult and pacified him with earnest supplication, but did not call Akhtal to account for his arrogance and insolence.

#### Attitude or the Outstanding Men in General towards the Alien

In this matter of religious tolerance the outstanding persons were also open-hearted like their caliphs. Their circle of

friendship and religious co-operation were not limited to their co-religionists. For example Ibrahim bin-e-Hilal who belonged to a particular sect Sabian of the Magians got appointed to a high position in the government and who welcomed and valued poets very much. But his social circle was not limited to his co-religionists. Rather, he was on very good terms with the Muslim learned men and men of letters, an idea of which can be had by the fact that on his death, Sharif Razi wrote a long poem known as "Qasidah waliah", when it is well-known that Sharif Razi was the leader of Hashimites and head of the Shi'ite community. He says in his Qasidah (Eulogy):

*"Did you notice whom they took away on planks,  
And did you see how the fire was extinguished."*

*"I did not know before thy burial,  
That mountains could also be buried in graves."*

And Sharif Razi "kept remembering him even after that and wrote elegies on proper occasions. Once he passed by his grave (were the Magians given to burial its dead? Or only their Sabian sect buried its dead? The issue is open to contention and needs some research work), and burst into tears. Some of the verses of the elegy written on this occasion are given here:

"I say to the way-farers passing this way to come to this (grave) that I may show them a seclusion-loving branch of greatness and eminence."

"I mourned your loss to lighten the burden of my grieved heart, but the pain increased; the elegies do not lessen the grief of calamities."

"I know it is not gainful to mourn your loss, but the longings have made me all the more aspirant."

### In Mamun's Circle of Learning

Under the patronage of the caliphs, the academic circles always attracted men of learning of various creeds. Mamun-Rasheed had an academic circle of his own in which met men of learning of many

creeds. He had advised them to keep their discourses and discussions confined to the learning and art, and not bring in their religious scriptures to their aid in reasoning, which was the source of rousing communal passions and creating untold difficulties.

### Public Meets

The same is true of general national academic circle. Khalaf bin-al-Muthanna says that he happened to attend, in Basarah city, the meeting of an academic circle comprising ten persons, each one of whom was unique in his own branch of learning having no rivals far and near. These ten persons were:

Khalil bin-e-Ahamad, the well-known Grammarian, belonging to the Sunni sect of the Muslims.

Humairi, a poet and a Shi'ite.

Swaleh bin-e-Abd-al-Quddus, an atheist.

Sufyan bin-e-Mushaji\* belonging to the Safwi sect of the kharijites.

Bishar bin-e-Burd belonging to the Sho'ubi sect.

Ibn-e-Nazeer, a philosopher who was a Christian.

'Umar bin-e-al-Mu'ayyid, a Magian.

Ibn-e-Sanan Al Harrani, a poet and a Sabian.

These people used to sit together, discussed various problems, poems were recited, historical events were discussed, in such a friendly atmosphere that nobody could suspect that they belonged to conflicting creeds.

### In Families and Homes

This religious tolerance was common in families and homes also. So often it was witnessed that out of four brothers living in the same house, one professed the Sunni Creed, another was a Shi'ite, a third was Mu'tazalite and the fourth was a Kharijite, and all the four were living in a spirit of perfect unity, love and concord. Similarly this situation was also witnessed that out of the two brothers living in same house, one remained occupied with his devotional acts

and the other in his ludicrous fun and frolic. In this connection a very interesting event has been narrated in literature. Two brothers lived together in the same house, one a very pious person, putting up on the ground floor, and the other an impious transgressor living on the first floor. Once it happened that some equally impious friends of this drunkard gathered together at his place and made such a din and noise with their songs and music and kept it up so long that the pious brother of this transgressor could not sleep the whole night. He came out of his apartment and called out his brother saving:

Do then those who devise evil (plots) feel secure that God will not cause the earth to swallow them up. (Al Quran XVI: 45)

To which his brother said:

But God was not going to send them a penalty whilst thou wast amongst them. \* (Al Quran VIII: 33)

### **Zealous Participation in the Festivals of those Professing other Religions**

Similarly, on the occasion of the festivals of other religions and sects, the Muslims participated with great enthusiasm. After the Ummayid dynasty, the Christian held their religious meets beside the public thorough-fares and went in processions on public roads. In these processions some people bearing crosses led the procession and their religious leaders in their peculiar dresses accompanied them. Once patriarch Michael entered Alexandria at the head of a magnificent procession. The front rank was occupied by crosses, torches and Gospels, and the priests were raising the slogans: "God has sent us a saviour, a pastor who is the modern St. Mark." This incident relates to the period of Hisham bin-e-Abd-al-Malik. During the period of Rasheed, the Christians on the occasion of Easter came out in the form of a big procession holding aloft big crosses on pedestals. Al-Maqdisi mentions in his book Ahsan-al-Taqaqim, that on the occasion of the Christian festivals the markets of Shiraz were decorated. And when the Nile rose in flood and the Christians celebrated their festivals of the cross, the Egyp-

tians also participated in celebrations with gusto.

Maqrizi writes in his book 'Khitatah' that during the period of Akhshidis, the common people made great rejoicings on the occasion of the festival of Baptism. In 330 A.H. this festival was celebrated with great pomp and munificence. Mahad bin-e-Tafaj Akhshidi's palace in Amneel island was decorated with one thousand chandeliers. The nation also followed suit and countless torches, candles and chandeliers were lighted. Thousands of Muslims and Christians gathered round water tanks and reservoirs. The house tops and the banks of the canals were packed to capacity. People put on their best dresses and vituals were brought in silver and gold vessels. That night the gates were not closed and most people bathed and dived in tanks under the impression that bathing on the night of the festival of Baptism was beneficial to countless maladies.

### **Marvellous (Religious) Tolerance**

And still more amazing is the fact that these manifestations of tolerance and love were conspicuous even during the period when crusades were raging. And this behaviour continued unaltered al-though the western powers had risen against the Islamic countries and had assaulted them with great fury. Al-Rinalah Ibn-e-Jubair says:

"What was most curious about this period was the fact that the Muslims and the Christians were engaged in a deadly war, and on many occasions it had been witnessed that both armies were facing each other in perfect battle array, but the delegations of the Muslims and the Christians were moving from one place to another in perfect amity and meeting people and nobody objected to this trend. The caravans were moving from Egypt to Damascus and from there to the European countries, the Muslims were paying out taxes to the Christians in their lands willingly, and the Christian traders were paying the custom duty or octroi for their merchandise in the Muslim countries and full justice

and equity were being observed in these dealings. While their armies were grappling with each other, the people were living in perfect amity and peace, and the world belongs to one who dominates."

### **The Admissions of the Western Historians**

In short, the standard of religious tolerance in the Islamic civilization attained a height which has no parallel in the past history of mankind. And even the truth-loving historians of the west are in accord with this view and bear witness to it.

The well known American writer, Drapper, says: "During the period of the caliphs the learned men of the Christians and the Jews were not only held in great esteem but were appointed to posts of great responsibility, and were promoted to the high-ranking jobs in the government. Haroon Rasheed appointed John, son of Maswain, the Director of Public Instruction and all the schools and colleges were placed under his charge. He (Haroon) never considered to which country a learned person belonged nor his faith and belief, but only his excellence in the field of learning."

The well known historian of our own days, Wells, under the head Islamic teachings, writes:

"The Islamic teachings have left great traditions for equitable and gentle dealings and behaviour, and inspire people with nobility and tolerance. These are human teachings of the highest order and at the same time practicable. These teachings brought into existence a society in which hard-heartedness and collective oppression and injustice were the least as compared with all other societies preceding it" Again, he continues:

"Islam is replete with gentleness, courtesy and fraternity." Sir Mark Syce, writing on the qualities of Muslim imperialism during the period of Haroon Rasheed says:

"The Christians, the idolaters, the Jews and the Muslims as workers running the Islamic state were at work with equal zeal."

Tirnoon says:

"The faith of the Muslims did not interfere in the affairs of the poets and the musicians."

Liefy Brutistal writes in his book "Spain of the Tenth Century:

"So often the scribe writing out the terms of a treaty was a Jew or a Christian, just as many Jews and Christian were holding charge of important posts of the state. And they were vested with authority in the administrative departments, even in matters of wars and peace. And there were several Jews who acted as the ambassadors of the Caliph in the European countries."

Reno writes in his book "The History of Saracenic wars in France, Switzerland, Italy and Mediterranean Islands":

"In Andalusian cities the Muslim meted out the best treatment to the Christians. And likewise the Jews and the Christians had full regard for the feelings of the Muslims. For example they got their off-spring circumcised and abstained from taking pork."

### **Arnold's Evidence**

Arnold discussing the religious thought of the Christian religious sects writes:

"But the principles of the Islamic religious tolerance do not allow such things which culminate in oppression and tyranny. Therefore the behaviour of the Muslims remained quite different from that of the followers of other religions. Rather, the Muslims did not approve of the injustices of the various sects of other religions which they had meted out to one another due to religious prejudices. This we can vouch for since we have before us the evidence of history that where the various Christian sects living as subjects of the Islamic state were concerned, the Muslims never faltered in the maintenance of balance of justice between them. A manifest example of it is that after the conquest of Egypt, the Jacobite sect of the Christians to avenge themselves of the tyranny of the Byzantine Christians of the past, took possession of their properties and churches by force. But the Islamic state meted out full justice to them, and all the properties and churches of

the con-servative Christians to which they could prove their just claims were duly restored to them."

Arnold goes on to say:

"When we witness the justice and equity and religious tolerance of the Muslims to their Christian subjects in the early days of the Islamic state, it becomes very evident that the propaganda of the west regarding spread of Islam by means of sword is not credible and worthy of attention."

### **The Reason of Going into Details**

In our discourse on the theme of religious tolerance and freedom of religious thought in the Islamic civilization, we have brought in detailed arguments and evidences so that the prejudiced western historians may be fully exposed in their nonsensical accusation that "Islam has been propagated and spread by means of sword, and the Muslims have forced people to enter the fold of their faith, and also that we (the Muslims) have always meted out debasing treatment to the non-Muslims."

### **Unabashed all the Same**

It would have been better for these prejudiced western historians to have looked into the record of their black deeds before all this hub-bub and noise lest their own guilt should come to lime-light and blacken their faces. Here, on the other hand, every thing is in broad day light in which even the myopics can see clearly how much we stand free of this mischievous charge. However, the conduct of our accusers is so disgusting that sweat should stand out on their brows with shame. For example during the crusades (in West Asia, Tr.) and in Spain, the cruel way they manifested their religious prejudice against the Muslims, was enough to bow down the head of humanity in shame for all time to come. Rather, their oppressive crimes even against one another no student of history dare deny. The Protestants killed and plundered the catholics. Particularly, the bloodshed of Bartholomew<sup>^</sup> is horrifying in its nature and magnitude. Again, those wars also stand to their shame and igno-

miny that were waged between the supporters of the Papal Order and their adversaries, the European nations. Likewise, during the Middle Ages, the barbarity of the officers of the Inquisition, who perpetrated hair-raising tyrannies on the people, are in themselves extremely disgraceful. All these events are evident proof of the fact that the European nations have ever been extremely prejudiced and malicious, and could never tolerate any opinion against their own and any alien creed, even if the contenders were their own countrymen and belonging to the same lineage. During their past history, not a single example of religious prejudice and narrow-mindedness that are really at work in the background of political ascendancy and colonial policy.

### **The Final Witness**

Finally I would like to present the evidence of a great learned man and leader of Christianity about the Islamic policy of religious tolerance. And that witness is no other than the patriarch of Antioch, Michael, of the latter half of the twelfth century. And this is the period when the Eastern Churches had been under the Islamic rule for about five hundred years. This patriarch, writing about the religious tolerance of the Roman Christians (western Ecclesiastical Wing Tr.) perpetrated against the Eastern Churches, goes on to say:

This is the reason that when God Almighty, the owner of all Power and Omnipotence and One of Whose attributes is also the Lord of Retribution and Who confers the rule of the land on whomsoever He is pleased and at times honours those who have been in disgrace... When He saw that the mischievous Christians of Rome, after coming in power, ravaged our (those of the Christians of Antioch) churches and plundered our homes, and this pillage and devastation were widespread and on a large scale. And divesting themselves of humanity they inflicted on us most grievous injury and torment. This was

*Cont'd on page 27*

# The Issue of Inheritance

Compiled by:- *Majlisul Ulema, South Africa*

## I. HAQEEQI (TRUE OR FULL) SISTERS (of the same mother and father):

Haqeeqi sisters have five states.

**One half:** If the mayyit has one sister and no children or grandchildren (son's children), the sister will inherit half the estate.

**Two thirds:** If there are two or more sisters and no children or grandchildren, the sisters will receive two thirds which they will share equally among themselves.

**Asbat:** If the mayyit has Haqeeqi (full) brothers, one or more, the Haqeeqi sisters will become Asbat with them and the balance of the estate will be taken by them (brothers and sisters). A sister will receive half the amount a brother gets.

**Asbat:** If the mayyit has daughters or son's daughters (or son's son's daughters), the sisters will become Asbat and claim the balance of the estate which they will share equally among themselves.

**Deprived:** Sisters will not inherit if the mayyit has any of the following relatives: father, paternal grandfather (or great grandfather), son or grandson (or great grandson).

## J. AL-LATI SISTERS (Same father, different mothers);

Allati sisters have seven states:

**Half:** If the mayyit has only one allati sister, she will inherit half the estate.

**Two Thirds:** If there are two or more allati sisters, they will jointly inherit two thirds which will be shared equally by them.

**One Sixth:** If the mayyit has one haqeeqi sister, the allati sisters will receive one sixth which they will share equally among themselves.

**Deprived:** If the mayyit has two or more haqeeqi sisters then allati sisters will not inherit.

**Asbat:** If the mayyit has allati brothers also, then the allati sisters will be-

come Asbat with the allati brothers. They all (allati brothers and allati sisters) will receive the balance of the estate. An allati sister will receive half the share of an allati brother.

**Asbat:** If the mayyit has daughters or grand-daughters (son's daughters), the allati sisters will become Asbat and claim the balance which they will share equally.

**Deprived:** If the mayyit has a son or grandson or great grandson, father or grandfather or great grandfather or Haqeeqi brother then the allati sisters will not inherit.

Also when the mayyit's haqeeqi sister becomes an Asbah then allati sisters (in fact even allati brothers) will be deprived. The mayyit's haqeeqi sister becomes an Asbah if the mayyit has daughters or son's daughters even if it be one daughter or one granddaughter.

## K. AKHYAFI SISTERS; (same mother, different fathers).

The state of Akhyafi sisters is exactly the same as that of Akhyafi brothers. For the shares of Akhyafi sisters see the explanation on Akhyafi brothers on pages 70/71.

## L. GRANDMOTHER:

There are two kinds of grandmothers who are among the Zawil Furoodh, viz paternal grandmothers and maternal grandmothers.

Paternal grandmother is not only the father's mother. The paternal grandfather's mother and the paternal grandmother's mother are also paternal grandmothers who inherit. Thus, a single mayyit can have several paternal grandmothers.

There are two principles governing the eligibility of grandmothers to inherit, these are:

- (i) the grandmothers should be Saheehah (Proper);
- (ii) the grandmother closer to the

mayyit will inherit. The closer one will deprive the others.

There are two kinds of grandmothers in general - Saheehat and Fasidah. Grandmothers who are described as Fasidah among those relatives known as Zawil Arham. They are not among the Zawil Furoodh.

A Saheehah grandmother is one in whose relationship to mayyit there is no maternal grandfather. Thus, the mother of the maternal grandfather, although a grandmother, is not Saheehah, hence she is not among the Zawil Furoodh. The following are Saheehah grandmothers:

Father's mother, paternal grandfather's mother, paternal grandmother's mother, mother's mother, maternal grandmother's mother.

The following are the states of grandmothers:

1. One Sixth: Saheehah grandmothers, whether one more, will jointly inherit one sixth which they will share equally on condition that they are in the same line. Grandmothers closer to the mayyit will displace those farther away, e.g. if the mayyit is survived by a maternal grandmother (his mother's mother), a paternal grandmother (his father's mother) and his great grandmother (e.g. maternal grandmother's mother), then his two immediate grandmothers will inherit one sixth which they will share equally. The great grandmother will not inherit because of the presence of the two grandmothers who are closer to the deceased.

2. Deprived:

(i) If the mayyit's mother or father is living, all paternal grandmothers will be deprived of inheritance.

(ii) If the mayyit's mother is living, all kinds of grandmothers, both paternal and maternal will be deprived.

The mayyit's father or grandfather does not displace maternal grandmothers. They will inherit even in the presence of the mayyit's father or grandfathers.

The mayyit's grandfather (paternal) will deprive the paternal grandmothers of

inheritance except the following:

Father's mother, father's maternal grandmother, father's mother's maternal grandmother and father's maternal grandmother's maternal grandmother. These four grandmothers are not displaced by the grandfather although they all are displaced by the father.

### ASBAT

Asbat is the plural of Asbah. There are two kinds of Asbat: Asbat-e-Nasabiyyah and Asbat-e-Sababiyyah.

Asbat are those relatives who inherit the balance of the mayyit's estate after the Zawil Furoodh have taken their shares. The Asbat inherit only the balance of the estate. Whatever remains of the estate after the Zawil Furoodh have acquired their shares belongs to the Asbat. In the absence of Zawil Furoodh, the Asbat will claim the whole estate.

#### 1. ASBAT-E-NASABIYYAH

There are three categories of Asbat-e-Nasabiyyah as follows; Asbah binafsihi, Asbah bighayrihi and Asbah ma'a ghayrihi.

a. Asbah binafsihi is every such male who is related to the mayyit without the medium of a female, i.e. there is no female intermediary connecting him to the mayyit. Asbah binafsihi is divided into four classes as follows:

1. Sons or son's sons, no matter how low down the line.

2. Father or paternal grandfather or great grandfather.

3. Brothers or brother's sons or their sons, no matter how low down the line.

4. Father's brothers (paternal uncles) or their sons, no matter how low down the line.

The Asbat closer in relationship to the mayyit will have a prior claim on the balance of the estate. The closest Asbat will displace the Asbat further away in relationship to the mayyit. Thus, if the mayyit has any of the first class of Asbat, viz., sons, then all the other classes will not be the Asbat for claiming the balance of

the estate. If the mayyit has any of the second class (i.e., father/grandfather), but none of the first class, then the second class will be the Asbat to inherit the balance of the estate. The third and fourth classes will be deprived. If the mayyit has none of either the first or second class Asbat, but has members of the third and fourth class, then the third class of Asbah binafsihi will claim the balance of the estate depriving the fourth class. The fourth class of Asbah binafsihi (paternal uncles or their sons) will inherit the balance only if there are no Asbah binafsihi of the first, second or third class.

Then in any given class of Asbah binafsihi those closer to the mayyit will be the Asbah to inherit, depriving those further from the mayyit, e.g. if the mayyit has sons and grandsons, the sons will be the inheriting Asbat and the grandsons will be deprived. If the mayyit has no Asbat of the first class, but has Asbat of the second class, viz father and grandfather, then the father will be the Asbah binafsihi to inherit the balance of the estate. The grandfather will not inherit. If the mayyit has no Asbat of the first two classes, but has brothers and brother's sons (i.e. the third class), then the brothers will be the Asbah binafsihi who will inherit the balance of the estate and the brother's sons will be deprived. If the mayyit has no Asbat of the first three classes, but has father's brothers and their sons (i.e. the fourth class), then only the father's brother will be the Asbah binafsihi claiming the remainder of the estate while the father's brother's sons (viz., cousins) will be deprived.

Among the Asbah binafsihi, those who have a double relationship with the mayyit will have a prior right to inherit as Asbat than those who have a single link with the mayyit. Thus, if the mayyit has both Haqeeqi and Allati brothers, the Haqeeqi brothers will constitute the inheriting Asbat and the Allati brothers will be deprived. Similarly, if the mayyit has only the sons of Haqeeqi brothers and sons of Allati brothers, then the inheriting Asbat will be only the sons of

the Haqeeqi brothers (Haqeeqi as explained earlier is a brother/sister of the same mother and father whereas Allati is of the same father but different mothers). Thus, the Haqeeqi brother has two links with the mayyit while the Allati brother has one link.

#### **B. ASBAH BIGHAYRIHI**

Asbah bighayrihi consists of four females who become Asbat together with their brothers.

These females are actually among the Zawil Furoodh, but in the presence of their brothers they are not regarded as among the Zawil Furoodh, but become Asbat with their brothers. They and their brothers together will claim the remainder of the estate. Each female will receive half the share of the male.

These four females are daughter, granddaughter (son's daughter), Haqeeqi sister and Allati sister. In the section dealing with the Zawil Furoodh, the occasions when these females become Asbat have already been explained.

Those females who are not among the Zawil Furoodh do not become Asbat along with their brothers who are among the Asbat, e.g. the mayyit's paternal uncle (father's brother) is an Asbah. However, his sister (the mayyit's paternal aunt or father's sister) does not become an Asbah with her brother because she is among those relatives known as the Zawil Arham. The Zawil Arham inherit only in the absence of the Zawil Furoodh and Asbat. As long as there are any Zawil Furoodh or any Asbat, the Zawil Arham will not inherit.

Similarly the mayyit's nieces (brother's daughters) do not become Asbat with their brothers (i.e. the mayyit's brother's sons - his nephews). While the nephews (brother's sons) do become Asbat, the nieces do not because they are among the Zawil Arham.

#### **C. ASBAH MA'A GHAYRIHI**

Asbah Ma'a Ghayrihi refers to those females who become Asbah in the presence of other females. Such Asbat are the mayyit's

Haqeeqi and Allati sisters. They become the Asbat when the mayyit has daughters or granddaughters and no son or any other male Asbah. In this case the sisters become the Asbat while the daughters or granddaughters will remain among the Zawil Furoodh.

If there are both Haqeeqi and Allati sisters, only the Haqeeqi sisters will become the Asbat.

When the Haqeeqi sister becomes an Asbah the Allati brothers too are deprived.

## 2. ASBAT SABABIYYAH

This category refers to Maula Itaqah (i.e. the master who has emancipated a slave). If the emancipated slave has no heirs among the Zawil Furoodh and Asbah Nasabiyyah then the Maula Itaqah will inherit. If the mayyit (the emancipated slave) has Zawil Furoodh, but no Asbah Nasabiyyah, then after the Zawil Furoodh have acquired their inheritance, the remainder of the estate will be inherited by the Maula Itaqah.

If the Maula Itaqah is not living, his Asbat will inherit the remainder of the mayyit's estate. However among the Asbat of the Maula Itaqah, females will not inherit as they do when they are in the category of Asbah Nasabiyyah.

Since this class of Asbah Sababiyyah does not exist in our times, the category will not be further discussed.

### **What Allah likes**

*Narrated Aisha, Ummul Mu'minin: A man asked permission to see the Prophet (Sallallahu Alaihi Wasallam), and the Prophet (Sallallahu Alaihi Wasallam) said: He is a bad member of the tribe. When he entered, the Apostle of Allah (Sallallahu Alaihi Wasallam) treated in a frank and friendly way and spoke to him. When he departed, I said: Apostle of Allah! When he asked permission, you said: He is a bad member of the tribe, but when he entered, you treated him in a frank and friendly way. The Apostle of Allah replied: Aisha! Allah does not like the one who is unseemly and lewd in his language.*

# Dialogue among Cultures

Safaa Alshiraida

## Introduction

Senes of powerful bombs falling on Baghdad, as well as those of mutilated bodies of women and children, reflect the ugly side of a "clash of civilizations" — a concept promoted by Samuel Huntington in his article, "Clash of Civilizations" in the Foreign Affairs magazine (Summer 1993). The concept prophesizes the necessity of and imminence of a clash between Western and Islamic civilizations.

## No to the Clash of Civilization; Yes to Dialogue among Cultures

Islam calls for dialogue among cultures. The Holy Qur'an stresses the fact that human beings have different cultures as well as different views of man, life, and God. In fact, Allah willed to leave people with free choice after sending them His guidance: "And if your Lord had so willed, He could surely have made mankind one nation, but they will not cease to disagree except him on whom your Lord has bestowed His mercy. And for that did He create them" (Holy Qur'an, Surat Hud, 11:118-119). He (swt) also said, "And had your Lord so willed, those on earth would have believed, all of them together. Will you then compel mankind, until they become believers?" (Holy Qur'an, Surat Yunus, 10:99).

## Features of the Islamic Civilization

Islamic civilization has contributed greatly to humanity's advancement:

It established relations among nations and people, based on the acceptance of multiculturalism and a set of rules that

govern peaceful and violent interactions among nations. Abu Bakr (RA), the first caliph, advised his soldiers: "You will find people who devoted themselves to their religion. Leave them alone and do not interrupt their lives." An example of good and mutually beneficial relations among cultures was the relationship between the Islamic state under Harun ar-Rasheed and the French kingdom led by Charlemagne.

It proclaimed human rights. Omar (RA), the second caliph, heard the complaint by an Egyptian Christian who had been struck by a Muslim governor's son because the Christian had beaten him in a horse race. Omar (RA) punished the governor's son and said, "How could you enslave people when in fact they were born free?"

It brought the scientific method, which consists of experimentation, data collection, and logical deduction to discover scientific facts. A huge leap in scientific discoveries in mathematics, physics, chemistry, medicine, astronomy and other fields of knowledge was the direct result. Muslim scientists stand tall in the history of science. For example, Al-Khwarizmi, the founder of algebra, is considered the greatest mathematician in history. For the first time in history, science was purified from fallacies, superstitions, and magic.

It revolutionized agricultural production and, thus, caused famine (which had plagued the pre-Islamic era) to disappear.

### **The Advent of Western Civilization**

Western civilization, which succeeded Islamic civilization, built upon the scientific method and the scientific discoveries of Islamic civilization. It made remarkable advances in science and technology; however, the advancement in material luxuries was not accompanied by a parallel advancement in the spiritual and moral spheres. Mankind became like a bird flying with one wing — soon to fall to its death. Its lack of a moral component has unleashed the following "diseases" upon the world:

The law of the jungle dominates

relations among nations. It is typified by the motto "might is right" and the philosophy of "the ends justify the means."

### **Greed and exploitation of weak nations by stronger ones.**

Contempt for and intolerance of non-Western cultures, and attempts to crush them and to impose Western culture on everyone. In fact, Western countries have no tolerance for differing opinions and approaches — even among themselves. The West has used violence and military force to settle disputes that could have been resolved through civilized means. This intolerance has led to many destructive wars, such as the Thirty Year War (1618-1648) in Europe, the Napoleonic wars in the 19th century, the two world wars in the 20th century, and the two recent wars on Iraq.

An interest of Western powers to keep other people weak, divided, and backward, as seen in the fact that countries dominated by Western imperialism have become backward, weak, and poor. This is clear in the case of Africa, which faces famine while its soil is full of riches that are benefiting the West. Compare this to the Islamic era, when nations ruled by Muslims became enlightened and when many non-Arab and non-Muslim scientists, scholars, and artists flourished.

### **The Road to Peace**

The proper way for both civilizations to interact with each other is through peaceful coexistence and active positive interaction.

This road to peace entails the following steps:

A realization that we all share this earth, were created by the same Creator, and come from the same pair, Adam and Eve. Prophet Muhammad (Sallallahu Alaihi Wasallam) said, "O People! All of you come from Adam, and Adam was created from dust. The most noble among you is the one who is most pious."

A call by Muslims to all other communities to come to a voluntary agreement

on basic beliefs: "O People of the Scripture, come to a word that is just between us and you: that we worship none but Allah, that we associate no partners with Him, and that none of us shall take others as lords besides Allah" (Holy Qur'an, Surat Al Imran, 3:64).

An acceptance by both parties of the fact that people will continue to have different cultures, religions, and outlooks on life. It is futile to try to compel all people to follow one mode of behavior and thinking. We should, therefore, accept multiculturalism and follow the Qur'anic maxim: "There is no compulsion in religion" (Holy Qur'an, Surat al-Baqara, 2:256).

Establishment of rules of interaction so that both parties can cooperate on issues upon which they agree. This includes rules for joint actions to resolve disputes peacefully and to defend others against clear aggression. The Prophet (Sallallahu Alaihi Wasallam) was a witness to the pre-Islamic treaty of Fudhool, in which the signatories agreed to defend the weak against aggression by the strong. He recalled this event during his Prophethood and said, "I was a witness to the treaty of Fudhool before Islam. If I am called to participate in something similar to it in this Islamic period, I will accept."

The parties establish cultural interaction and awareness through discussion forums in which they have peaceful dialogues that lead to mutual understanding. Allah (SWT) said, "And argue not with the people of Scripture, unless it be in a way that is better" (Holy Qur'an, Surat al-Ankabut, 29:46).

We cooperate in major projects that benefit mankind, such as transportation and media projects that shorten distances, and further interaction and understanding among different cultures and civilizations.

*Narrated Abu Salamah; Abu Hurayrah: The Prophet (Sallallahu Alaihi Wasallam) said: The believer is simple and generous, but the profligate is deceitful and ignoble.*

# Islamic Finance

*Justice Mawlana Taqi Usmani (DB)*

## Islamic Investment Fund

- 1) Introduction
- 2) Equity Fund
- 3) Conditions for investment in Shares
- 4) Ijarah Fund
- 5) Commodity Fund
- 6) Murabahah Fund
- 7) Bai'-al-daid
- 8) Mixed Fund Islamic Finance

## Introduction:

The term 'Islamic Investment Fund' in this chapter means a joint pool wherein the investors contribute their surplus money for the purpose of its investment to earn halal profits in strict conformity with the precepts of Islamic Shari'ah. The subscribers of the Fund may receive a document certifying their subscription and entitling them to the pro-rata profits actually earned by the Fund. These documents may be called 'certificates', 'units', 'shares' or may be given any other name, but their validity in terms of Shari'ah, will always be subject to two basic conditions:

Firstly, instead of a fixed return tied up with their face value, they must carry a pro-rata profit actually earned by the Fund. Therefore, neither the principal nor a rate of profit (tied up with the principal) can be guaranteed. The subscribers must enter into the fund with a clear understanding that the return on their subscription is tied up with the actual profit earned or loss suffered by the Fund. If the Fund earns huge profits, the return on their subscription will increase to that proportion. However, in case the Fund suffers loss, they will have to share it also, unless the loss is caused by the negligence or mismanagement, in which case

the management, and not the Fund, will be liable to compensate it.

Secondly, the amounts so pooled together must be invested in a business acceptable to Shari'ah. It means that not only the channels of investment, but also the terms agreed with them must conform to the Islamic principles.

Keeping these basic requisites in view, the Islamic Investment Funds may accommodate a variety of modes of investment which are discussed briefly in the following paragraphs

### Equity Fund

In an equity fund the amounts are invested in the shares of joint stock companies. The profits are mainly derived through the capital gains by purchasing the shares and selling them when their prices are increased. Profits are also earned through dividends distributed by the relevant companies.

It is obvious that if the main business of a company is not lawful in terms of Shari'ah, it is not allowed for an Islamic Fund to purchase, hold or sell its shares, because it will entail the direct involvement of the share holder in that prohibited business.

Similarly the contemporary Shari'ah experts are almost unanimous on the point that if all the transactions of a company are in full conformity with Shari'ah, which includes that the company neither borrows money on interest nor keeps its surplus in an interest bearing account, its shares can be purchased, held and sold without any hindrance from the Shari'ah side. But evidently, such companies are very rare in the contemporary stock markets. Almost all the companies quoted in the present stock markets are in some way involved in an activity which violates the injunctions of Shari'ah. Even if the main business of a company is halâl, its borrowings are based on interest'. On the other hand, they keep their surplus money in an interest bearing account or purchase interest-bearing bonds or securities.

The case of such companies has been a matter of debate between the Shari'ah experts in the present century. A group of the Shari'ah experts is of the view that it is not allowed for a Muslim to deal in the shares of such a company, even if its main business is halâl. Their basic argument is that every share-holder of a company is a sharîk (partner) of the company, and every sharîk, according to the Islamic jurisprudence, is an agent for the other partners in the matters of the joint business. Therefore, the mere purchase of a share of a company embodies an authorization from the share-holder to the company to carry on its business in whatever manner the management deems fit. If it is known to the share-holder that the company is involved in an un-Islamic transaction, and still he holds the shares of that company, it means that he has authorized the management to proceed with that UN-Islamic transaction. In this case, he will not only be responsible for giving his consent to an UN-Islamic transaction, but that transaction will also be rightfully attributed to himself, because the management of the company is working under his tacit authorization.

Moreover, when a company is financed on the basis of interest, its funds employed in the business are impure. Similarly, when the company receives interest on its deposits an impure element is necessarily included in its income which will be distributed to the share-holders through dividends.

However, a large number of the present day scholars do not endorse this view. They argue that a joint stock company is basically different from a simple partnership. In partnership, all the policy decisions are taken through the consensus of all the partners, and each one of them has a veto power with regard to the policy of the business. Therefore, all the actions of a partnership are rightfully attributed to each partner. Conversely, the policy decisions in a joint stock company are taken by the majority. Being composed of a large number of share-holders, a company cannot give a veto

power to each share-holder. The opinions of individual share-holders can be overruled by a majority decision. Therefore, each and every action taken by the company cannot be attributed to every share-holder in his individual capacity. If a share-holder raises an objection against a particular transaction in an Annual General Meeting, but his objection is overruled by the majority, it will not be fair to conclude that he has given his consent to that transaction in his individual capacity, especially when he intends to refrain from the income resulting from that transaction.

Therefore, if a company is engaged in a halâl business, but also keeps its surplus money in an interest-bearing account, wherefrom a small incidental income of interest is received, it does not render all the business of the company unlawful. Now, if a person acquires the shares of such a company with clear intention that he will oppose this incidental transaction also, and will not use that proportion of the dividend for his own benefit, how can it be said that he has approved the transaction of interest and how can that transaction be attributed to him?

The other aspect of the dealings of such a company is that it sometimes borrows money from financial institutions. These borrowings are mostly based on interest. Here again the same principle is relevant. If a share-holder is not personally agreeable to such borrowings, but has been overruled by the majority, these borrowing transactions cannot be attributed to him.

Moreover, even though according to the principles of Islamic jurisprudence, borrowing on interest is a grave and sinful act, for which the borrower is responsible in the Hereafter; but, this sinful act does not render the whole business of the borrower as harâm or impermissible. The borrowed amount being recognized as owned by the borrower, anything purchased in exchange for that money is not unlawful. Therefore, the responsibility of committing a sinful act of borrowing on interest rests with the person who willfully indulged in a transaction of

interest, but this fact does not render the whole business of a company as unlawful

#### **Conditions for investment in Shares**

In the light of the foregoing discussion, dealing in equity shares can be acceptable in Shari'ah subject to the following conditions:

1. The main business of the company is not violative of Shari'ah. Therefore, it is not permissible to acquire the shares of the companies providing financial services on interest, like conventional banks, insurance companies, or the companies involved in some other business not approved by the Shari'ah, such as companies manufacturing, selling or offering liquors, pork, harâm meat, or involved in gambling, night club activities, pornography etc.

2. If the main business of the companies is halâl, like automobiles, textile, etc. but they deposit their surplus amounts in an interest-bearing account or borrow money on interest, the share holder must express his disapproval against such dealings, preferably by raising his voice against such activities in the annual general meeting of the company.

3. If some income from interest-bearing accounts is included in the income of the company, the proportion of such income in the dividend paid to the share-holder must be given in charity, and must not be retained by him. For example, if 5% of the whole income of a company has come out of interest-bearing deposits, 5% of the dividend must be given in charity.

4. The shares of a company are negotiable only if the company owns some illiquid assets. If all the assets of a company are in liquid form, i.e. in the form of money they cannot be purchased or sold except at par value, because in this case the share represents money only and the money cannot be traded in except at par.

What should be the exact proportion of illiquid assets of a company for warranting the negotiability of its shares? The contemporary scholars have different views about this question. Some scholars are of the view that the ratio of illiquid assets must

be 51% in the least. They argue that if such assets are less than 50%, then most of the assets are in liquid form, and therefore, all its assets should be treated as liquid on the basis of the juristic principle:

The majority deserves to be treated as the whole of a thing.

Some other scholars have opined that even if the illiquid asset of a company are 33%, its shares can be treated as negotiable.

The third view is based on the Hanafi jurisprudence. The principle of the hanafi school is that whenever an asset is a combination of liquid and illiquid assets, it can be negotiable irrespective of the proportion of its liquid part. However, this principle is subject to two conditions:

Firstly, the illiquid part of the combination must not be in ignore-able quantity. It means that it should be in a considerable proportion.

Secondly, the price of the combination should be more than the value of the liquid amount contained therein. For example, if a share of 100 dollars represents 75 dollars, plus some fixed assets, the price of the share must be more than 75 dollars. In this case, if the price of the share is fixed as 105, it will mean that 75 dollars are in exchange of 75 dollars owned by the share and the balance of 30 dollars is in exchange of the fixed assets. Conversely, if the price of that share is fixed as 70 dollars, it will not be allowed, because the 75 dollars owned by the share are in this case against an amount which is less than 75. This kind of exchange falls within the definition of 'riba' and is not allowed. Similarly, if the price of the share, in the above example, is fixed as 75 dollars, it will not be permissible, because if we presume that 75 dollars of the price are against 75 dollars owned by the share, no part of the price can be attributed to the fixed assets owned by the share. Therefore, some part of the price (75 dollars) must be presumed to be in exchange of the fixed assets of the share. In this case, the remaining amount will not be adequate for being the price of

75 dollars. For this reason the transaction will not be valid. However, in practical terms, this is merely a theoretical possibility, because it is difficult to imagine a situation where the price of a share goes lower than its liquid assets.

Subject to these conditions, the purchase and sale of shares is permissible in Shari'ah. An Islamic Equity Fund can be established on this basis. The subscribers to the Fund will be treated in shari'ah as partners *inter se*. All the subscription amounts will form a joint pool and will be invested in purchasing the shares of different companies. The profits can accrue either through dividends distributed by the relevant companies or through the appreciation in the prices of the shares. In the first case i.e. where the profits are earned through dividends, a certain proportion of the dividend, which corresponds to the proportion of interest earned by the company, must be given in charity. The contemporary Islamic Funds have termed this process as 'purification'.

The shari'ah scholars have different views about whether the 'purification' is necessary where the profits are made through capital gains (i.e. by purchasing the shares at a lower price and selling them at a higher price). Some scholars are of the view that even in the case of capital gains, the process of 'purification' is necessary, because the market price of the share may reflect an element of interest included in the assets of the company. The other view is that no purification is required if the share is sold, even if it results in a capital gain. The reason is that no specific amount of the price can be allocated for the interest received by the company. It is obvious that if all the above requirements of the halâl shares are observed, then most of the assets of the company are halâl, and a very small proportion of its assets may have been created by the income of interest. This small proportion is not only unknown, but also ignore-able as compared to bulk of the assets of the company. Therefore, the price of the share, in fact, is against bulk of the assets, and not

against such a small proportion. The whole price of the share therefore, may be taken as the price of the halâl assets only.

Although this second view is not without force, yet the first view is more pre-cautious and far from doubts. Particularly, it is more equitable in an open-ended equity fund, because if the purification is not carried out on the appreciation and a person redeems his unit of the Fund at a time when no dividend is received by it, no amount of purification will be deducted from its price, even though the price of the unit may have increased due to the appreciation in the prices of the shares held by the fund. Conversely, when a person redeems his unit after some dividends have been received in the fund and the amount of purification has been deducted there from, reducing the net asset value per unit, he will get a lesser price as compared to the first person.

On the contrary, if purification is carried out both on dividends and on capital gains, all the unit-holders will be treated at par with regard to the deduction of the amounts of purification. Therefore, it is not only free from doubts but also more equitable for all the unit-holders to carry out purification in the capital gains also. This purification may be carried out on the basis of an average percentage of the interest earned by the companies included in the portfolio.

The management of the fund may be carried out in two alternative ways. The managers of the Fund may act as mudârib for the subscribers. In this case a certain percentage of the annual profit accrued to the Fund may be determined as the reward of the management, meaning thereby that the management will get its share only if the fund has earned some profit. If there is no profit in the fund, the management will deserve nothing. The share of the management will increase with the increase of profits.

The second option for the management is to act as an agent for the subscribers. In this case, the management may be given a pre-agreed fee for its services. This fee may be fixed in lump sum or as a

monthly or annual remuneration. According to the contemporary Shari'ah scholars, the fee can also be based on a percentage of the net asset value of the fund. For example, it may be agreed that the management will get 2% or 3% of the net asset value of the fund 1 at the end of every financial year.

However, it is necessary in Shari'ah to determine any one of the aforesaid methods before the launch of the fund. The practical way for this would be to disclose in the prospectus of the fund the basis on which the fees of the management will be paid. It is generally presumed that whoever subscribes to the fund agrees with the terms mentioned in the prospectus. Therefore, the manner of paying the management will be taken as agreed upon by all the subscribers.

*Cont'd from page 17*

the time when God sent Banu Ismail from Arabia to release us from this pain-ful torment in which Rome had placed us. Correct, that we suffered some losses also due to the domination and authority of the Muslims, such as the slipping away of several Catholic Churches from our hands and going to the people of Khalqiduniah, since they had been in their possession since long, whereas when the Muslim rule was established, whoever held a church it was allowed to remain in his possession. At that time we lost the Great Cathedral and the Church of Huran. But as compared with this petty loss what great advantage it was to be freed from the revenge of the Romans, their prejudice, their torments and their oppression and tyranny, and we are living now in a haven of peace."

#### **Le Bon's Sense of Justice**

And do you have in view the judgement of Gustav Le Bon?

"History is not acquainted with any nation of conquerors, kind-hearted and tolerant like Arabs. Nor can history present any faith, so clear, simple, and harmless like that of the Arabs."

In this just saying of his, Le Bon has, in reality, done full justice to the truth.

# The Marriage of Ayesha (RA) and Muhammad (SAW)

## *Answering the Allegations of Pedophilia*

*Yamin Zakaria*

Any impartial observer can distinguish between crass insults, and scholarly criticisms of Islam. Insults are usually self-evident, conveyed using pejorative terms that are intended to denigrate and mock. Such crude language is inappropriate for the mainstream media and the government, as they have the burden of keeping their mask of civilisation from slipping. So, they disseminate the same crass insults using refined language, present it as scholarly opinions by citing selected academics. However, even a cursory investigation reveals that these so-called scholarly 'opinions' are primarily based on the works of other hostile critics of Islam, whilst opinions of the proponents, or even those who are relatively neutral, are not given any serious consideration.

These hostile critics use specific examples to construct: subjective judgments and simultaneously ignore how those judgments contradict other cases. For example, they describe the Prophet (SAW) of Islam as violent by citing cases where retribution was applied, concurrently ignoring the numerous occasions when He forgave the offenders. Also, how can anyone claim retribution is an act of violence, as it is a form of compensation for the victim, and a deterrence for the criminals. Retribution is central to the notion of justice.

Likewise, they claim that the Prophet (SAW) was driven by lust for having many wives, but overlook that fact that many of his wives were old and not the most beautiful. More pertinently, the Prophet (SAW) did not seek the prettiest women in the prime of his youth; nor did he seek them when He became the most powerful ruler of Arabia, when such desires could easily have been satisfied. In fact, the pagan Arabs offered Him the most beautiful

women as a form of bribe, in return for His silence, but the Prophet (SAW) unequivocally refused.

If having many wives is evidence of lust, then surely these types of charges can be levied better against the Biblical Prophets; Solomon (AS) for example had 700 hundred wives and numerous concubines. Conversely, someone remaining celibate can be accused of having unnatural desires. Thus, using this type of superficial reasoning, one can make serious allegations against Prophet Jesus (AS).

Similarly, they slander Prophet Muhammad (SAW) as a 'pedophile', because of the sole example of His marriage to young Ayesha (RA), the only virgin wife of the Prophet. They argue that Ayesha (RA) was a child by contemporary standards and the age difference between Prophet Muhammad (aged 54) and Ayesha (age 9) is inappropriate. Simultaneously, they fail to account why all of His other wives were much older and some actually exceeded the Prophet (SAW) in age. The pertinent question is: if the Prophet (SAW) really had a strong desire for young women, then why did He not seek wives of a similar age to Ayesha (RA), when He subsequently married numerous times?

The hostile critics can be classed into two categories, the secular fundamentalists and the fanatical Christian-Zionists. In order to answer the nasty allegation made against the Prophet (SAW), we pose the following questions:

- a) Was Ayesha a pre-pubescent child?
- b) Was the marriage immoral due to the age gap?
- c) What constitutes a valid marriage?
- d) Who really condones and/or practices pedophilia?

**Was Ayesha (RA) a pre-pubescent child?**

The conventional definition of a Pedophile is: someone who REPEATEDLY engages in sexual act with prepubescent children. All the reports state that Ayesha (RA) went to live with the Prophet (SAW) as His wife, after she had reached puberty. She and her parents fully consented to the marriage. There was no criticism issued at that time and subsequently, by Muslims and non-Muslims. Hence, this was in accordance to the prevailing custom, and the age old tradition of girls marrying at puberty.

However, the allegation persists, because they argue that Ayesha (RA) was still a child regardless of her attaining puberty. In that case, what is the universally accepted definition that distinguishes a child from an adult for all periods of time? Surely it cannot be something as arbitrary as 18 or 16, as is the case in many Western countries, and such distinction is meaningless when you consider that most people below those ages are sexually active. Are we under any obligation to accept their assertions in blind-faith that Ayesha was a child? Note, by those same standards, having sex with an underage female is not described as pedophilia, but underage sex, or statutory rape!

It should also be noted that even today the age of consent in many parts of the world is around 12-14. Age of consent in the USA was 10 hardly 100 years ago and 11 in the UK. Mary the mother of Jesus according to the Oxford Dictionary of the Bible was pregnant at the age of 12 and married to Joseph between the ages of 7 and 9. The Christian Byzantine emperors and nobilities also had bride as young as 8 years old. The gay communities in secular societies are constantly trying to lowering the age of consent. From the definition of Islam, Ayesha was a woman. Islam makes puberty (physical capacity) and mental capacity the distinguishing factor between a responsible adult and a child.

**Was the marriage immoral due to the age gap?**

By whose standards the marriage was immoral? Burden of proof is on the one who makes the allegations. Hence, they must state their definition of morality/immorality and its basis. More pertinently why their definition of morality is universal and absolute - thus has legitimacy to judge all societies. The reality is: morality like laws is relative, it differs from nation to nation; and for most nations it is relative within as it changes with the lapse of time. For example once marriage was sacred but now it is outdated, homosexuality was once immoral but now it is a fad, and so on.

Some argue that certain values like lying, murder, and theft are universal, if that was so then the laws and values regarding these issues would be identical. Consider capital punishment, this is viewed as murder by some, while others consider it as a form of retribution. When foreigners kill their citizens it is deemed as murder, however when they kill foreigners it is collateral damages for building democracy! Similarly when you examine the details of what constitutes lies and theft you see the sharp differences.

The Christian-Zionist are in no position to lecture about the age gap, given that there are numerous references [1] in the Bible illustrating marriage between young girls with older men. Even a child as young as 3 can be taken as a bride [2] this is elaborated in the section below: who really condones and/or practices pedophilia. They have a further problem in lecturing the Muslims about morality as there are stories [1] alleging adultery, incest, indiscriminate murder of women and children, committed by the Prophets of God under divine guidance.

For the secular critics, to claim that the marriage was immoral is irrational and hypocritical, as secular societies do not recognise marriage as a sacred institution in the first place. It is viewed as an ancient tradition, thus people are increasingly cohabiting. Also, how their scale of so-called morality works? They say it is wrong for a man to have married a much younger woman, but there is no problem if the individual is engaged in homosexual activity or

other kinds of sexual practices like incest, bestiality that are considered by most people as deviant from the norm. At least a heterosexual relationship conforms to nature and fulfills the role of reproduction. Is it morally consistent to criticise the marriage of Ayesha (RA), while permitting such activities?

Of course, the secular critics scream sexual freedom is the reason for allowing such activities. Then surely, by that freedom, there should be no objection if two individuals willingly enter into a marital contract, regardless of their age differences! Would it be perceived in the same light, if a sexually active 12 year old male wanted to marry a 60 year old woman willingly, exercising their freedoms? Many of the secular anti-Islamic monkeys have been trained to foul mouth Islam, and unable to elaborate and justify their alternative moral paradise. Naturally, if you criticise something, you must have an alternative. That leads to the next question.

#### **What constitutes a valid (moral) marriage?**

Since Aisha (RA) was much younger than the Prophet (SAW), the anti-Islamic critics make a lot of noise, as if they have been offended due to their high level of 'morals'. That is like the devil lecturing others about sin, and a response of laughter is natural and most appropriate. They criticise the age gap, but fail to state what that gap should be and why? Indeed, they should clarify their overall position of what constitutes a legitimate (moral) form of marriage, giving details of all the relevant factors like age, gender and eligibility.

So, looking at gender, what about homosexual marriages where the gender boundaries are crossed; this is now viewed as legitimate by most secular societies, and increasingly by many of the Christian churches. Many countries have made it legal and in many places it has become a fad. We regard homosexual marriages to be unlawful and disgusting; it goes against human nature of procreation. Is it morally

consistent to permit such activities, while condemning a normal heterosexual marriage for having an age gap?

In terms of eligibility, what about those who cross the traditional boundaries of marriage that is considered sacred, and commit incest by engaging in sexual acts/or marrying within the family? Is this moral? If not, then are you going to imposing your views on them and defile your sacred notion of freedom. However, this is not the end of the story, some freedom loving secularist are experimenting with beasts to eating each other (cannibalism). Of course we know the masses in general do not engage in this, but the point is secular freedom permits such things. While permitting such things, do the secular critics have any right to lecture the Muslims on marital issues?

The secular critics always avoid this pertinent point of elucidating the conditions of a legitimate marital relationship. Because, they want to criticise others - whilst avoiding their own position being subjected to the same criticisms. Indeed, we know how easy it is to call others ugly wearing a mask! It is a real irony that these secular foul mouths are constantly demanding proof from Muslims, yet when they are asked to justify their own position, they expect you to follow them with blind faith. These are the real ignorant fanatics and extremists of our time.

#### **Who really condones and/or practices pedophilia?**

Ironically, the foul mouth Christian preachers, with venom and hate slander the Prophet of Islam, while waving the flag of 'love'. Often they are supported by the Zionists behind the scene, who have good reasons to remain relatively silent on this issue, as the evidences below demonstrate. If sexual relationship with a pre-pubescent child is that abhorrent, surely the condemnation should start by calling for the Bible to be banned. Consider the following verse, and there are numerous other verses like this:

*"Now kill all the boys. And kill every woman who has slept with a man, 18 but save for yourselves every girl who has never slept*

with a man." (Numbers 31:17-18)

The verse orders the killing of all males including children of any age and that is pretty gruesome. It is not the Quran but the Bible that is suitable as a manual for terrorists, serial killers and mass murderers, may give a plausible explanation for the existence of violent societies like the Zionist-Israel, Christian-US and medieval Europe. As for "kill every woman who has slept with a man" according to the scholars of the Jewish Talmud [2], this resulted in killing of every girl 3 years upward, ordered directly by Prophet Moses himself. The verse applied to women who were not virgins as well as those who the capacity for committing sexual intercourse. The Rabbis elaborate this is 3 years upwards, as they explicitly state [2] numerous times in the Talmud: "A girl three years old may be betrothed through an act of sexual intercourse".

Therefore, this is clear evidence of pedophilia activity legitimized by the Bible – advocated and followed by the Jews, while Christians are not obliged to follow the commandments of the old Testament but they considers it to be part of God's revelation. If they condemn Pedophilia then logically they have to condemn their God, who permitted such activities once upon a time. Yet the Christians and the Jews have the audacity to slander Prophet Muhammad (SAW), and the Western world happily promotes such slander without looking into their backyard. They should really follow their own advice from the New Testament on this issue: "If any one of you is without sin, let him be the first to throw a stone at her." (John 8:7).

As for the secular critics, if they were genuinely against pedophiles, then why they are silent towards the real pedophiles around them? There are organised pedophile groups trying to legitimize such activities in the US and Europe. Yet no words of condemnation issued against them, and the secular critics should deal with such groups first, getting their house in order, before pointing the fingers at others. Like serial killers, Pedophiles exists in abundance in the West, and not in the Is-

lamic world. Even a cursory search on the web will reveal a growing number of such sites are hosted by Western secular countries. Indeed, all the evidences suggest that these critics actually condone pedophilia, and their hypocritical silence corroborates that. No doubt, their blind and fanatical adherence to the notion of freedom has also contributed to shaping their perverse mindset!

These secular critics, particularly the western ones, have a problem of criticising Muslims by using their own demons. So, they say we are fascists when they have invented and practiced it. We are supposed to be violent but who has caused the largest wars, and have the largest war machinery. They call us terrorists, and yet they are the ones who have invented bombing civilians en masse. Likewise, the Prophet (SAW) has allegedly acted immorally for marrying Ayesha, while they issue moral 'certificates' for every form of sexual acts. More likely, they are accusing the Prophet (SAW) of such things, to deal relieve their guilt of having so much pedophilia activity around them.

The above mentioned examples demonstrate whether one is a refined critic with academic credentials, or a foul mouthed anti-Islamic zealot, they have the same objective of character assassinating the Prophet (SAW), while turning a blind eye to their sea of hypocrisy. It is a pity that scientifically advanced nations cannot apply the same principle in dealing with Islam. Instead they are behaving like some medieval state, thus they are disseminating insults in various ways.

### **Marriage**

*Yahya related to me from Malik from Muhammad ibn Yahya ibn Habban from al-Araj from Abu Hurayra that the Messenger of Allah, (Sallallahu Alaihi Wasallam), said, "Do not ask for a woman in marriage when another muslim has already done so." (Mota Imam Maalik)*

# Authenticity of the Qur'an: Another Approach

*Imam Ghazali (RA)*

## Authenticity of the Qur'an: Another Approach

It must be stressed that the Qur'an is accurate about many, many things, but accuracy does not necessarily mean that a book is a divine revelation. In fact, accuracy is only one of the criteria for divine revelations. For instance, the telephone book is accurate, but that does not mean that it is divinely revealed. The real problem lies in that one must establish some proof of the source the Qur'an's information. The emphasis is in the other direction, in that the burden of proof is on the reader. One cannot simply deny the Qur'an's authenticity without sufficient proof. If, indeed, one finds a mistake, then one has the right to disqualify it. This is exactly what the Qur'an encourages.

## Looking for Mistakes

Once a man came up to me after a lecture I delivered in South Africa. He was very angry about what I had said, and so he claimed, "I am going to go home tonight and find a mistake in the Qur'an." Of course, I said, "Congratulations. That is the most intelligent thing that you have said." Certainly, this is the approach Muslims need to take with those who doubt the Qur'an's authenticity, because the Qur'an itself offers the same challenge. And inevitably, after accepting its challenge and discovering that it is true, these people will come to believe it because they could not disqualify it. In essence, the Qur'an earns their respect because they themselves have had to verify its authenticity.

An essential fact that cannot be reiterated enough concerning the authenticity of the Qur'an is that one's inability to explain a phenomenon oneself does not require one's acceptance of the phenomenon's ex-

istence or another person's explanation of it. Specifically, just because one cannot explain something does not mean that one has to accept someone else's explanation. However, the person's refusal of other explanations returns the burden of proof back on himself to find a feasible answer. This general theory applies to numerous concepts in life but fits most wonderfully with the Qur'anic challenge, for it creates a difficulty for one who says, "I do not believe it." At the onset of refusal one immediately has an obligation to find an explanation oneself if one feels others' answers are inadequate.

In fact, in one particular Qur'anic verse that I have always seen mistranslated into English, Allah mentions a man who heard the truth explained to him. It states that he was derelict in his duty because after he heard the information, he left without checking the verity of what he had heard. In other words, one is guilty if one hears something and does not research it and check to see whether it is true. One is supposed to process all information and decide what is garbage to be thrown out and what is worthwhile information to be kept and benefited from immediately or even at a later date.

One cannot just let it rattle around in one's head. It must be put in the proper categories and approached from that point of view. For example, if the information is still speculative, then one must discern whether it's closer to being true or false. But if all the facts have been presented, then one must decide absolutely between these two options. And even if one is not positive about the authenticity of the information, one is still required to process all the information and make the admission that one just does not know for sure. Although this last point appears to be futile, in actuality, it

is beneficial to the arrival at a positive conclusion at a later time in that it forces the person to at least recognize, research, and review the facts.

This familiarity with the information will give the person "the edge" when future discoveries are made and additional information is presented. The important thing is that one deals with the facts and does not simply discard them out of empathy and disinterest.

### Exhausting the Alternatives

The real certainty about the truthfulness of the Qur'an is evident in the confidence that is prevalent throughout it, and this confidence comes from a different approach: exhausting the alternatives." In essence, the Qur'an states, "This book is a divine revelation; if you do not believe that, then what is it?" In other words, the reader is challenged to come up with some other explanation. Here is a book made of paper and ink. Where did it come from? It says it is a divine revelation; if it is not, then what is its source? The interesting fact is that no one has yet come up with an explanation that works. In fact, all alternatives have been exhausted. As has been well established by non-Muslims, these alternatives basically are reduced to two mutually exclusive schools of thought, insisting on one or the other.

On one hand, there exists a large group of people who have researched the Qur'an for hundreds of years and who claim, "One thing we know for sure: That man, Muhammad (peace and blessings be upon him), thought he was a prophet. He was crazy!" They are convinced that Muhammad (peace and blessings be upon him) was fooled somehow. Then on the other hand, there is a group that alleges, "Because of this evidence, one thing we know for sure is that that man, Muhammad (peace and blessings be upon him), was a liar!" Ironically, these two groups never seem to get together without contradictions.

In fact, many references to Islam usually claim both theories. They start out

by stating that Muhammad (peace and blessings be upon him) was crazy and then end by saying he was a liar. They never seem to realize that he could not have been both! For example, if one is deluded and really thinks that he is a prophet, then he does not sit up late at night planning, "How will I fool the people tomorrow so that they think I am a prophet?" He truly believes that he is a prophet, and he trusts that the answer will be given to him by revelation.

### The Critic's Trail

As a matter of fact, a great deal of the Qur'an came in answer to questions. Someone would ask Muhammad (peace and blessings be upon him) a question, and the revelation would come with the answer to it. Certainly, if someone is crazy and believes that an angel put words in his ear, then when someone asks him a question, he thinks that the angel will give him the answer. Because he is crazy, he really thinks that. He does not tell someone to wait a short while and then run to his friends and ask them, "Does anyone know the answer?" This type of behavior is characteristic of someone who does not believe that he is a prophet. What the non-Muslims refuse to accept is that you cannot have it both ways. One can be deluded, or one can be a liar. One can be either one or neither one, but one certainly cannot be both! The emphasis is on the fact that they are unquestionably mutually exclusive personality traits.

The following scenario is a good example of the kind of circle that non-Muslims go around in constantly. If you ask one of them, "What is the origin of the Qur'an?" he tells you that it originated from the mind of a man who was crazy. Then you ask him, "If it came from his head, then where did he get the information contained in it? Certainly the Qur'an mentions many things with which the Arabs were not familiar." So in order to explain the fact that you bring him, he changes his position and says, "Well, maybe he was not crazy. Maybe some foreigner brought him the information. So he lied and told people that he

was a prophet.” At this point then you have to ask him, “If Muhammad was a liar, then where did he get his confidence? Why did he behave as though he really thought he was a prophet?” Finally backed into a corner, like a cat he quickly lashes out with the first response that comes to his mind. Forgetting that he has already exhausted that possibility, he claims, “Well, maybe he wasn’t a liar. He was probably crazy and really thought that he was a prophet.” And thus he begins the futile cycle again.

As has already been mentioned, there is much information contained in the Qur’an whose source cannot be attributed to anyone other than Allah. For example, who told Muhammad (peace and blessings be upon him) about the wall of *Dhul Qarnayn*—a place hundreds of miles to the north? Who told him about embryology? When people assemble facts such as these, if they are not willing to attribute their existence to a divine source, they automatically resort to the assumption someone brought Muhammad (peace and blessings be upon him) the information and that he used it to fool the people. However, this theory can easily be disproved with one simple question: “If Muhammad (peace and blessings be upon him) was a liar, where did he get his confidence? Why did he tell some people outright to their face what others could never say?” Such confidence depends completely upon being convinced that one has a true, divine revelation.

#### **A Revelation: Abu Lahab**

Prophet Muhammad (peace and blessings be upon him) had an uncle by the name of Abu Lahab. This man hated Islam to such an extent that he used to follow the Prophet around in order to discredit him. If Abu Lahab saw the Prophet (peace and blessings be upon him) speaking to a stranger, he would wait until they parted and he would go to the stranger and ask him, “What did he tell you? Did he say, ‘Black?’ Well, it’s white. Did he say ‘morning?’ Well, it’s night.” He faithfully said the exact opposite of whatever he heard Muhammad

(peace and blessings be upon him) and the Muslims say.

However, about ten years before Abu Lahab died, a little chapter in the Qur’an (Surat Al-Masad, 111) was revealed about him. It distinctly stated that he would go to the fire (Hell). In other words, it affirmed that he would never become a Muslim and would, therefore, be condemned forever. For ten years, all Abu Lahab had to do was say, “I heard that it has been revealed to Muhammad that I will never change—that I will never become a Muslim and will enter the Hellfire. Well, I want to become Muslim now. How do you like that? What do you think of your divine revelation now?” But he never did that. And yet, that is exactly the kind of behavior one would have expected from him, since he always sought to contradict Islam.

In essence, Muhammad (peace and blessings be upon him) said, “You hate me and you want to finish me? Here, say these words and I am finished. Come on, say them!” But Abu Lahab never said them. Ten years! And in all that time he never accepted Islam or even became sympathetic to the Islamic cause.

How could Muhammad (peace and blessings be upon him) have possibly known for sure that Abu Lahab would fulfill the Qur’anic revelation if he (Muhammad) was not truly the messenger of Allah? How could he possibly have been so confident as to give someone 10 years to discredit his claim of Prophethood? The only answer is that he was Allah’s messenger; for in order to put forth such a risky challenge, one has to be entirely convinced that one has a divine revelation.

#### **The Flight**

Another example of the confidence which Muhammad (peace and blessings be upon him) had in his own Prophethood and, consequently, in the divine protection of himself and his message, was when he left Makkah and hid in a cave with Abu Bakr (may Allah be pleased with him) during their emigration from Makkah to Madinah. The

two clearly saw people coming to kill them, Abu Bakr was afraid. Certainly, if Muhammad (peace and blessings be upon him) was a liar, a forger, and one who was trying to fool the people into believing that he was a prophet, one would have expected him to say in such a circumstance to his friend, "Hey, Abu Bakr, see if you can find a back way out of this cave." Or, "Squat down in that corner over there and keep quiet." Yet, in fact, what he said to Abu Bakr clearly illustrated his confidence. He told him, "Relax! Allah is with us and Allah will save us!" Now, if one knows that one is fooling the people, where does one get this kind of attitude? In fact, such a frame of mind is not characteristic of a liar or a forger at all.

So, as has been previously mentioned, the non-Muslims go around and around in a circle, searching for a way out—some way to explain the findings in the Qur'an without attributing them to their proper source. On one hand, they tell you on Monday, Wednesday, and Friday that "the man was a liar," and on the other hand, on Tuesday, Thursday, and Saturday they tell you that "he was crazy." What they refuse to accept is that one cannot have it both ways; yet they need both theories, both excuses to explain the information in the Qur'an.

#### **An Encounter with a Minister**

About seven years ago, I had a minister over to my home. In the particular room that we were sitting in, there was a Qur'an on the table, face down, and so the minister was not aware of which book it was. In the midst of a discussion, I pointed to the Qur'an and said, "I have confidence in that book." Looking at the Qur'an but not knowing which book it was, he replied, "Well, I tell you, if that book is not the Bible, it was written by a man!" In response to his statement, I said, "Let me tell you something about what is in that book." And in just three to four minutes, I related to him a few things contained in the Qur'an. After just those three or four minutes, he completely changed his position and declared, "You

are right. *A man did not write that book, the Devil wrote it!*" Indeed, possessing such an attitude is very unfortunate, for many reasons. For one thing, it is a very quick and cheap excuse. It is an instant exit out of an uncomfortable situation.

As a matter of fact, there is a famous story in the Bible that mentions how one day, some of the Jews were witnesses when Jesus (peace and blessings be upon him) raised a man from the dead. The man had been dead for four days, yet when Jesus arrived, he simply said, "Get up!" and the man arose and walked away. At such a sight, some of the Jews who were watching said disbelievingly, "This is the Devil. The Devil helped him!" Now this story is rehearsed very often in churches all over the world, and people cry big tears over it, saying, "Oh, if I had been there, I would not have been as stupid as the Jews!" Yet, ironically, these people do exactly what the Jews did when in just three minutes you show them only a small part of the Qur'an and all they can say is, "Oh, the Devil did it. The devil wrote that book!" Because they are truly backed into a corner and have no other viable answer, they resort to the quickest and cheapest excuse available.

#### ***Lower Garments***

*Yahya related to me from Malik from al Ala ibn Abd ar-Rahman that his father said, "I asked Abu Saïd al-Khudri about the lower garment. He said that he would inform me with knowledge and that he had heard the Messenger of Allah, (Sallallahu Alaihi Wasallam), say, 'The lower garment of the mumin should reach to the middle of his calves. There is no harm in what is between that and the ankles. What is lower than that is in the Fire. What is lower than that is in the Fire. On the Day of Rising, Allah will not look at a person who trails his lower garment in arrogance.' "*

*(Mota Imaam Maalik)*

# Saviours of Islamic Spirit

*S. Abul Hasan Ali Nadvi (RA)*

## Salah ud-Din Ayyoubi (RA)

### Character of Saladin

A devote Muslim as he was, the dominant note of his character were an acute sense of justice, charitableness, tender heartedness, patience and courageousness.

Ibn Shadad writes that he held courts twice a week on each Monday and Tuesday, which were attended by the chiefs of state, scholars, jurists and Cadis. Great and small, everyone found the door open. He used to read all the petitions and himself sign the orders dictated by him. He never allowed anyone to leave him without meeting his requirement. At the same time he also kept himself busy in the recollection of God.

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If anybody had any complaint to make, he would listen to him patiently and give his judgment. Once a man lodged a complaint against Taqi ud-din, the Sultan's nephew, who was immediately summoned to the court for answering the charges. On another occasion a man brought a suit against the Sultan himself who immediately made necessary investigations. Although the claim of the person presenting the suit was not established, the Sultan granted him a robe of honour and a handsome grant before allowing him to leave the court.

Kind and noble of heart, Salah ud-

din was full of gentleness, patience and tenderness, and could never tolerate any injustice. He always overlooked the mistakes of his associates and servants; if anything unpleasant was heard by him, he never allowed his annoyance to be betrayed to the person concerned. Salah ud-din once asked for water which was somehow not procured for him. He reminded five times for it and then said : "I am dying of thirst." He drank the water which was brought thereafter without saying anything more.<sup>1</sup> Another time when he wanted to take bath after a prolonged illness, he found the water too hot. He asked for some cold water to be brought in. The servant twice splashed the Sultan with cold water which caused him unpleasantness owing to his weakness but he simply said to the servant, "Tell me, if you want to get rid of me." The servant apologised and the Sultan instantly forgave him. Ibn Shaddad has narrated a number of other incidents exhibiting Salah ud-din's charity and goodness of heart.

So generous and open-handed was he that sometimes he gave away the provinces conquered by him. After he had conquered Amad, one of his generals Qurrah Arslan expressed a desire for the city and the Sultan granted it to him. Sometimes he sold even his personal estates and effects for presenting a gift to his visitor. The treasurers of the Sultan always used to keep a secret balance for the emergencies, for, left to himself, the Sultan would have given the last shell. The sultan once cynically remarked that there were certain people for whom money and dust were alike. "I know," says Ibn Shaddad, "that he was indirectly referring to his own views in this regard."

The Sultan never allowed his visitor, even if he was a pagan, to leave him without

a gift or some mark of recognition. The ruler of Saida once paid a visit to the Sultan whom he welcomed with open arms. The Sultan not only entertained him but also explained the tenets of Islam to him. He regularly sent ice and fruits to Richard, his greatest foe, during the illness of the latter.

He was of so noble disposition and kind of heart that he could not see anyone in distress without being moved. Once an old Christian woman came to him seeking her baby. The old woman, screaming and in flood of tears, told the Sultan that her baby had been taken away from her tent by the dacoits. She had been told, the woman said, that only he could help her to get her child back. Touched by her lamentation, the Sultan broke into tears and asked his men to find out from the slave market where her baby was. After a short while her baby was brought back and the woman departed praying for the welfare of the Sultan.

Ibn Shaddad relates that the Sultan was very kind to the orphans. Whenever he found such a child he entrusted him to someone or himself made arrangements for his up-bringing. Similarly he was always grief-stricken to see the aged and infirm whom he considered to be his special charge.

#### **Courage and Fortitude :**

During the siege of Acre, tells Ibn Shaddad, the Sultan had been overtaken by a painful illness which made it difficult for him even to come to table. Still, mounting his horse he went round the battle-field and spent the whole day, inspecting his forces. When Ibn Shaddad asked how he could bear the pain, Salah ud-din replied: "The pain leaves me when I am on the horse-back."

Another time when he was indisposed he pursued the enemy for the whole night. "During his illness", says Ibn Shaddad, "and the physician of the Sultan were with him in the night. He could not sleep owing to the pain he had but as the day dawned, he got up and mounted his horse for facing the enemy. He sent away

his sons to the battle front before allowing others to take the field. I was with the Sultan along with his physician; he spent the whole day on the horse-back till the armies retired in the evening from the battle-field. The Sultan returned after giving necessary instructions for keeping a watch during the night.

In courage, valour and endurance nobody could excel Salah ud-din. Sometimes he went round the enemy camp once or even twice a day with the reconnaissance parties. He would fearlessly go between the advancing armies during hotly-contested fights. Accompanied by a spare charger which was carried by a servant, he would take a round of the troops taking positions in the battle-field, and give instructions to his generals for the disposition of forces. Ibn Shaddad relates a story which speaks of the Sultan's fearlessness. The Sultan was told that he had heard Traditions read over to him on different occasions but never between the approaching armies during the heat of the battle. The Sultan immediately ordered the Traditions to be read aloud to him in the din of the battle-cry. Salah ud-din was never dismayed by the enormous host brought forth by the Crusaders to oppose him. On a few occasions, as the historians report, the enemy troops numbered five or six hundred thousand, but Salah ud-din decided to face the enemy with the slender forces under his command, and, by the grace of God, he came out victorious killing quite a large number and taking as many prisoners. During the siege of Acre more than seventy enemy ship-loads of fighting men and munitions of war landed during an afternoon. Everyone present on the occasion was perturbed except the Sultan. In one of the most hotly-contested battles during this period, a fierce charge by the enemy threw back the Muslim troops into disorder. The enemy rammaged the Muslim camp and even got into Salah ud-din's tent, pulling down the Royal banner, but Salah ud-din stood firm along with a few of his comrades and was quickly able to muster his soldiery to back him, turning the defeat into victory. The enemy suffered a heavy and murderous

defeat and withdrew leaving seven thousand of the dead on the battle-field. Ibn Shaddad relates how ambitious Salah ud-din was. Once the Sultan said to him, "I shall tell you what is my heart's desire. When God shall have put into my hands the whole of the Holy Land, I shall share my states with my children, leave them my last instructions, and bidding them farewell, embark upon the sea to subdue the western isles and lands. I shall never lay down my arms while there remains a single infidel upon earth, at least if I am not stopped by death".

#### **Salah ud-din—A Scholar :**

Salah ud-din had a good grounding in the religious lore. He was aware of not only all the Arab tribes and their genealogy but even the pedigree of famous Arab horses, which testifies to his wide knowledge of the history of Arabs. He was always keen of gathering information from his courtiers and associates. It has been reported by certain historians that he had also committed the *Hamasa* (a collection of Arabic poetry) to memory.

Writing about the youthful days of Salah ud-din, Lane-Poole says:

"To judge by later years, his literary tastes tended to the theological; he loved poetry indeed, but less than keen dialectic; and to hear holy traditions traced and verified, canon law formulated, passages in the Koran explained, and sound orthodoxy vindicated, inspired him with a strange delight."

#### **Collapse of Fatimides;**

Rise of Salah ud-din signalled the fall of "Fatimide- power which had established a separate Caliphate in Egypt. It lasted for 266 years from 299 A. H. to 567 A. H. The Fatimides had introduced strange cults in the Islamic faith and practice changing its tenets and doctrines, rules of conduct and behaviour out of recognition. A reputed historian al-Maqrizi has given a few examples of the orders promulgated by the Fatimides in his book *al-Khutawat Athar*. He writes :

"In 362 A. H. the law of inheritance

was amended. If a person left behind him a daughter along with a son or a nephew, or the uncle, the daughter excluded all others from succession. Any violation of this law was treated as an evidence of enmity with Fatima, the daughter of the Prophet. Visibility of the new moon for the beginning of a new month no longer remained necessary as the Ramadhan and Id were ordered to be observed in accordance with the officially computed calendar.

Tarawih was banned throughout Egypt by a Royal edict in 372 A. H. A man who was found in possession of the *Muwatta* of Imam Malik was punished. "In 393 A. H. thirteen persons were punished for performing *Salat ul-Zuha*. Two vegetables, that is, water-cress and marsh-mellow were prohibited in 395 A. H. because Caliph Muawiyah and Ayesha (the wife of the Prophet) were reported to have been fond of these. During the same year, curses and imprecations (upon, the first three Caliphs and the Umayyads), were ordered to be displayed prominently on the walls of all mosques, shrines and other public buildings. Wine was made lawful in 411 A. H. by the Fatimide Caliph al-Zahir Ayzaz Din-Ullah. On the one hand, tumultuous scenes of extravagant luxury, debauchery and drunkenness had become a common sight; on the other, famine and disease were working havoc among the lesser folk. During this period of the cruellest suffering people used to gather round the Royal castle and cry 'Hunger, Hunger'. The callous indifference of the rulers, at last, gave rise to pillage and plunder.

"In 424 A. H. when the heir-apparent to the Fatimide throne, who was then only four years of age, drove through the well-decorated bazars of the Capital, people prostrated themselves before him.

"It had become almost a rule among the Fatimides to raise the children of tender age to the throne of Caliphate. Mustansir billah was of only seven years when he ascended the throne, Amir b' Ahkam-Allah of five years, one month and a few days, Al-fayez b'Nasr-Ullah of five years and Azid Din-Allah of 11 years at the time of their be-

ing vested with the office of Caliphate."

Rise of Salah ud-din to power in Egypt marks the beginning of an era when Shia ite creed began to vanish with the restoration of the spiritual authority of the orthodox Islam. Schools were established in numerous places for the instruction of the masses. Gradually all traces of heretical beliefs and practices which had been adopted by the people during the Fatimide rule of about three hundred years were effaced from Egypt. The annalist of Egypt, al-Maqrizi, writes:

"The Shiah, Ismailiyah and Imamiyah creeds became so extinct that they have left no trace in the whole of Egypt.

The Fatimide rule in Egypt was indeed a scourge for Islam. During the three hundred years of its supremacy it continued to play a cruel joke with the tenets and doctrines, performances and practices enjoined by the Scripture and Traditions. The orthodox school was looked down upon and its followers were persecuted, while the dissenters, sceptics and non-conformists preaching licentiousness and libertine conduct were elevated to the positions of power and authority. Al-Maqdisi has summed up the achievements of the Fatimide rule in these words :

"It was an affliction that Islam had to endure during the entire period of the Obaidite (Fatimide) rule. It began in 299 A.H. and came to an end in 567 A.H. Shi ahs came to have a dominant position under them; oppressive imposts and taxes were levied upon the people ; the Shi ahs, particularly those belonging to the Ismailiyah sect, had a corrupting influence on the beliefs and faith of the simple and impressionable people belonging to the hilly tracts of Syrian border as also of Nusayris and Daruziz tribes. The Hashashim (or the hashish-eaters) were also one of the Ismailite sects. The Ismailite (preachers were successful among the above-mentioned tribes of the border areas owing to their ignorance and naivety, but they could not gain influence among other people. It was during their reign that the Franks captured many Muslim cities in Syria

and northern Iraq. Their onslaught continued till the Atabeks came into power and a defender of Islam, as Salah ud-din was, came forward to crush their power. He regained the Islamic territories and saved the bondsmen of God from the Fatimide scourge."

The revolutionary change brought about by Salah ud-din in Egypt was a harbinger of great religious and moral revival and, therefore, it is only natural that the historians of that period have expressed satisfaction over it. Al-Maqdisi had himself witnessed the traces of a revolution that had transformed Egypt only 29 years before his birth. The collapse of Fatimide rule finds expression in these words of al-Maqdisi:

"Their kingdom collapsed and with it ended the age of degradation for Islam."

Another scholar of repute, Hafiz ibn Qayyim, has given an impressive account of the rise of the Batinites and their downfall at the hands of Nur ud-din Zangi and Salah ud-din in his book al-Sawayig al-Mursalah. He says i

"The teachings of the Batinites died a natural death in the East but it began gradually to gain ground in the West until it became a force, deeply entrenched, to be reckoned with. They assumed the charge of a few cities in North Africa, from where they advanced to Egypt and succeeded in taking possession of that country. They founded al-Kahira (modern Cairo). Their missionaries continued to enlist adherents and diffuse their esoteric cult. It is they who produced the Tracts of the Brethren of Purity. Ibn Sina (Avicenna) wrote the Isharat and the Shifa and certain other tracts under their influence, for he has himself acknowledged that his father was one of the missionaries of the Fatimide Caliph Hakim billah. During the reign of the Fatimides the path of the Prophet became an impious blasphemy, the collections of the Traditions were proscribed and only a few remained who read these books or secretly acted on these precepts. A dominant note of their teachings was that reason should be given precedence over revelation and the guidance of the apostles of God.

"Gradually a greater part of the territories in North Africa, Egypt, Syria and Hijaz submitted to the Fatimide rule. Iraq also remained under their sway for about a year. Sunnis were treated like Zimnns under their rule ; the Jews and the Christians at least enjoyed the security of life and property unknown to the Sunnis. Innumerable religious scholars were executed or expired in their dungeons.

"At last God Almighty came to the rescue of the Muslims who were saved from the clutches of the Fatimides by Nur ud-din and Salah ud-din. Islam appeared to be at the verge of extinction in these countries but the revolution brought about by Salah ud-din granted a new lease of life to it. Muslims were indeed overjoyed at this miraculous revivification of Islam at a time when people had begun to ask one another: 'Who can now dare to defend the faith of God? It was at such a moment that Allah enabled His bondsmen to get back Jerusalem from the Crusaders whom the defenders of Islam fought with indomitable courage and chiv-

alry."

The chronicles of the time show that the news of the fall of the Fatimide kingdom was generally received with a sense of relief and pleasure by the entire Islamic world and by the Muslims of Syria, in particular."

Thus Salah ud-din stemmed the tide of the Crusaders which saved the world of Islam from the bondage and exploitation of western nations for centuries to come. On the other hand, he plugged a great source of evil by overthrowing the Fatimide Caliphate which was spreading the contamination of Batinite and Ismailite cults to other Muslim lands from its centre in Egypt. The esoteric doctrines preached by these sects during the last two or three centuries were responsible for the then prevailing intellectual backwardness and the degeneration of the faith and morals. The world of Islam cannot, indeed, forget either of these two achievements of Salah ud-din nor can any Muslim, living in any part of the world, ever fail to acknowledge his debt of gratitude to Sultan Salah ud-din Ayyubi.

## ***Refreshing Our Imaan***

*Refreshing our Imaan requires a twin effort. These are: strengthening those things that contribute to its development and removing those things that weaken it. To enable us to appreciate this better, consider that milk is the most nourishing food for an infant. However, if the infant suffers from diarrhoea, which prevents the body from benefiting from the food ingested; this must naturally be addressed in parallel with providing nourishment.*

*The proven way to achieve this is to make a concerted and consistent effort, even though it may be gradual and in small steps. This is more likely to lead to success than trying to eradicate the spiritual sicknesses that are entrenched in us all at once. Naturally, the first step is to acknowledge that one is in error, to refrain from denying or justifying it. Denial or justification is most disliked by Allah and is a trait of shaytaan. It resulted in his being thrown out of jannat and rejected for eternity.*

*Therefore, when we are corrected, then we too need to accept it and immediately seek His forgiveness and assistance in overcoming our failing. We must be especially cautious of trying to justify our stance or action.*

*(from a Majlis of Hadrat Mufti Ebrahim Salejee titled: "Sahabah")*

## **Aadaab Of A Majlis (Gathering)**

When you have to wait for someone in a gathering, do not sit in such a place or in such a way as to convey that you are waiting. This action will create unnecessary anxiety for the one whom you are waiting for. Sit down quietly at a distance from the person in an inconspicuous way. (**An emergency or urgency will obviously be excluded from this rule**).

When going to meet a person then on arrival notify him in some way of your presence. Such notification may be by salaam, speech or by sitting down (in a gathering) where you may be observed. (This rule does not apply to a public gathering, e.g. a public lecture in a Masjid or other public venue.) Without having informed the person concerned of your arrival do not sit down in such a place which conceals your presence. It is quite possible that he may engage in some conversation which is not meant for your ears. **In this way the private affairs of another person may be unwittingly overheard**. It is not permissible to overhear the secrets and private affairs of others without their consent. On such occasions if it transpires that someone is engaging in a private conversation without having knowledge of your presence, then immediately leave the place. **If this happens while the speaker is under the impression that you are asleep, then immediately reveal that you are not asleep**. If the matter being discussed pertains to the infliction of harm or loss to you or to any Muslim, then it will be permissible to overhear such schemes and plots to enable you to protect yourself.

When sitting in the company of a person do not sit in such close proximity as to cause inconvenience to him nor sit so far away that it becomes difficult to conduct the conversation with ease.

Don't sit staring at a person who is involved in some work. This distracts his attention and disturbs his peace.

It is disrespectful to unnecessarily sit directly behind someone in close proximity. The person in front is disturbed thereby.

When someone is sitting and engaged in some work do not stand in his presence waiting for him to attend to you. Sit down and address him as soon as he is relieved of the work.

When going to meet a person do not sit with him so long as to inconvenience him or to cause an impediment in his work.

**Where people are gathered do not spit or clean your nose in their presence unnecessarily**. For such acts leave their presence.

**When leaving a gathering which was organised to discuss certain issues**, do not leave without the consent of the leader of the assembly.

It is not permissible to remain in a gathering where any law of the Sharee'ah is being violated. Participating in such a gathering is not lawful.

Hadhrat Jaabir radiyallahu anhu narrates that **Rasoolullah** sallallahu alayhi wasallam said that gatherings are held in trust. It is therefore not permissible to publicise the discussion of the gathering. However, according to the Hadeeth if the gathering is a conspiracy to destroy the life, property or reputation of a Muslim, then it will not be permissible to conceal such a plot. **If by publicising the private discussion of the gathering some harm will be caused to a person then such an act will be sinful**. If the harm concerns the general public then to a greater extent will it be sinful to advertise or reveal the talks of the private gathering.

While the talk in a gathering is in progress, the newcomer who enters should not make salaam or musaafahah. So doing is an interference which disturbs the speaker and distracts the attention of the audience.

When arriving at a gathering early, sit in front. Late comers should sit at the back wherever they are able to find place. They should not attempt to force their way to the front. Some people arriving late on Fridays at the Masjid, penetrate the rows ahead of them in their attempts to obtain sitting place in front. Such inconsiderable action has been severely criticised in the Hadeeth. **Rasoolullah** sallallahu alayhi wasallam said that such a person will be transformed into a bridge of Jahannam to be trampled on by people. The practice of cutting through the **Musallees** in order to reach the front rows in the Masjid contains four severe evils: Causing hurt to a Muslim, pride, despising a Muslim and show. **Each one of these is a grave crime from which one should abstain**.

Without a valid reason do not lean against the wall when in a gathering listening to a discourse. This is highly disrespectful.

If there is ample sitting place available, do not sit with your back towards anyone.

## ***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*