



# THE FRAGRANCE OF EAST

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# The Fragrance of East

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## The Quranic Dictum

**S. Abul Hasan Ali Nadwi**

If human beings subjugate themselves to the supremacy of material things and become slaves to their selfish desires, life on earth will become hellish and unbearable. Man has to remember that his place in the scheme of creation is that of God's vicegerent. As the Quran bears testimony, Allah ordered the angels to bow down in front of man as a mark of respect. This clearly establishes that it is highly humiliating for man, God's deputy on earth, to bow down in front of anybody except his Creator. Had there been any such scope, Allah should have allowed man to bow down in front of the angels as they carry on Allah's orders on the earth: they, for instance, bring rain and make the wind blow. By making the angels bow down in front of man Allah clearly revealed His will that the world has been given to the care of man as His vicegerent and that he himself is created for the worship of Allah the Almighty. Man must look at his present miserable lot and tell himself that he is supposed to do better. He must rise to his appointed position as Allah's vicegerent, take none else except Allah as his Lord, and save himself and the world from eternal suffering. ■

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### Wisdom of Qur'an

"Most blessed is He Who sent down this Criterion on His servant, to be a warner to all mankind."

(Al-Qur'ân – 25:1)

This one single *ayat* of the Qur'ân tells us, in brief though, at least something about Allah, His Last Book the Qur'ân, His Last Messenger Muhammad (peace and blessings of Allah be to him) and the Divine message to man.

The very first word used in the Arabic text, *tabâraka*, is hard to translate even in one sentence, let alone in one word. It denotes greatness, eminence and a high state of permanence. In the present context this word is used in respect of Allah to stress not one but several ideas. It means that Allah is Bounteous and Omnipresent. He has, therefore, bestowed the great blessing of the *Furqân* (criterion) upon His servant Muhammad (peace and blessings of Allah be to him), and thereby devised an arrangement to warn all mankind. It also means that Allah is Most Exalted and Most Glorious since the dominion of the heavens and the earth belong to Him.

The word *Furqân* used for the Qur'ân means to separate between two objects, most probably between the Truth and falsehood. It also emphasises that the Qur'ân is such an exceedingly potent means of separating between two things that it might be considered separation *par excellence*.

The Blessed Messenger has been presented here as a warner to alert people and draw their attention to the dire consequences of their negligence of the Truth and their becoming enmeshed in error, and thus the Qur'ân is warning. ■

### Pearls From the Prophet Mohammad (PBUH)

Whoever does not come to the rescue of a Muslim who is being dishonoured and disrespected, then Allah also does not provide him with succour in time of his need. And if anyone in such contingencies stands up in defence against the oppressor then Allah is aware of those who keep their duty (unto Him). Allah is Mighty Glorious.

(AbûDawood)

To provide the greatest good of the greatest number for the cause of Islam and Muslims and for public welfare, even giving vital and timely information to avert a serious danger, is permissible in Islamic Shari'ah. The Holy Messenger (peace and blessings of Allah be to him) sent Zubair to obtain secret information during the Battle of Ditch. We find many such instances in the life of the Holy Messenger (peace and blessings of Allah be to him).

Once Hind bintUtaba, wife of AbûSufian, complained to the Messenger (peace and blessings of Allah be to him) about her husband in his absence. She told him that her husband was miser, and that he gave her a meagre amount for her and her children's maintenance; and that the amount was far too inadequate for her bare necessities. Though it amounted to backbiting, the Blessed Messenger permitted her to relate it on the *ground of* oppression as the oppressed have the right to complain about any atrocity perpetrated on him/her.

With the intention of reformation and rectitude it is also permissible to relate the vices and defects to such persons as are helpful in eradicating or minimising the evil. ■

*Editor's Note* 

## **RIGHT OF FRANCHISE**

Abraham Lincon has defined democracy as the government of the people for the people and by the people. After remaining under the imperialist regimes for centuries India got rid of it in 1947. A long battle for the freedom was fought by Indians coming from different communities, regions and living in social structures of their own surroundings. Ulama played a prominent role in cementing the relations.

After attaining the freedom nation decided to establish a democratic and secular form of government . Democratic because it provided the government of the people and secular because of its multi religions and multi adherence of social customs etc. Indian constitution encompasses the equal rights of all the inhabitants. In more than six decades of our free existence India earned a name of successful democratic and secular country in the comity of nations. By adopting a democratic system of government a cohesive state has been possible.

In the beginning there were many apprehensions among the Muslim community. Except Jamiat-ul-ulema which had been an appendage of the Congress Party, other Muslim setups either decried participation in politics or remained quiet. Jamat-e-Islami asked its members not to participate in elections. It even forbade them to cast vote in elections. However, with the passage of time realization dawned upon them and now they actively participate in the process of electioneering.

A great Islamic Scholar of international fame Maulana Abul Hasan Ali Nadwi (d.1999) always admired India for its democratic and secular creed. Though he did not contest any election or openly favoured any political party but firmly addressed Muslims to remain in main stream and ensure that the country progress and develop in such a way that all Indians irrespective of religion, caste, creed or region live peacefully.

Recently Maulana Abul Hasan Nadwi's successor Maulana S. M. Rabey Hasani Nadwi has addressed Muslims that they participate in full process. Talking to Press reporters he said : "Muslims should participate "wholeheartedly" in the electoral process and support the best candidates. A noted Islamic scholar and chief reactor of the Darul Uloom (Theological School), Lucknow, Maulana Rabey Hasan Nadwi holds democracy and secularism a boon. He Says "Muslims should participate wholeheartedly in the electoral process. They should support the best candidates and hope for the best. They will suffer if they remain aloof from the political system." Urging Muslims to introspect and fathom the "deeper malaise which is troubling the community," Maulana said that he did not wish to stir any political controversy on the issue of the Muzaffarnagar riots because he was an apolitical person.

"But I feel that the time has come for Muslims to realize that at its roots Islam is a very humane religion and Muslims should search their hearts as to why they have suffered," he said.

Maulana, who also heads the All India Muslim Personal Law Board (AIMPLB), said the community members should now reach out to others and win over their hearts through message of 'human brotherhood' (paigham-e-Insaniyat). "Muslims should articulate their demands before the government of the day but they should not be totally dependent on the state for the fulfilment of their needs," He also emphasised on the education as in his opinion that helps in building up of the healthy society. ■

S.A.

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## The Role of Muslims in India

**-S. Abul Hasan Ali Nadwi**

*And do not cause corruption in the land after it has been set right.*

*(al-A 'raf 7:85)*

The above directive was delivered by the Prophet Shu'ayb (peace and blessings be upon him) to his community. This represents the teaching of all Allah's Messengers. All along they instructed men not to cause corruption. This directive is very wide in its coverage and reflects a genuine-concern for human society. It goes beyond a general instruction forbidding mischief, stressing that there is no room for disorder in society.

Once the land is marked with faith, which in turn permeates social life and culture, and there exist links between the Creator and men, chaos cannot be tolerated. For men are instructed in mutual relations and obligations. They are clearly told about the sanctity of life and property. They know how important cordial relations are in society. Once people follow these directives in their territory, the peace should not be disturbed, for such a society is only established after much striving. Many lay down their lives to protect their honor and sacrifice their self-interests to construct this society. Men should therefore learn to lead their lives as servants of Allah. They should

maintain fraternity. For Islam teaches that all men are Adam's progeny and Adam was created from clay. In view of all these considerations men are urged not to cause corruption.

The Prophet Shu'ayb's directive above is expressive of his genuine concern. Allah's messengers imparted such lessons to mankind down the ages. They taught man how to imbibe moral values. They did not impart any technical skills. Nor did they encourage bloodshed or violence. On the contrary, they clarified that man's glory consists in leading life as a humble servant of Allah. Given all this, there is no room for rebellion and disorder.

It is significant that the above verse stresses that there should not be any corruption in the land after it has been set right. Reform involves the efforts of pious people. Then there is striving for this cause which may meet with success by Allah's leave. This is the history of all messengers. It is they who reformed society, rescued humanity and made life full of happiness and peace. As a result of their powerful teachings, men learnt to lay down their lives for their fellow human beings. They transformed the sinners into the pious. Their message prompted their followers to accomplish incredible examples of self

-sacrifice and altruism.

It is not out of place here to recount the following incident in the days of the Rightly-Guided Caliphs. In a battle Muslim warrior was in the throes of death. Someone offered him water. However, he pointed to another injured Muslim lying beside him, saying that water be provided first to the latter. When he was approached, he, in turn, said that another wounded Muslim be attended first. All of them attained martyrdom without taking water, while insisting that a fellow Muslim be helped first.

In Allah's sight, and also according to the messengers, it is a very serious crime to cause disorder in society. For, by definition, a society represents a network of many individuals. Likewise, one should not turn a blind eye to the moral disorder in one's midst, thinking that it will not affect one. Nor should one take lightly the incidence of violence in some part of the country. One should not suffer the delusion that such violence will not reach one's own locality. History testifies that such degeneration engulfs the whole of society sooner or later.

The above point is illustrated best by the following *hadith*. The Prophet (peace and blessings be upon him) remarked: "If some people are aboard a boat and they belong to two classes, some on the upper deck and others on the lower level, corresponding

to the rich utilising the former and the poor the latter, then it is the rich who enjoy the greater comfort. (This incidentally underscores the Prophet's miraculous foreknowledge of the shipping industry, for such technology was barely latent in his day.) In this scenario, the poor are forced to go to the upper deck for their water supply. It thus goes without saying that water is spilled, no matter how carefully it is carried. As water splashes, it disturbs the occupants of the upper deck. Once this had occurred a few times, the rich refused the poor access to the water supply, saying that it caused them much inconvenience. In this way, the poor were required to fend for themselves. Since water is a basic necessity and the poor could not survive without it, they decided to make holes in the boat and draw water directly through these, for this would save them the trouble of going upstairs." The Prophet (peace and blessings be upon him) aptly pointed out that in such an eventuality, the rich would petition the poor not to make any such holes, for it would be suicidal. Rather, they would press the poor to draw their water from upstairs, otherwise the boat would sink, "killing all of them, rich and poor alike."

Since we have to lead our lives in this country, India, and since we belong to the same society and country, we should not act selfishly. If we think only of our own interests, this amounts



to causing disorder in society. Today we are swayed by such selfishness, having no regard for others, and wholly neglecting collective interests. This malaise afflicts not only India, but the entire world.

It is the duty of Muslims to rise to the occasion and salvage the country which is on the brink of destruction. The government alone is not responsible for our safety. It has its own compulsions and constraints. The Qur'anic directive is that we should not undo the invaluable contribution of our noble predecessors who were true adherents of faith, well-wishers of mankind and sincere

builders of community and country. We should ensure that there is no corruption, for Allah will take us to task as to why, in our presence, our country faced destruction. We should present such excellent character and conduct whereby material pursuits, worldly positions and other labels of honor and glory are disregarded. What really matters is God- consciousness. We should have love and sympathy for everyone.

I must assure you that such conduct from Muslims would endear them to everyone. They would regain the leadership of the country thereby. ■

## **The Trustworthiness of Allah's Messenger**

**- M.Fethullah Gulen**

Prophet Muhammad was completely trustworthy toward all of Allah's creatures. He was loyal and never cheated anyone.

Allah chose the Messenger for his trustworthiness so that he would devote himself totally to delivering the Message truthfully. He was so concerned about his duty that he would repeat the verses while Gabriel was reciting them to him. Allah finally revealed:

*Move not your tongue concerning (the Qur'an) to make haste therewith. It is for Us to collect it, to establish it in your heart and enable you to recite it. So, when We have recited it to you, follow its recital. Then it is also for Us to make it clear to you. (75:16-19)*

As the Qur'an was given to him as a trust, he conveyed it to people in the best way possible. He dedicated his life to this sacred cause, constantly aware of his responsibility. In the last year of his life, when he was delivering the Farewell Sermon at Mount 'Arafat, he reiterated the Commandments of Allah once more. At the end of each sentence, he told the people: "In the near future, they will ask you about me." He then would ask them if he had conveyed the Message to them, to which they responded, each time, with great enthusiasm: "Yes, you have conveyed it!" He then would call upon Allah to witness their words. ■

## The Aim of Our Deeds should be to Please Allah

- S. Sulaiman Nadwi

In Islam the motive of all our virtues is to earn the pleasure of Allah. A true Muslim must, therefore, work for the sake of Allah and should not make any other interest, personal or otherwise as the basis of his work or endeavour. Herein lies the difference between the Islamic outlook and concept of morals and other moral philosophies of ethic. The latter are concerned with the aim and object behind moral conduct and behaviour, the former teach as what should be the motive behind moral actions and deeds, for instance, there are two kinds of possessions with man life and property and to sacrifice them in the cause of Allah is the most excellent deed. It has been said regarding the life of a Mu'min (believer) in the Holy Qur'an:

And of mankind is he who would sell himself, seeking the pleasure of Allah and Allah hath compassion on (His) bondmen.

(2 : 207)

And the likeness of those who spend their wealth in search of Allah's pleasure and for strengthening of their souls, is the likeness of a garden on a height. The rainstorm smiteth it and it bringeth forth its fruits two-fold.

(2 : 265)

And whatsoever good thing ye spend, it is for yourselves, when

ye spend not save in search of Allah's countenance.

(2 : 272)

There is no good in much of their secret conferences save (in) him who enjoineeth almsgiving and kindness and peace making among the people. Whoso doeth that, seeking the good pleasure of Allah, we shall bestow on him a great

reward.

(4:114)

Such as persevere in seeking their Lord's countenance and are regular in prayer and spend of that which We bestow upon them secretly and openly, and overcome evil with good.

Theirs will be the sequel of the (heavenly) Home.

(13: 22)

Who giveth his wealth that he may grow (in goodness) And none hath with him any favour for reward.

Except as seeking (to fulfil) the purpose of his Lord, Most High

He verily will be content.

(92 : 18-21)

There are several *Ahadith* which elucidate this point further that the motive of all our sacrifice, endeavour, should be to seek the pleasure of Allah.

Abu Musa (may Allah be pleased with him) reported: A man came to the Prophet (peace and blessings of Allah be upon him) and asked: A man fights for war booty; another fights for fame and third fights for showing off; which of them fights in Allah's cause? The Prophet (peace and blessings of Allah be upon him) said: He who fights that Allah's words (i.e.) Islam should be superior, fights in Allah's cause. Allah's Prophet (peace and blessings of Allah be upon him) said: Horses are kept for one or three purposes; for some people they are a source of reward, for some others they are a means of shelter and for some others they are a source of sins. The one for whom

they are a source of reward, is he who keeps horse for Allah's cause (i.e. *Jihad*) tying it with a long tether on a meadow or in a garden with the result that whenever it eats from the area of the meadow or the garden where it is tied will be counted as good deed for his benefit and if it passes by a river and drinks water from it, even though he had no intention of watering it, even then he will get the reward for its drinking. Horses are a means of shelter for one who tied it in order that he could ride it in necessity and he should not beg or demand a thing of his necessity from others as Allah has given him wealth. He fulfils the rights of the horse (feeds properly) and he treats it with kindness and mercy. As for the man for whom horses are a source of sins, he is the one who keeps a horse for the sake of pride and pretence and slowing enmity for Muslims. Such a horse will be a source of sins for him.

The most heart-moving Tradition was narrated by Abu Huraira and while narrating it, Abu Huraira (Allah be pleased with him) fainted thrice and fell down and Mu'awiya wept bitterly. Abu Huraira (Allah be pleased with him) said: by him, in Whose Hand is my life, the Holy Prophet (peace and blessings of Allah be upon him) said: On the Day of Resurrection when Allah would come and every *Ummah* would kneel down at its place. first of all those versed in Qur'an and were killed in battle and those who were affluent would be brought in his presence. Then Allah would inquire from him who was versed in the Qur'an and was killed in the battle-field: Did I not teach you all that was sent down on His Prophet (peace and blessings of Allah be upon him)? How far did you act upon it? He would answer: Oh Allah! I used to recite the Qur'an in the prayers day and night. Allah would say: You tell a lie and the angels would also say that he is a liar. Then Allah would say: You said so in order that people may consider you as a great scholar and reciter of the Qur'an.

And you were known as such in the world (so you have already been repaid). Then Allah would say to the wealthy and affluent: Did not you lead a life of ease and plenty amongst the people of the world? He would say: Why not my Lord! Allah would ask: What did you do with that I had bestowed upon you? He would say: I used to fulfil the right of the deserving and spent on the poor and the needy. Allah would say: You tell a lie and the angels would say that he is a liar. Then Allah would say: You did so in order that people may call you most generous. You were known as such in the world (so you have already been repaid). Then the person who had been killed in *Jihad* will be brought. Allah would inquire from him: Why were you killed? He would say: You had ordained *Jihad* in your cause. I fought till I was killed. Allah would say: You tell a lie and the angels would also say that he is a liar. Allah would say: You had fought so that the people should call you brave. You were known as such in this world. The Holy Prophet (peace and blessings of Allah be upon him) said: These are the people who would be first put into the Hell. Listening this Hadith Mu'awiya (may Allah be pleased with him) wept bitterly and recited the following verse of the Holy Qur'an in support thereof.

Whoso desireth the life of the world and its pomp, We shall repay them their deeds herein, and therein they will not be wronged.

Those are they for whom is not in the Hereafter save the Fire. (All) that they contrive here is vain and (all) that they are wont to do is fruitless.

(11:15, 16)

So give to the kinsman his due, and to the needy and to the wayfarer. That is best for those who seek Allah's countenance. And such are they who are successful.

(30:38) ■

## An Idea of Ideal Government in Islam

- Darakhshan Anjum

Man is the trustee of God and His vicegerent on earth and as such he has to lead a just, moderate and peaceful life with all decency and discreteness, under the guidance of Divine injunctions as ordained in the Qur'ân.

"It is He Who has made you (His) vicegerent, inheritors of the earth. He has raised you in ranks, some above others: He may try you in the gifts He has given you: for your Rabb (Cherisher and Sustainer) is quick in punishment: yet He is indeed Oft-Forgiving, Most Merciful." (6:165)

As a trustee, the human being is therefore, not supposed to cause corruption and mischief in any form on earth. Living on this earth is a great responsibility and not mere existence. This very essence of struggle is a test with accountability and hence will be followed by either reward or punishment. Allah has naturally equipped His vicegerent with the characteristics, qualities and potentialities which are inevitable to carry out the mission for which he is sent over here. It has been clearly stated in the Qur'ân that you (Muslims) are the greatest and noblest creature who are sent to the people so that you ask people to do good deeds and prevent

them from evils. It means that Muslims have two obligations towards society and if they don't fulfil, there is punishment by Allah. Every person is held responsible for the welfare of others. The Prophet (peace and blessings of Allah be to him) wisely explained this philosophy: "Each of you is a shepherd and all of you are responsible for your flocks." (*Bukhan*)

Islam gives the concept of resurrection where every individual will have to face the grand accountability. Thus the foremost responsibility of society and a major function of governance is to provide full security for the life and prosperity of its members. The ruler, as a trustee, should discharge the obligations of that trust to the people. The people who are ruled should be careful to invest only such persons in authority who fully deserve it; and after vesting this authority in them, they should extend fullest cooperation to them, for the power to choose rulers has been bestowed upon you as a gift from God.

When Prophet Muhammad (peace and blessings of Allah be to him) migrated to Medina, he found a state and in a very short span of time there emerged a city, state of Medina with a federated type of government,

with the Prophet as its supreme head. He provided human rights established by oath of allegiance known as *baih*, a symbolic contract between the leader and the people wherein the leader promises to obey Islamic law and the people in exchange promise their allegiance. In essence, *baih* is the election of a leader, for without the *baih* the purported leader has no legitimacy and thus can't act as the head of the state.

Prophet Muhammad (peace and blessings of Allah be to him) received the *baih* from the people. A clear example of the role of democracy in Islam is manifested in the Prophet's passing away without appointing a successor to rule the Muslim state. He willingly left it to the Muslims to come together to make this crucial decision based on what he had taught them. As Abu Bakr (may Allah be pleased with him) had the highest credentials to take the reins of leadership, the majority voted for him and individual citizens ratified the selection by pledging their allegiance one by one to the new head of the state.

In his first public address after his appointment, he said: "You have made me your leader, although I am in no way superior to you; cooperate with me when I go right; correct me when I err; obey me so long as I follow the commandments of God and the

Prophet, but turn away from me when I deviate."

Leadership in Islam is considered an *amanah* (trust) and a responsibility. A leader is required to meet this obligation to God, the supreme power as well as to discharge his duties towards the people to the best of his abilities. Allah enjoins principles and values upon which good leadership is based: *Taqwa* (God-consciousness), *Jihad* (struggle in Allah's way), *Ilm* (knowledge) and sincerity of purpose. Allay says:

"God will raise up, to (suitable) ranks and degrees those of you who believe and who have been granted (mystic) knowledge. And Allah is well acquainted with all ye do." (58:11)

The word *imam* as used in the Qur'ân means a source of guidance, thus the leader should guide the people to the right path and act as a role model. The Qur'ân states that the Prophet (peace and blessings of Allah be to him) is the best of leaders according to the following ayat:

"For you the life of Prophet is a good model of behaviour." (33:21)

Thus through the study of Prophet Muhammad's life, deeds, sayings and personal qualities valuable leadership lessons can be derived. The Prophet (peace and blessings of Allah be to him) started with a small group of believers and moulded them into

cohesive organisation. He taught that a strong leader has strong faith and belief in higher entity. Wisdom, courage, knowledge, determination and unity among the organisation were also the traits displayed by the Prophet.

Following the teaching of the Qur'ân and Sunnah, the Caliphs played ideal leadership role and guided their followers to the right path and discharged their duties as leaders in an exemplary and extremely humane manner.

As the ideal Islamic government is the property of public, not hereditary or personal, the community decisions must be made through a process of consultation. The Qur'ân describes the qualifications of true believers:

“and who conduct their affairs by mutual consultation;” (42:38)

“and consult with them upon the conduct of affairs.” (3:159)

The glorious Qur'ân is the first book which has asserted government by consent and consultation in the history of political philosophy. These verses refer to the entire community. Therefore, the legislative assembly must be representative of the entire community and to achieve true representation, the members of the legislative assembly must be elected through free election with wide suffrage. The Prophet used to take and accept the deliberation of noble companions on

every matter related to the state and administration. On the eve of the Battle of Uhud, the Prophet (peace and blessings of Allah be to him) called al-Shura as to how to face the enemy, whether to defend the city from inside or fight in the open field. Most of the companions favoured fighting in the open field. While he was of the opinion that the city should be defended from within, he did not impose his own opinion and accepted the majority opinion.

Justice is the important quality which forms the core of Islamic government. The Prophet as well as his wise Caliphs attached great importance to justice. The holy Qur'ân says: “O ye who believe, stand firm for justice as witness to God, even as against yourselves, or your parents, or your kin and whether it be (against) rich and poor : for God can best protect both.” (4:135)

This verse sets highest standard that no other religion or system can match it. At the time of the Prophet (peace and blessings of Allah be to him), a woman from the Makhzum tribe committed theft and some companions tried to mediate with the messenger for the sake of woman. The Messenger objected to it and said: “O ye people! The people before you were wrong because they did not apply *hudood* (prescribed Islamic penalties) strictly when dealing with

influential people guilty of having committed theft while they inflicted the *hudood* only on the weak. By God, if my daughter Fatimah was caught stealing, I would have her hands cut off."

In a suit brought against a Jew by Caliph Umar (may Allah be pleased with him) both went to the Qazi. The Qazi on seeing the Caliph rose from his seat out of deference. Caliph Umar considered it such an unpardonable weakness that he dismissed the Qazi at once.

Social security being the prime concern of Islamic state is the means of providing sustenance and comfort for its citizens. Although Prophet Muhammad (peace and blessings of Allah be to him) propagated the message of Islam, yet gave all people the freedom to choose any other religion if they so liked. The Jews, Christians and Zoroastrians were contractual members of the Muslim state. When non-Muslims became members of a Muslim nation either through capture of territory or through migration, they were free to practise their beliefs. The Prophet developed a social contract, a pact signed by all the tribal leaders, naming Muhammad (peace and blessings of Allah be to him) as the leader and establishing law binding the tribes to cooperation, assistance in defence of the city and the protection of its inhabitants.

This constitution of Madinah established the importance of consent

and cooperation for governance in Islam. According to the pact, Muslims and non-Muslims were equal citizens of the state, with identical rights and duties. Communities of different religious orientations enjoyed religious autonomy, which was essentially wider in scope than the modern idea of religious freedom. The principles of equality, consensual governance and pluralism are beautifully enmeshed in the pact of Madinah.

In Islamic economic system, public welfare and social security is the foremost economic obligation of the state. It is the responsibility of the state to provide relief for people in sudden calamity, hereditary deformity, temporary unemployment, on the natural death of the family guardian. At the time of Umar when serious drought or famines in Arabia, Umar Ibn al-Khattab (may Allah be pleased with him) asked the provincial governors of Syria, Iraq and Egypt to send food grains and other necessities of life for the citizens. According to a tradition, every month, two weights of wheat, two of olive oil and two of vinegar were given to everyone.

Zakat (religious obligation on a Muslim to pay 2.5% out of his wealth), Ushr (tax on agricultural land), Sadaqua (spending for the pleasure of Allah), and Jizyah (tax on the non-Muslim for providing security) and Khums (one-fifth of the spoils of war) were credited to the treasury for the use of the benefit of state, producing a higher standard of

living and suppressing the urge to commit crimes.

Islam teaches that humans are only the owners of the property that belong to him and encroaching into somebody else's property or money or siphoning off of money is illegal. The Blessed Prophet (peace and blessings of Allah be to him) sent one of his Companions to Yemen as a revenue officer, and on his return from Yemen he brought with him a lot of gifts (not bribe); the Prophet ordered him to submit the gifts in Bait al-Maal as the gifts were given because of the post that he was holding. Thus Islam closed the doors of bribe by not accepting even gifts.

Caliph Umar bin Khattab (may Allah be pleased with him) showed the best example for eradicating corruption. While he was discussing official's matters with a person, the speaker turned his discussion to personal matters. Immediately Umar put off the light saying that public finance should not be utilised for private matters. As the Bait al Maal was the property of people, the Caliphs never spent it for their private benefit. It is reported that Abu Bakr Siddique (may Allah be pleased with him) took a small portion from Bait al Maal for his family's upkeep because he had to give up his own business when he became the Khalifah. On his deathbed, he instructed his family to return to the Bait al Maal whatever was left of his possession. During Caliph

Umar (may Allah be pleased with him), his companions wanted to increase his stipends from the Bait al Maal but he flatly refused despite the Islamic domain having extended far and wide and having acquired great riches.

Islamic system of government established by Prophet Muhammad (peace and blessings of Allah be to him) and the first four Caliphs is the paragon of democratic system of government because of total justice, security, equality, prosperity, progress and ideal leadership principles characterised that era. The holy Qur'ân, the life of Prophet Muhammad (peace and blessings of Allah be to him) and deeds of the Caliphs offer the most beautiful and marvellous principles of ideal governance.

The government established by the Prophet and the Rightly Guided Caliphs is a pattern of emulation to mankind. It was the real form of democracy, free from dictatorship and mobocracy, with only sovereignty of Allah. The duties and responsibilities of a ruler and his subjects are clearly depicted in that period. The leadership principles and policies practised by them transcend racial, religious as well as geographical boundaries. By understanding, acquiring and applying them, our present system of government can also be an ideal one. ■

*(Courtesy: Radiance)*



## Contribution of Islam to the Advancement of Knowledge

- Syed Habibul Haq Nadwi

It was on the 6th of August 610 C.E., 400 years ago, that the last message of Islam appeared on the scene of world religions and cultures as a revolution of knowledge and research and as a movement of free inquiry in all fields of life. The first word revealed to the Prophet of Islam on this day was "*Iqra*" (Read). These four letters' of Arabic imperative expression changed the scene of knowledge and served as four pillars in the intellectual, spiritual and the cultural edifice of Islam around which all research activities of Islam revolved.

Reading needed material to be read and a place for collecting the reading material, that is a library. Since Muslims were commanded both by Allah and His Prophet to seek knowledge and to travel around the world, land and sea, to discover the signs of God in His creation, the entire cosmos became the reading room or a vast library or a laboratory for the discovery of nature, where the signs of Allah were discovered and the unknown was made known to the world. It was because of this spirit of free inquiry and elucidating the unknown and for the quest of knowledge that the Muslim community appeared like a bright comet on the intellectual horizon and contributed its share to the world knowledge and world culture. And so long as it was active on the *Iqra*-circuit, it remained the master of the seas and the lands and became teacher of the world and the

inventor of ideas. Muslims used to undertake journeys to acquire knowledge to any part of the globe. The Qur'an had declared that Allah will exalt those of you who have faith and knowledge, to high ranks (58:11) and those who possess knowledge have no parity with those who do not have knowledge. The Prophet gave clear injunctions to the community to seek knowledge from the cradle to the grave. Here the time-limit theory in the acquisition of knowledge was rejected. The space theory was also rejected when the Prophet asked the Muslims to seek knowledge even if they had to travel as far as China and to receive knowledge even from the lips of an infidel. Similarly, the sex-limitation theory was rejected in Islam when the Prophet declared that seeking of knowledge was incumbent upon all Muslims -whether male or female. These Qur'anic and Prophetic injunctions clearly banished illiteracy from the territory of Islam and enhanced the value of literacy and research.

The Holy Qur'an is replete with the word '*Ilm*' and its derivatives attributed to God - and in a limited sense to man and angels. The root '*Ilm*' (Knowledge) occurs frequently in *Hadith* literature and the traditionists who arrange their material topically have devoted chapters or books to the topic of knowledge. Knowledge is no doubt superior to the more elementary concerns of faith. It is true that "one learned man is harder on the devil than a thousand ignorant worshippers".

Beginning with the earliest stages of Muslim theological speculation, faith was viewed and defined as something that somehow depend on knowledge. The term used for this knowledge is usually not *'Ilm* but *Ma'rifa*, that is knowing about the existence of certain presumed facts fundamental to faith. Such *Ma'rifa* may be the knowledge about God. God is referred to as *Alim* and *'Alim* in the Qur'an. Verb forms derived from the root word *'Ilm* are also attributed to God. Al-Ghazali concludes:

"God knows by means of a primeval, uncreated *qadim* and eternal knowledge that has never ceased to be an attribute of His in all eternity, and not by means of a knowledge that is constantly new and arrives in His essence through indwelling and transference."

That is, God's knowledge is Infinite and overrides the limitations of time, space and matter.

Speculative theology of Islam also developed its own epistemology, which in the light of the Qur'an, *Hadith* and *Fiqh* investigated critically the nature, grounds, limits and criteria or validity of human knowledge.

The Prophetic command that "Learn knowledge and teach it to others" emphasises the social aspect of knowledge which is meant to evoke not only intellectual development but also the development of spiritual, emotional and physical capacity of man. In other words, the expressions *'Ilm*, *Adab*, *Talim* and *Tarbiyya*, used by the Prophet led the Muslims to understand that the collective term education comprehends all that we assimilate from the beginning to the end of our lives in the development of

the powers and faculties bestowed upon us by God. It includes not only systematic schooling but also that enlightenment and sense which an individual obtains through experiences in life, therefore action (*'Amal*) was so important after acquiring knowledge (*'Ilm*). One Tabi'i (companion of the *Sahabi*) was asked: "Who are the people of knowledge?" He replied: 'Those who put into practice what they know.'

Demand of reading material and the libraries in the vast empire of the Islamic world was increased. First the mosques and then the religious schools became the research centres and rich mines of intellectual treasures of the Muslims. The study of the Qur'an opened the gates of the cosmological studies. The second Caliph appointed a number of scholars to lecture in mosques in the new cantonement of Kufa, Basra, Damascus and other places on Islamic learning. These were called *Qusas* (narrators). In this way, the mosques became not only the places of worship but also centres of education and served as auditoriums for lectures on sciences and humanities. Mosques thus became the nucleus for the future centres of Islamic sciences. The Umayyads and the 'Abbasids promoted research and knowledge which were the golden periods of Islamic *Iqra'* projects. Schools, colleges and universities were established in the Muslim world. Science academies were founded by them. The Fatimids founded similar academies and research institutes in Cairo. All these centres consisted of huge libraries, which were as sacred to the Muslims as were the mosques.

Men of international fame were appointed as librarians. Bu-'Ali -Sina was

in charge of the Samanid king's library. Ibn-Miskawaih was the librarian at Ray. Women were also employed as attendants of the library of *Dar al-'Ilm* at Baghdad and books were generously loaned to students and scholars who were doing research.

### Cosmology

Cosmological sciences were developed by the Muslims. It is a vast panorama which is difficult to depict in such short a space. The cosmological theories were based on Islamic Revelation. There is the principle of the complete cosmology and cosmography in the Qur'an. The Qur'an speaks of the seven heavens and the earth, of the Divine Pedestal and Throne, of the cosmic mountain and of the cosmic tree, all of which became important elements of Islamic cosmology. The most important verses of the Qur'an on cosmology are contained in the Throne Verse and the Light Verse. The first one asserts majestically the dependence of all things on God. The second outlines in a set of important symbols both a cosmology and a spiritual psychology, which deny the theory of automatic growth of the world without a sustainer or creator.

### Physical Sciences

It was under the roof of such libraries and research institutes that the *Iqra* community made its mark in the field of physical sciences. The Holy Qur'an awakened a spirit of inquiry which was instrumental in their splendid achievement. They realised that science could not be advanced by mere speculation. Its only sure progress lay in the practical interrogation of nature. The essential characteristics of their method were experiments and observation. They rejected the Greek

method of speculation in the study of sciences. *It was this spirit that made them the originators of chemistry, that led them to the invention of all kinds of apparatus for distillation, sublimation, fusion and filtration. They greatly improved subjects like geometry and trigonometry. The physical sciences were developed by them and eminent physicists like al-Kindi, al-Jahiz, Banu Musa, al-Biruni, ar-Razi and 'Abd ar-Rahman b. Nasr were produced. Astronomy, in the real sense of the word, started among the Arabs. During the reign of Ma'mun, the second 'Abbasid Caliph, several observatories, equipped with the latest instruments, were set up at various places in the Islamic empire. Nizam-al-Mulk Tusi, the grand vizier of Malikshah Saljuqi, established an observatory at Rayy. In short, throughout the Islamic empire and civilisation countless astronomers sprang up. All centres were equipped with libraries. The first observatory in Europe was built by Arabs in Seville. The famous astronomical tower of Seville was constructed under the supervision of Jabir b. Afiah in 1190 C.E. It was through Spanish channels that the Latin West found its Oriental inspiration in astronomy, which has developed today into space science and interplanetary space travel.*

### Medical Sciences

Muslim thinkers treated human bodies as a sacred trust from God and paid deserved attention. Medical sciences were thus fostered. Historically, it is proved that Muslims were the first to establish hospitals, dispensaries and medical schools in the world with research centres and libraries, where they developed theories of the curative use of drugs and

pharmacy. Razi's book "The Container" was too advanced for his time, which dominated the thinking of the ninth and the tenth centuries C.E. The Canon of Ibn-Sina was used for several centuries all over the world. In surgery, Abul Qasim' (11th century) and 'Ali 'Abbas (10th century) were considered authorities. In the twelfth century, Ibn Zihir of Muslim Spain, introduced a method of scientific observation in medicine, surgery and pharmacology and diagnosed and treated many diseases which had not been observed before his time. Ibn Rushd is regarded as one of the authorities in the Middle Ages, both in the West and in the East. The rise of Europe came about after the capture of the Muslim Empire when their intellectual, scientific and cultural treasures were seized as booties. In the tenth century Cordova was already a highly-cultured city in Europe. It had seventeen libraries which housed more than four hundred thousand volumes. Mustansiriyya Medical College of Baghdad had a magnificent library with rare scientific books. The same was the case of Mansuri Medical School and hospital at Cairo built in 1282 C.E. Caliph' al- Hakim's catalogue (in his library) consisted of forty-four volumes with four hundred thousand books. Bishop of Raymond (1125-51 C.E.) founded a school of translators in Toledo (Spain) on the pattern of the science academy of Baghdad founded by Ma'mun, where Arabic books were translated into Latin for the use of scholars and students in Europe. Ibn Sina's Canon was translated into Latin. Razi's book *'al-Havi* was also translated. Gerard alone translated more than seven hundred books from Arabic. Ibn Rushd's *Kulliyat* was translated. Ibn Sina's *ash-Shifa* and *Kitab an-Nafs* were also translated. Otto, the great King of

Germany, ordered (in 953) Lorrain to go to Spain and study Arabic and bring back scientific Arabic manuscripts. All the books on medicine and surgery were introduced into Europe through these Arabic translations, where they served as text books. Bologna (in 1113) and Montpellicre (in 1181) near its Spanish border disseminated Muslim knowledge to Europe. The library of Montpellicre contained all the translations of the Arab writers made by Constantine Africanus and Gerard of Cremora. Ibn Sina's and Razi's books were included in the syllabus of Montpellicre up to 1555 and in the University of Lorrain up to the middle of the seventeenth century. In Brussels, lectures on Ibn Sina continued until 1909. Padua (in 1222), Palermo (in 1110) and Oxford (1167) contained medical books largely written by the Muslims as prescribed books of their syllabuses. Elgood says that Arabic science was instrumental in the rise of the European universities. But the Orientalists credit Salerno University in Italy for that. Salerno School was founded in the tenth century and it was close to Muslim Sicily. By the end of the twenty century Arabic science had established itself in Lorraine and other parts of Germany, Switzerland and Central Europe and Britain. Roger Bacon founded his optics on the basis of Ibn Hazm. Such laudable contributions made by the Muslims continued through the fourteen centuries.

The Mongol hordes, the Crusaders and the invaders had ruthlessly destroyed the vast treasure of knowledge left by the Muslim libraries, research institutes, scholars and scientists. It is recorded that the Mongols and the Crusaders used the remains of the great library of Baghdad as

material to build the bridge over Tigris. In Southern Spain, which was captured by Ferdinand of Castile in 1236, no less than one million Arabic books were destroyed by the Holy office. Five thousand copies of the Qur'an were put to the flames. Paracelsus burnt the Canons of Ibn Sina. Korona Kasmaus collected handwritten books in large heaps from and around Granada in 1511 and set them on fire. They were the results of centuries of research of the Muslim scholars and were preserved in the libraries.

The Spanish government held it illegal to possess any book written by Muslim scholars and all such books were confiscated. This practice continued in Spain for more than fifty years. Phillip, the ruler of Spain, issued an edict in 1526 that nobody should utter Arabic words and those who had Arabic names should change them or leave the country. Constantine Africanus, notable translator of Muslim works, eliminated Muslim names and substituted his own names to those works. He claimed Kitab al-Maliki written by 'Ali 'Abbas as his own.

But these destructive forces could not eliminate Muslim scholarship so long as it remained alive on the *Iqra'* circuit of the Qur'an and so long as research institutes and libraries were re-instituted after the colossal destruction and devastation. The Muslim research scholars explored both the lands and the seas. They opened the routes of the land as well as of the seas in order to explore the unknown and to record the unrecorded.

### **Oceanography**

Arabia, being a barren peninsula, had to find its way in the seas for trade and

commerce with Egypt, Abyssinia, Syria" Persia and Iraq. The fertile areas in Arabia including Yemen, Yamama, Oman, Bahrain and Hadramouth were situated on the coast which made the Arabs a seafaring nation. Arabs planned sea routes to contact the outside world for their commercial ventures. The advent of Islam served as a fresh stimulus to their adventuring spirit and the *Hajj* to Mecca was another factor which added to their geographical research and knowledge and experience both in the sea and on the lands. *Hajj* provided an opportunity for a great international conference and assembly each year from the far-flung countries of the world. The Muslim mind employed its researches and inquiries towards the invention of one Mariner's compass which they invented and used for navigation. It opened vast oceans for their enterprising voyages. The Arab researches now came out into the open ocean and moved about in the Atlantic as well as in the Pacific. They circled the African continent and touched even the shores of the new world. Now the frail boats were replaced by larger sailing ships and the Arabs, with the help of the compass and other marine instruments, braved the stormy seas' From the ninth and tenth centuries the Arab researchers produced a vast amount of travel and geographical literature which ultimately paved the way for later exploration and discoveries by the Western explorers. Al-Ya'qubi, Jayhani, al-Idrisi, Abu Zaid Balkhi, al-Asthakhri, Mas'udi, al-Maqdisi, al-Biruni, Ibn Jubair, Yaqut, Ibn Batuta and others produced their research works and taught the world new knowledge about the geography of the world. Al-Idrisi made a world map and his book on geography served as an important

reference work for three centuries for European geographers. Ibn Hauqal described the earth in length and width and made known the Islamic provinces of the world by means of maps. The Muslims made geography an in-teresting science and wrote encyclopaedias and dictionaries on geographical knowledge. The accounts of Ibn Batuta's explorations are one of the most interesting travelogues ever written. Their contributions to cartography is well known. They were more advanced than Ptolemy and their maps were superior to those of Ptolemy. They used maps for geographical instruction. One of the earliest cartographers or map-makers was al-Khawarizmi. Balkhi school had a world map in its atlas. Al-Biruni made a round map of the world to illustrate the position of the seas. He described the method for the projection of the maps of the sky and the earth. Idrisi made seventy maps of climatic divisions.

### **Nautical Sciences**

The Islamic history provides ample evidence of such research projects in all fields of sciences. Nautical researches continued during the Umayyads who were faced with the Roman forces in the West. Shipbuilding factories were established in Egypt and Syria. 'Akka, on the Syrian coast, was made the chief research centre for shipbuilding. In order to check the assault of the Romans, Mediterranean islands were occupied and were garrisoned. A similar shipbuilding factory was built in Tunis by 'Abdal-Malik b.Marwan. Many new canals were dug for navigation and irrigation purposes. The Tigris, the Euphrates and Persian Gulf became areas of research and empirical knowledge in commerce and

trade and in communications. The 'Abbasids further developed marine and nautical research. They sailed from the parts of Iraq and Arabia to the Persian Gulf, Indian Ocean, China Sea, Red Sea and the Abyssinian Sea.

It was through these researches that the Arabs became a great naval power and the Romans had to surrender and retreat. The Fatimids who came into power in North Africa in 296 A.H. and gradually became the supreme power in Sicily, Egypt and Syria attended to nautical progress for the protection of the sea routes. Tunis was now highly improved. In Tunis, factory for battleships was founded where the destroyers were built and equipped with scientific weapons.

The Muslims developed charts and maps for navigation. Lighthouses were constructed for the guidance of ships. Because of heat and torrid winds Arabs usually sailed in the nights and the stars were the only guides. They used their compass to determine the direction of movement when sailing the seas. Thus sophisticated instruments were used for navigation which also indicated the altitude of the polar stars and thus determined their courses and positions. They constructed the shipbuilding yards in the empire and developed trade with the Far East and Africa. The North African town of Qairawan was the centre of learning and research for a long time. Muslims reached south Chinese ports as early as 787 C.E. They reached Canton in the tenth century C.E. from where Muslim vessels passed towards the North-East as far as Korea, Japan and the Philippines islands. In the south, Sumatra, Java, Malacca and other islands

of the Pacific were discovered by the Arabs and Muslim navigators. Thus their research and experiments in the nautical sciences were equally splendid.

### **Discovery of America**

The Muslims discovered America long before Columbus or Lief Erikson. William Cullen Bryant wrote an article entitled "Pre-Columbian Voyage Westward... Arabian Sailors On The Sea of Darkness" which was published in the Scribner's "History of the United States" (chapter IV P. 64) in which he deals with the dis-covery of America by the Arabs. Professor M.D.W. Jeffreys also wrote a similar article entitled "Pre-Columbian Arabs in the Caribbean". He was a leading South African anthropologist at the Witwatersrand University. He claims that the Arabs discovered America five hundred years before Columbus could reach there. He bases his arguments on the discovery of the Negro Hamitic (Berber) skulls in the Rio Grande River. The theory of Columbus's discovery is false. He says that by 1000 C.E. Arabs had commanded the Mediterranean, were well established on the West coast of Africa and had settled in America. Columbus, too, found small colonies of Negroes in Darien Isthmus who were descendents of Arabs or Arab slaves. The discovery of Hamitic skulls in the caves of Bahama Islands and African root crops in the Carribean lends evidence to his theory. Kurd 'Air also printed his article in the Arab world magazine in New York (1963). The book "Arab Civilisation" printed in Saudi Arabia and the article in the Lebanese-American Newspaper and in a number of other books of Arabic origination shed sufficient light on this issue.

Was the discovery of America possible without the knowledge of astronomical and mathematical geography or without the accurate determination of the geographical latitudes, longitudes and degrees of places and was the navigation in the Atlantic possible without sophisticated nautical instruments? The answer is in the negative. The present inferiority complex has completely destroyed the creative energies of the Muslims who in the modern world and in this scientific age have been taught by the western teachers that Muslims do not know anything. They had borrowed everything either from the Greeks or from the West. This kind of complex can be dispelled only by coming into contact once again with the research institutes and by the revival of relations with knowledge.

### **Astronomical and Mathematical Geography**

The Muslim scholars also contributed to astronomical and mathematical geography and stimulated the broader intellectual movement which commenced with the advent of Islam. Four great research centres, institutes and libraries (Egypt, Baghdad, North Africa and Spain) contributed their shares to the various fields of knowledge. The Muslims all over the world face the Ka'ba (Mecca) in their prayers. This religious duty made it incumbent on the Muslim astronomers, mathematico-geographers to determine the accurate geographical latitudes and longitudes and the degrees of places so that the worshippers may not err. The precise knowledge of latitudes was used in the design of horizontal sun-dials which were constructed with regard to the latitude of a particular place.

### **Mathematics**

The Arabs were keen students of mathematics. Their contribution to the development of mathematics is great. Algebra, statistics, conic sections and other branches of applied mathematics are the discoveries of the Muslims. They were indisputably the founders of plane and spherical trigonometry which properly speaking did not exist among the Greeks. They for the first time applied Algebra to geometry. They discovered equations of the second degree and developed the theory of quadratic equations and binomial theorem. Another of the most important contribution was the use of cipher and zero and the Arabic numericals which are so important for the sciences of calculation.

### **Astronomy**

The greatest discoveries are about the movement of the solar system and other astral bodies. They ascertained the size of the earth, the variation of the latitudes and the succession of the equinoxes. Abul Hasan discovered atmospheric reflection. The greatest success of the astronomers of al-Mamun lay in their measurement of the length of terrestrial degree which was fairly accurate. The astronomical tables of al-Khwarizmi became the model for such works both in the East as well as in the West. The earliest Spanish astronomer edited and corrected the astronomical table of al-Khwarizmi.

### **Agricultural Science**

Their researchers were not merely confined to the nautical activities but also to agriculture, commerce and industry. These areas are subjects of great research in modern times and world agencies are devoted to promoting them.

The Arabs paid attention to research in agriculture. Egypt, Syria, Iraq and Hijaz had introduced beneficial measures in agriculture. They attended to the cultivation of the plants and to breeding animals and cattle. To them the modern world owes the introduction of the great products like rice, sugar, cotton and nearly all the fruits as well as many less important plants like spinach and saffron. To them the Western culture owes the introduction of silk and the Egyptian system of irrigation by floodgates, wheels and pumps.

### **Commerce and Industry**

The Muslims, during the modern times, are considered to be backward in commerce and they, whose markets are mostly monopolised by foreigners, are those who once commanded world trade. Their ships and caravans loaded with all sorts of merchandise reached the distant parts of the known world. They supplied goods to Europe and exported textiles, potteries and perfumes and rugs to the Far East, Europe and Africa. The Arab merchants reached the ports of the world and frequented the routes leading to India, China, Central Asia, Russia and all parts of Africa. The large amount of Arabic coins found in European countries including Scandinavia, Finland, Russia, the British Isles, Baltic States and even as far as Iceland bear testimony to the sphere of influence which Muslim commerce had achieved in Europe. The Arabs opened up land and sea routes to India, China, Africa and America. All the achievements were the results of hard work and constant research in the field of maritime agricultural and commercial activities. Similar attention was paid to the industrial researches.



Industries were developed in the Muslim empire. Their finished products were viewed with wonder at the imperial courts of Europe and Asia. The watch presented by Harun ar-Rashid to Charlemagne was regarded as an object of wonder. Their manufactured goods had captured the markets of the known world and their fabrics formed the favourite dresses of the imperial houses of Europe.

The West has always taken pains to slight the importance of Muslim achievement. The genius of the Arabs, who formed the vanguard of human civilisation during the medieval times, manufactured novel things supplied to the known world. All kinds of factories were put up in the Islamic world. The Soap factory in Basra, the paper industry in Iraq, the carpet industry in Persia and the silk industry in Kufa were world famous. Metal, glass, wool, silk works and gold embroidery were known. Mines were worked in almost all the Muslim countries.

All these achievements in various fields of knowledge are convincing evidence to the present generation of Muslims that their past was dynamic only because they were connected with the *Iqra* circuit of the Qur'an and they explored all possible avenues and fields in the spiritual and the material life of man as was directed by the Qur'an and *Hadith*. At no time of their glory did they ever forget or dis-associated themselves from their books, research libraries and research institutes. Today the Muslims have lost their research routes and therefore they have lost the tract of glory and are now merely the carbon copies of the imitation models of the West - far removed from their own creative brains,

which had stirred the revolution in knowledge and had maintained the dynamics of research in the sciences as well as in the humanities.

### **Philosophy**

The Umayyad period witnessed the rudiments of many religiophilosophical movements. In the first half of the eighth century, Basra was the intellectual capital of Islam, and in that city we find the first traces of a sect which maintained the principle that thought must be free in the search of truth. Thus started the *Mu'tazila* Movement, which flourished in Basra and upheld the doctrine of free will - a doctrine opposed by the orthodox group called the Jabrites. Mu'tazilism denied the existence of the Divine attributes - power, wisdom and life - on the ground that such qualities, if conceived as eternal, would destroy the Unity of God. "Murjites suspended judgement against believers who committed sins and hesitated in declaring them as infidels. They were, however, nonconformists.

During the 'Abbasid period the field of philosophy produced such versatile geniuses as al-Kindi al-Farabi and Ibn Sina. As Muslims these and other philosophers of time believed that the Qur'an and Islamic theology were the summation of religious law and experience. Their original contribution, therefore, was made in the borderland between philosophy and religion, on the one hand, and philosophy and medicine, on the other.

In the realm of philosophy, the Arabs of Spain did contribute no less than their brothers in faith in the East. The main task of the Spanish philosophers was to reconcile religion and reason. The thinkers

of Cordova successfully performed this task of reconciliation and passed their heritage on to medieval Europe. The earliest Spanish philosopher was Solomon bin Gabriel. His main work is *Yanbu' al-Hayah*. It played a great role in medieval scholasticism. In the twelfth century, Ibn Bajja flourished in Granada. In his treatise, Ibn Bajja indicated the way how man can attain union with the Divine. This idea was further developed by Ibn Tufail who, in his principal work on philosophy, proved that human beings unassisted by any agency may proceed by degrees nearer the Supreme Being. Ibn Rushd synthesised the thoughts of Aristotle with Muslim thought and heralded the Renaissance in modern Europe. Ibn 'Arabi stands prominent in the Sufistic branch of philosophy.

### **History**

The Arabs had a natural liking for history and took endless pain to collect historical data and test their accuracy by certain standards that worked all right when applied to their own sources. The writing of history and biography began at a period when the Arabs were curious to know the history of the Prophet and this perhaps led them to the culture of history in those days. The desire of the early Caliphs to scan the proceedings of kings and rulers before their time, the interest of the believers in collecting the old stories about the Prophet and his companions - which stories became the bases of later books on biography (*Sira*) and conquests (*Maghazi*) - the necessity of ascertaining the genealogical relationship of each Muslim Arabian in order to determine the amount of stipend he received from the public treasury, the elucidation of pages in Arabic poetry and

the identification of persons and places cited in religious works, the anxiety of the subjects to record the past achievements of their races as a counterpoise to Arab chauvinism - all these provided the stimulus for historical researches.

The Muslims made much progress in the field of history during 'Abbasid period. Ibn Ishaq wrote *Sirat Rasul-Allah*, Ibn Sa'd and al-Waqidi were two biographers of the Prophet, and his companions. *Futuh al-Misir* is the earliest document of the conquest of Egypt, North Africa and Spain. Al-Baladhuri was the first to write in detail about the stories of the conquests of various cities and land, thus ending the era in which monograph was the typical form of historical composition. However, the greatest historians of the period were at-Tabari, al-Mas'udi, al-Miskawaih and Ibn al-Athir.

In history Muslim Spain made a gigantic stride and achieved wonderful success. One of the earliest and best known historians was Ibn Qutaiba. His *Tarikh Iftitah al-Andulus* is his monumental work. Ibn al-Khatib and Ibn Khaldun stand prominent in literary accomplishment and historical comprehension of Islam in the West. Ibn Khaldun's history is a masterpiece of historical criticism, on the effect of environment on national development, and an introduction to philosophy of history.

### **Culture and Civilisation of Man**

In pursuance of the injunctions of the Qur'an and *Hadith* on knowledge, education and reflection on the natural phenomena, the Muslims of early ages spread throughout the world for acquisition of knowledge and made a tremendous

headway in every branch of learning. They were the first who founded regular institutions in the form of schools, colleges and universities for advancement of learning and established stupendous libraries. Commentators of the Qur'an, traditionalists, theologians, jurists, scientists, astronomers, biographers, historians and medical men flourished in great numbers and left indelible marks on the pages of history. Their voluminous books and interesting treatises now form the chief treasures of modern civilisation. The jurists like Abu Hanifa, Shafai, Malik and Ahmad and Abu Yusuf, the traditionalists like Bukhari and Muslim and others, the thinkers like al-Ghazali the philosophers and scientists like Ibn Sina, Ibn Rushd, al-Biruni and others, the *Sufi* poets like Sa'di, Hafiz, Rumi and others, the artistic poets like Mutanabbi and 'Umar Khayyam are a small fraction of the galaxy of the talented men that appeared under the guidance of the Qur'an and *Hadith*.

Abul Hasan invented the telescope; Ibn Yunus of Cairo invented the pendulum and measurements of time; Abu Musa Jabir invented Algebra; al-Kohi wrote on the movements of planets; Ibn an-Nabti wrote on optics and Abul Wafa wrote on trigonometry. In short, the Muslims founded a civilisation on the basis of Qur'an and *Hadith*, that is, the marvel of the modern world and left behind legacies of learning which are invaluable to us, established fountains of knowledge and wisdom from which we now drink with relish and gave us varied spiritual and intellectual food which now form our daily menu of research.

In the light of the foregoing discussion, we feel assured that Islamic culture and civilisation will most certainly

steer the course of man's culture and civilisation and will preside over his destiny.

## II

### **Libraries serving as the Nucleus of Intellect in Muslim Society: A Survey of the Muslim Devotion to Books and Knowledge**

The discoveries, experiments and observations, as stated earlier, were not possible without vast libraries and rare books. Libraries in Islam were not merely warehouses of books but also centres of teaching and institutes of research. The first academy of knowledge was *Bait al-Hikma* which served as a library as well as a centre of teaching. Libraries played a very important role in the intellectual upliftment of the community. Scholars from far-flung areas would visit the library. The library of Yahya al-Munajjim specialised in astronomy which had led the Muslims to the discoveries of many physical and maritime sciences. Ja'far b. Muhammad b. Hamdani Musa established a *madrassa* and a huge library for research.

Muslims had developed a love and reverence for books because the books were the honest companions and guides of man. People would offer books as gifts. Al-Jahiz once presented a book entitled "Sibawaih" written by al-Kisai to Muhammad b. 'Abd al-Malik. Jahiz had a large collection of books and it is said that he died under a heap of books when it fell on him during his old age. The collection of books was a passion for Muslims. The Khurasan army once plundered Ibn al-'Amid's palace but did not destroy the books. Ibn 'Amid was quite happy as his books were safe. It did not matter to him that the palace was ruined. As-Sahib. 'Ibad had such a love for books that he declined to accept the

premiership offered to him by Nuh b. Mansur for the simple reason that he was unable to remove all his books to his new place. His books required four hundred camels for removal. He declared that he could not live without his books. Banu 'Imar in Tripoli had employed agents to import books from abroad.

Collection of books too had become the fashion of the day in Spain. The ruler of Cordova imported books from the East and requested Abul Farj Asfahani that the first copy of his famous book *al Aghani* should reach him before anyone else gets it. He donated ten thousand gold coins to the author. Libraries and collection of books had become prestigious symbols like cars and mansions are today. The construction of spacious libraries had become a hobby of the Muslims. The Fatimid library in Cairo had forty rooms with a capacity of storing eighteen thousand books in each room. The library of 'Izz-ad-Daula in Shiraz was a huge one. The great library of Cairo, *Dar al-Kutub*, was the busiest centre of knowledge and research. The library of *as-Sahib* b. 'Ibad had ten volumes of catalogues. The *Khazanat-al- Hikma* library in Iraq had six thousand books. The catalogues of *al-Mustansiriya* and of the Fatimid library were scientifically arranged. The library of al-Hakam in Spain contained fortyfour volumes of catalogues.

These libraries also served as archives where important papers, manuscripts and documents were preserved. Ibn Khaldun had deposited the manuscript of his famous book *al- Ibar* to the library of the Qirwan University which was loaned to the readers after heavy safe deposits as security.

The staff of the library was usually well educated and librarians were employed on merit of scholarship. The great scholars of the time served as librarians. Sahl b. Harun Sa'id b. Harun and Salamm were the famous scholars and librarians of the *Bait al-Hikma* of Baghdad, Ali b. Muhammad was the librarian of the Fatimid library. The famous historian Ibn Maskawaih served as librarian in Ibn al 'Amid's library. The library of *Khazana Sabur* was also headed by great scholars. The librarians of *Madrassa Nizamiyya* were also world famous scholars.

Muslims have always piloted the movement of knowledge and research. Today, books in various world languages are being translated into different languages. The Muslims performed the translation works efficiently long ago. They translated Sanskrit, Greek, Persian and Syrian books into Arabic. Ibn an-Nadim's *al-Fihrist* mentions the names of such translators.

Khalid b. al-Walid was the first who ordered the collections of books. His area of specialisation was chemistry and medical science. He hired many translators. The art of translation reached its climax in *Bait al-Hikma*. Harun ar-Rashid had the books in Ankara and other places translated. Ma'mun ar-Rashid imported a large number of books from various countries and had them stored in *Khazanat al-Hikma*. A staff of skilled translators worked in all libraries. Among them were also the scribes and copyists who would copy different books. They were, in other words, the substitutes of the modern press. Each library had scribes who would copy the non available editions of the rare books. The library of Banu 'Ammar in Tripoli had 180 scribes in order to copy the manuscripts. Bookbinders

were also employed in the libraries so that books could be preserved neatly. Professor Adolf Grohmann in his book "The Islamic Book" gives valuable information. The leather factory was established in Kufa for producing fine leather for book binding. This shows the love and reverence of Muslims for books and research.

Libraries were financially well-off. Large trusts and *awqaf* were made available to them for maintenance and development. Translators were well paid by the Caliphs. Harun ar-Rashid would give his translator Hunain pure gold equal in weight to the book translated. Al-Wathiq gave three hundred thousand dirhams to Yahya b. Maswiya for similar services.

In order to pursue their research projects in all fields of knowledge, Muslims developed three kinds of libraries, namely, the public, the private and the official libraries. Public libraries were usually attached to the Mosques and *madaris*. They were accessible to all sections of the public. The first public library in Islam was *Bait al-Hikma*, founded by Harun ar-Rashid and developed by Ma'mun ar-Rashid. Yahya b. Khalid was made in charge of it. He invited scholars from India, Iran and Byzantine to translate books. The victorious armies and kings normally destroy books as they would destroy everything else in the conquered areas. But Ma'mun ar-Rashid in his treaty with the defeated Byzantine kings asked for books and not for territories. *Bait al-Hikma* was the largest research centre in the world of Islam until the sack of Baghdad in 1258 when the library was destroyed by the combined forces of the Crusaders and Mongols. *Haidri* Public Library was attached to the tomb of 'Ali (4th Caliph). It contained rare books and manuscripts in Arabic and

Persian. They were mostly Unicum MSS written by the authors themselves. It also contained one copy of *Nahjat Balagha* which has been attributed to 'Ali the forth 'Caliph of Islam.

The public library of Ibn Sawwar was a great research centre. The boarding and lodging of scholars were free. Scholasticism was the area of specialisation in this library. *Khazana Sabur (Dar al-'Ilm)* was one of the best in the Muslim world. It was situated in the locality of Karkh in the city of Baghdad. It had ten thousand and four hundred books mostly unicum MSS. It was a centre of debate on academic issues. Abu-I 'Ala al-Ma'arri frequently visited the place for his research. *Dar al-'Ilm ash-Sharif ar-Radi* in Baghdad was a famous library. It was scientifically arranged. The library of the Zaidi Mosque was also a notable public library for research and reading.

*Dar al-'Ilm*, the famous Fatimid Library in Cairo, was also another centre where scholars frequented for research. It was decorated at the time of inauguration. Famous astronomers worked here. Linguistics, phonetics and medical sciences - among other sub-jects - were developed in this library. Pens, papers and ink were freely distributed to scholars without any charge. There was a great auditorium for academic debates. This library flourished until the Fatimids ruled or until the beginning of the Sixth century A.H. (1200 C.E.)

All the Islamic *madaris* were well equipped with research libraries. Nizam al-Mulk established libraries in all *madaris*. *Madrassa Nizami*, Baghdad, was the greatest University of the time. The *Madrassa al-Mustansiriyya* had a good library with eight thousand books. It

contained the fourteen volume *Tarikh-i-Baghdad* written by the author himself. The *madaris* in Damascus were also provided with libraries. Its medical school contained books on medicine. Al-Qadi al-Fadil donated one hundred thousand books from his library in Cairo. Qutb ad-din Nishapuri donated all his books to his *Madrassa 'Aliyya al-Kubra*. Sharf ad-Din b. 'Urwa donated his books to *Dar al Hadith al-'Aruba*. Thus, all great libraries received great donations of books by the lovers of knowledge who loved to push the territory of research and knowledge forward. These donations aimed at promoting research and knowledge in the Islamic world and were designed to comply with the Qur'anic injunction "*Iqra*." "This sublime taste is dead today among the Muslims and there is no hope of revival without reviving the taste for reading and research.

The official libraries were mostly in the palaces of the kings or Caliphs and were not accessible to all the members of the public. Only great-men with official permission could have access to these libraries. Such libraries were, in fact, the personal properties of the kings and the Caliphs who themselves aspired to be great scholars of the time, for scholarship was the symbol of prestige. Many official libraries existed. The library of Nasir-ad-Din (well stocked with rare MSS). of Musta'sim Billah and of Fatimid caliphs were quite noted. The latter contained two thousand and four hundred editions of *Tarikh Tabari*. According to Abu Shama, it contained one million books; 'but according to Maqrizi, it contained sixteen thousand books. The Fatimid library was considered as one of the wonders of the world. It was unfortunate that this library was also destroyed by the invading enemies.

Private libraries had also good collections of books. There was hardly any scholar without a personal library of his own in the Muslim world. The number of the libraries, therefore, went with the number of scholars. The libraries of al-Fatah b. Khaqan, of Hunain b. Ishaq, of Ibn al-Kashshab, of al-Muwaffaq, of Jamal-ad-Din al-Afghani and others were the noted research institutes.

The institutes and the libraries enumerated earlier were only few among the many. They illustrated the taste of the *Iqra'* community. It was in these libraries that research projects were carried out and which had enabled the Muslims to accomplish the inconceivable and invent new things as stated in the foregoing pages. Ever since the relations of the Muslims with the books, libraries and research centres have been broken and severed, they have been rendered a community of imitators and borrowers rather than creators and inventors. The purpose of all these details is not to narrate merely the history of libraries and research centres but to arouse the consciousness of the present generation of Muslims to reflect on their past commitment to knowledge and faith which maintained the dynamics of Islam and to compare them with their present in-difference and apathy. Islamic Renaissance is not within sight unless the Muslims come back to faith and knowledge, a Divine condition for resurgence (58: 11). The inertia of the initiators cannot be broken unless the Muslim *Umma* is spoused once again to the longitude and the latitude of the Qur'anic injunctions: *Iqra-bi-ism-i-Rabbik*, in order to make further contributions to the advancement of knowledge and human civilization and culture. ■

## Divorce

- Syed Athar Husain

As we have already seen, Islam has taken all possible measures to make marriage a happy companionship and a solid foundation for continuous harmony and mutual satisfaction. To recapitulate these measures it may be mentioned that:

(1) The two parties have been advised to acquire a fair knowledge of each other, particularly their way of life, their manners and traditions, the standards of their living, their education and up-bringing decency and behaviour before the marriage. In particular, they are to ensure that the proposal is not activated by any immoral, deceptive or exploitative behaviour.

(2) Man in particular is exhorted to choose his partner of life on the basis of her permanent values. i.e., religious devotion and piety, moral integrity and character etc., and not on the basis of her wealth and family prestige or mere physical attraction.

(3) Women is given the right to make sure that the proposing man is a suitable match worthy of her respect and love and capable of making her happy. She may reject the proposal of a man whom she finds below her level and unfit for her for that would hinder the fulfillment of her obligation as a wife and may

even break up her would be marriage.

(4) The consent for the parties is essential. Even a father giving away her minor daughter has to act in her best interest and if he fails to do that the marriage can be revoked by her on attaining majority,

(5) The marriage is to be solemnised in public and to be celebrated in a joyful manner. Testimony of two witnesses is essential.

With all these safeguards and measures, marriage should make a happy companionship. But Islam takes a realistic view and makes provisions for unexpected events for man's behaviour is changeable and at times unpredictable. Marriage, as said before, has decent and noble purposes. Which have to be fulfilled. "Islam does not recognise or accept any marriage which is not functional or effective. There can be no nominal or idle marriage. Marriage is too solemn a contract to be stationary or non-effective". There is no point in keeping a nominal and worthless contract or only an appearance thereof. A man or a woman would be only deceiving himself or herself if they have to maintain pretence and are tied down to a vow which cannot be honoured. When serious differences or obstacles

arise in the way which cannot be overcome by reconciliation, the contract has to be terminated by divorce with conservation of the rights of the parties concerned. In such a situation divorce is applicable but it has to be last resort as the Prophet has described it as the most detestable of all lawful things in the sight of God.

There is much hullabaloo about the provision of divorce in Islamic laws, particularly in quarters who are ignorant of the detailed priorities in this regard or are out to defame Islam by any means possible. The so-called English educated people who have never cared to look at Shariat Law and have the foggiest notion thereof join the ranks of detractors to demonstrate their modernity. Much is said against the uncontrollable right of a husband to divorce his wife by pronouncing the statement of divorce three times in a row. They have never bothered to analyse the position and the objective behind it.

Before taking this final and desperate step, the Quran exhorts man to make serious attempts at reconciliation in the following order:

(1) The partners must try to settle their disputes and solve their problems between themselves;

(2) If they fail, two arbitrators, one from the husband's side and the other from the wife's side should be

commissioned to settle the differences between the two. God commands as follows:

"If you fear a breach between the couple, then appoint an arbiter from the man's family and an arbiter from the woman's family. If the two (man and wife) desire to reach a settlement, God will effect a reconciliation between them."

(Q. 4 : 35)

(3) If their efforts also fail, divorce may be applied. Muhammadan law concedes to the husband the right to dissolve the marriage as his uncontrolled option and the wife may do so if a stipulation to that effect had been made in the contract, otherwise she has to get the marriage annulled through the court.

Hindu Law does not provide for divorce. Hindu women suffered from a number of disabilities, chief among them being monogamy for women only but not for men, adoption of son could be made by men only but not widows and women could not inherit property. The Government of India realised the ignominy of women and the discrimination and hardship that Hindu Law imposes upon them. They brought out a number of enactments in the recent past. The Hindu Marriage Act introduced monogamy. The Hindu Succession Act enforced property rights on women, on widows and daughters in the presence



of sons. Hindu Minority and Guardianship Act is another ameliorative measure.

In his address delivered in a Seminar on "Women's Rights and Social Justice" held at Kanpur on September 15, 1985, the Chief Justice of Allahabad High Court said: "History presents a strange paradox. The Hindu women, on one hand in society had been glorified and lauded to sky; but on the other hand they were also treated by Society as mere objects for men's carnal satisfaction." Mere enactment of laws does not go far. Unless social consciousness is aroused and moral preparedness is achieved, centuries old traditions do not die out. Man made laws do not generate fear of God and unless there is fear of God people go on perpetrating cruelty and atrocities and shameful acts. The Chief Justice mentioned that in a single locality of Chamanganj of Kanpur ten thousand women were in colossal distress as victims of family and social injustice."

How has the Hindu society got over the difficulty that Hindu Law does not permit divorce. A section of it has resorted to the most heinous, inhuman and bestial act of burning the bride alive. That the gruesome murder in the most painful way is not committed by the husband in an overpowering rage or under vengeance or grave provocation, it is a cool and calculated crime against

humanity to which the whole family either acquiesces or actually abets. The poor hapless victim may beg for mercy but in the absence of fear of God and with deadened conscience none in the family listens to her hair-raising cries' and most pathetic requests.

It was broadcast in the National Programme of Indian Television on September 15, 1985, that in Delhi alone as many as 611 brides were burnt alive as reported to the Lok Sabha. If it is any indication, the all-India figure for a year will be staggering and colossal. In many cases, the young brides are so harassed that they prefer to commit suicide. The harassment is mostly due to the grouse of the husband's family that her parents could not afford to give larger dowry and this grouse is entertained even after requisition of considerable money by way of Tilak from the wife's father.

In virtually every known society and religion, there are ways to terminate a marriage. Some have enacted special laws for the purpose and they are being increasingly liberalised. There can be only two ways of termination of a marriage-either exercise of power conferred on the persons themselves by law or as stipulated in the contract or it can be obtainable by interference of the court on behalf of the wronged party. In the latter case justification for the termination has to be proved. Generally,

only two grounds are accepted as justification, that is, adultery and cruelty. When the ground is adultery, it is so humiliating to human dignity and detrimental to morality that a person should commit adultery or pretend to have committed adultery in order to obtain a divorce. In most cases people are not divorced because they have committed adultery but they commit adultery or pretend to have committed it just to obtain a divorce. Cruelty can exist and some people may be prone to do it but in most cases highly exaggerated versions are given and recourse to falsehood is taken to achieve their purpose, at any cost. Where adultery has to be proved, much dirty linen is washed in public and more often than not the character of the woman is slandered and her reputation becomes mud. It is not necessary for Muslims to separate from his or her partner some years before divorce be granted nor is the granting of divorce conditional on adultery. Many systems endorse separation which can and certainly does involve immorality. The couple continue to be officially married without enjoyment of marital relationship or fulfilling of any obligations to each other. The partners are tied as tightly as they can be but these are so loose that no restrictions can affect them. What a blot to morality and how high the price they have to pay. Islam provides capital punishment for adultery. It can never

accept or endorse such a system.

In many cases it is good for both the partners to end the farce of marriage. They are the cases where the two partners are incompatible in temperament, where unfaithfulness on the part of any partner has soured their relations, where bickering and distrust is the routine of the day and where the whole atmosphere of the house gets sullied by frequent quarrels and bickering, where it is having baneful effect on the children and their upbringing. In such a situation, where mutual agreement is ruled out or reconciliation through arbiters is either not resorted to for it requires the consent of both the parties or where it has failed, is it not necessary and useful that the partnership should be broken in a dignified and graceful manner without forcing any person to lower his or her dignity and gathering a blot upon morality? In Islam the whole marital context from beginning to end is centered around and oriented to the belief in God. The Quranic verses dealing with divorce are not dry legal stipulations, they commence and conclude with moral exhortations of a high order. The moral commitments of the parties extend far beyond the divorce date and the entire question is incorporated into a highly moral system.

The dissolution of the marriage by the husband is called *talaq* which means repudiation, divorce. The

husband cannot exercise this right unless he is of mature age and possessed of understanding.

Talaq is of two kinds: (i) *rajai* or that which permits the husband resuming conjugal relations and (ii) *bayen* that which separates. The first is revocable and the latter is irrevocable or absolute. A divorce which is revocable in the beginning becomes irrevocable if the period of *Iddat* or probation is allowed to lapse without the husband having revoked it either by express words or conduct.

In giving divorce, two things are important: (1) the words expressly used 'Or hinted. (2) the intention behind the act i.e. intentional or inadvertent.

### Conditions of Validity of Talaq

(1) The husband should be in proper state of mind. If a person given to epileptic fits, gives talaq in the state of fit, it will be invalid. If a person who is not used to intoxicants, takes some intoxicants not knowing its effect or as a remedy for some illness, and loses his balance of mind, a divorce given by him will have no meaning.

(2) The husband should be an adult. Divorce given by a minor husband is invalid.

(3) Divorce given under compulsion has no validity.

(4) The language used in giving divorce is important. It should be either

explicit or should imply the intention to give divorce. Mere act on the part of the husband will not constitute divorce by itself. If a person gives the *Mehr* to his wife, all her personal belongings and sends her to her parents home without uttering the words of *talaq*, it will not be a divorce. From a divorce given in writing, intention will be presumed whether it was intended or not. If a wife asks her husband to give her divorce and he does not say anything but raises his three fingers or breaks a thread it will not be taken as *talaq*. The case will be different if the husband is dumb.

Divorce given in jest and anger will be treated as valid divorce. There is a Tradition of the Prophet which says that in three things jesting is not allowed. They are marriage, divorce and manumission. Men cannot be allowed to trifle in such solemn affairs. But if the anger of a husband was in the nature of rage in which he had completely lost his balance of mind, divorce given by him will be void.

According to jurists *Talaq* can be of three kinds: (1) Semi-obligatory or *Wajib*, (2) Unlawful or *Haram*, (3) Loathsome. A husband is not permitted to divorce his wife for no reason.

*Talaq* is semi-obligatory on the husband if he is incapable of fulfilling conjugal rights by reason of impotency, etc., or cannot maintain his wife and incur requisite expenditure or the wife

has become apostate. In that case the wife can demand divorce and the husband is bound to give it. A divorce becomes unlawful or *Haram* if, as a result of it, the husband takes to adultery or a life of sin with the same woman or with some others. It also becomes unlawful if it becomes an instrument for denying lawful rights to others. A divorce is loathsome if it is given for no valid reason. It becomes commendable if the wife is immoral and has illicit connections, is insolent and ill-mannered and arrogant and has given up obligatory duties like prescribed prayers and fasting imposed by Islam.

There are two types of *Talaq-one* that is approved by Mohammadan Law and the other which is an innovation (*bida't*). In the approved form it is again divided into *hasan* and *ahsan*. In the *hasan* form the husband pronounces one sentence of repudiation during *tuhr* or period of purity of the wife and repeats it in successive two periods of purity. In the *ahsan* form the husband should pronounce during a period of purity and let the divorce become absolute after two successive periods of purity. This ensures that the action taken by the husband is not hasty or ill-advised. But if the husband makes the pronouncement while the wife is in menses or if the divorce is expressed in irrevocable terms i.e., 'I divorce thee irrevocably' or by pronouncement of

three sentences at one and the same time 'I have divorced thee' or by saying 'I have divorced thee three times,' the result will be irrevocable divorce though it is viewed with disapproval as being an innovation (*bida't*).

If the parties wish to remarry after an irrevocable divorce, the law permits them to do so but lays down a condition precedent. The woman has to marry another person and the second marriage has to be lawfully terminated after consummation and the period of probation on account of the second marriage should have expired. The purpose of this stringent condition is two-fold. The husband should realise that the divorce is not an ordinary matter but a very grave step and the second is that the woman gets an option whether to live with the second husband or with the first. The second husband cannot refuse divorce if the wife demands it.

In some cases the conduct of the husband will have the effect of divorce even though he does not pronounce it. This happens when he swears that he will have nothing to do with his wife and abstains from her society for four months. It is called *Alla* and its legal effect is a single irrevocable divorce. But if the husband only expresses his dissatisfaction by comparing his wife to the back of his mother or any other female relative within the prohibited degrees of marriage, it will not have the

effect of divorce but renders the husband liable to atonement (*kaffara*) for his improper behaviour. It is called *Zihar*.

### **Dissolution of the marriage by the wife**

As stated before, the husband can confer on the wife power of dissolving the marriage. The power thus given cannot be retracted. If he does so in exchange for money or property it is called *khula*.

*Separation*-Besides the authority of the husband to divorce or the delegated authority of the wife to do so, a marriage can be dissolved, in certain cases, by a decree of a court. It is called *furqat* or separation. If the separation is ordered due to a cause imputable to wife, it has the effect of *fiskh* or annulment of the marriage. The difference in the two lies in liability to pay *Mahr* or dower or observance of *iddat*.

If a divorced woman is not having courses due to young or old age or any other cause, the *iddat* is three lunar months.

### **Rijaaat or returning to the divorced wife**

*Rijaaat* means restitution; in law it signifies a husband's returning or taking back his wife after divorce and restoring her to former situation. This is permissible only if the wife has been

repudiated by one or two revocable divorces provided he does so before the expiration of her *iddat*. *Rijaaat* is of two kinds: one is express and other is implied. If the husband takes back his wife after expressing his desire in so many words, it is express. It is implied if he has carnal connection with her or takes conjugal liberties by viewing such parts of the body as are generally concealed.

In the event of divorce whatever has been given to the wife by her parents and whatever might have been given to her by her husband, all belongs to her and she can take them away with her. The verse 20 of Surah 4, God commands:

"If you wish to dispense with a wife for the sake of another, and if you have given her a talent of gold, do not take back aught of it. Would you have it by slandering her or charging her with an open sin."

A foolish question is sometimes asked: Why Islam grants to the husband alone the right to give divorce and not to the wife. The answer is obvious. The wife lives with and is maintained by the husband. If she was allowed to pronounce divorce, it would be she who would be leaving the husband's house and forgo everything that the law allows to a divorced woman. ■

## Obituary

- Obaidur Rahman Nadwi

Maulana Muhammad Zubair-Al-Hasan Kandhalvi passed away on March 18, 2014 at the age of 64 in New Delhi. Maulana was grandson of renowned Islamic Scholar Shaikhul Hadith Maulana Zakaria (RAH) and able son of Late Maulana Inamul Hasan Kandhalvi.

He was born at Kandhla on March 30, 1950. He memorised the Holy Quran under the guidance of his maternal grandfather Maulana Zakaria (RAH). He joined Mazahirul-Uloom, Saharanpur and completed his studies there in 1970. He had profound knowledge of Quran and Hadith. He served as Hadith teacher in Jamia Kashiful-Uloom, New Delhi. Besides he devoted himself to the cause of Dawa activities. Like his father, he also played a leading role in the field of Dawah. He was, without dispute, a great preacher of Islam. He proved himself as a great Dai by exhibiting extraordinary efforts and selfless service in the propagation of Islam. He was an influential and active member of Tablighi Jamat. Despite indifference health, he often travelled a lot for the sake of Dawah in India as well as abroad.

He had good rapport with noted Islamic scholar Maulana Abul Hasan Ali Nadwi (RAH). Later on he perpetuated this spiritual nexus with his successor Maulana Rabey Hasani Nadwi, Rector Nadwatul Ulama, Lucknow and President All India Muslim Personal Law Board.

A Condolence meeting was held in the grand Mosque of Nadwa. Maulana S.M. Rabey Hasani Nadwi urged students to study late Maulana's life and imitate sublime norms and good qualities left by him. Maulana Dr. Saeedur Rahman Azami Nadwi Principal Darul-Uloom Nadwatul-Ulama, Lucknow described him as a great Dai and he also called upon the students to adopt Maulana's methods of Dawah Strategy. Maulana S.M. Rabey Hasani Nadwi, Maulana S.M. Wazeh Rasheed Nadwi, Mr. Shahid Husain, Syed Sahban Saqib Nadwi and Hafiz Misbahuddin went to Nizamuddin, New Delhi to condole the death and offer solace to his family.

Thousands of his admirers from various parts of the country and abroad thronged to attend the last rites of the late Maulana. May Allah adorn his grave with luminosity and refulgence and great peace to his soul. Ameen! ■

## **Around the World**

### **TURKEY MARKS 17 YEARS SINCE 'POST-MODERN' COUP**

On February 28, 1997, the military effectively deposed the duly elected prime minister, Necmettin Erbakan, who had been in office less than a year, leading to the collapse of Erbakan's coalition government. It was Turkey's last military coup, and perhaps the most unusual. Though Erbakan remained in office a few months more, at least in theory, he became nothing but a cog in the military's wheel. The military forced him to sign a number of anti-Islamist decrees. The Turkish Army had long considered itself the guardian of the secular state, which is regarded as a legacy handed down by Mustafa Kemal Atatürk. The military had intervened in Turkish politics with some regularity, staging what it saw as "justified" coups in 1960, 1971, 1980 and 1997.

In 2012, Turkish Parliament established a commission to investigate military coups, most importantly the Feb. 28 coup. Turkey has been trying 103 people accused of involvement in the Feb. 28 coup, 76 of whom were jailed pending trial, for "involvement in forcibly overthrowing and toppling the government of the Turkish Republic." ■

### **MUSLIMS IN SPAIN DEMAND SAME RIGHTS AS SEPHARDIC JEWS**

A week after Spain ruled that Sephardic Jews who are descendants of the Moriscos and were evicted out of southern Spain between 1492 and 1609 can claim citizenship, a Muslim group has demanded that Spain gives Muslims the same rights, reports said on February 19. Muslims ruled Andalus in southern Spain from the 8th century till the 15th century, when the Spanish inquisition gave Muslim and Jewish residents three choices: to leave, convert to Catholicism or be killed. While many were slaughtered, those Muslims and Jews who were

able to escape fled to North Africa and parts of the Ottoman Empire.

The law potentially allows an estimated 3.5 million residents of countries where many Sephardic Jews eventually settled, such as Israel, France, the United States, Turkey, Mexico, Argentina and Chile, to apply for Spanish nationality. However, Muslims who were also expelled from Andalus have questioned why the same right has not been given to them. Bayi Loubaris, president of the Association for Historical Legacy of Al-Andalus, said the decision presents a confession of the "guilt of the Spanish State in expelling its own citizens," before calling for Muslims to be given the same rights. Spain's 1.6 million Muslims make up around 3.4% of the overall population, but only 464,978 are Spanish citizens. ■

### **Syrians set to replace Afghans as largest refugee population: U.N.**

Syrians are about to replace Afghans as the world's largest refugee population, fleeing a conflict where barrel bombs leave bodies in pieces and a generation of children are physically and emotionally scarred, top U.N. officials said.

U.N. Secretary-General Ban Ki-moon told the U.N. General Assembly that the world body would do everything to implement a U.N. Security Council resolution - adopted to boost humanitarian aid access - and get help to millions in need.

Some 9.3 million Syrians - almost half the population - need help, the United Nations said. Some 2.4 million of those people have fled the country during the three-year civil war.

"Five years ago Syria was the world's second-largest refugee hosting country. Syrians are now about to replace Afghans as the present biggest refugee population worldwide," U.N. High Commissioner for Refugees Antonio Guterres said ■

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