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Islamic Morality

S. Abul Hasan Ali Nadwi

Among the moral attributes which have particularly influenced the Islamic culture are hospitality, liberality and open-handedness. These qualities, again, are a heritage from Hazrat Ibrahim about whose generous reception of guests there has occurred the following verse in the Quran :

Has the story reached these of the honoured guest of Abraham ? (LI : 24)

Pilgrims and foreign chroniclers who had the occasion to' live, for any length of time, among communities, tracing their descent 'from him either racially or spiritually, have recorded most pleasant memories of their stay in this respect. They have invariably been impressed by their warm hospitality and friendly feeling towards guests and strangers. One can still notice in the countries of the Middle East, which have not yet been swept off their feet by the mounting tide of Western Civilization, glimpses of the hospitality that had enabled globetrotters-like Ibn-e-Batuta and Ibn-e-Jubair to enjoy the comfort and warmth of home during travel. The Indian Muslims in spite of their being placed so far away from the natural seat of Islamic Civilisation and the fact that Islam had reached their, country long after it had passed the peak of its glory, also are conspicuous for their cordial treatment of the guests. Hospitality is a part of the tradition of Muslim homes, and although modern economic conditions have put a 'curb on it, Muslims still feel happy on the arrival of a guest and consider it a source of good fortune and an Islamic virtue to entertain him open-heartedly. ■

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Wisdom of Qur'an

"The believers are but brothers." (49: 10).
 "The Believers, men and women, are protectors, one of another." (9:71)
 "But they have broken their religion among them into sects, each group rejoicing in its belief." (23:53)
 "And obey Allah and His Messenger, and do not dispute with one another lest you lose courage, and your strength depart, and be patient; surely, Allah is with those who are patient." (8:46)
 "If Allah willed, He would have made you one nation (religion) but that He may test you in what He has given you. So strive (as in a race) in good deeds." (5:48)
 "Truly, your nation is one united nation, and I am your Lord," (21 :92)
 "Verily this (your nation) is one nation, and I am your Lord, so keep your duty to Me." (23:52)
 "O mankind! We have created you from a male and a female, and made you into nations and tribes that you may know one another. Verily, the most honorable of you with Allah is the one who has piety." (49:13)
 And hold fast, all together, by the rope which God (stretches out for you), and be not divided among yourselves; and remember with gratitude God's favor on you; for ye were enemies and He joined your hearts in love, so that by His Grace, ye became brethren; and ye were on the brink of the pit of Fire, and He saved you from it. Thus doth God make His Signs clear to you: That ye may be guided (3: 103)
 Obey Allah and His Messenger and do not quarrel among yourselves lest you lose heart and your momentum disappear. And be steadfast. Allah is with the steadfast.(8:46) As for those who divide their religion and break up into sects, thou hast no part in them in the least: their affair is with God: He will in the end tell them the truth of all that they did. (6: 159)■

Pearls From the Prophet Mohammad (PBUH)

* Narrated Anas bin Malik: Allah's Apostle said, "Whoever prays like us and faces our Qibla and eats our slaughtered animals is a Muslim and is under Allah's and His Apostle's protection. So do not betray Allah by betraying those who are in His protection." (Sahih Bukhari, Volume 1, Book 8, Number 386) "
 * Nu'man b. Bashir reported Allah's Messenger (may peace be upon him) as saying: The similitude of believers in regard to mutual love, affection, fellow-feeling is that of one body; when any limb of it aches, the whole body aches, because of sleeplessness and fever. (Sahih Muslim, Book 032, Number 6258)
 * Narrated Abu Huraira: Allah's Apostle said, "Beware of suspicion, for suspicion is the worst of false tales. And do not look for the others' faults, and do not do spying on one another, and do not practice Najsh, and do not be jealous of one another and do not hate one another, and do not desert (stop talking to) one another. And O, Allah's worshipers! Be brothers!" (Sahih Bukhari, Volume 8, Book 73, Number 92)
 * Narrated Ubaida: Ali said (to the people of 'Iraq), "Judge as you used to judge, for I hate differences (and I do my best) till the people unite as one group, or I die as my companions have died. "And narrated Sad that the Prophet said to 'Ali, "Will you not be pleased from this that you are to me like Aaron was to Moses?" (Bukhari, Volume 5, Book 57, Number 56)
 * Narrated Abu Huraira: The Prophet (peace be upon him) said, "Whoever believes in Allah and the Last Day, should serve his guest generously; and whoever believes in Allah and the Last Day, should unite the bond of kinship (i.e. keep good relation with his kith and kin); and whoever believes in Allah and the Last Day, should talk what is good or keep quiet. (Bukhari, Volume '8, Book 73, Number 160)
 * "A Muslim is brother of another Muslim. He does not oppress him, nor does he leave him at the mercy of others." (Sahih Muslim Book 032, Number 6219)
 * The Prophet said, "None of you will have faith till he wishes for his (Muslim) brother what he likes for himself." (Sahih Al-Bukhari Volume 1, Book 2, Number 12) ■

Editor's Note 

RTE And NEP

India's national policy on education rides on many expectations, millions of dreams of its children, hopes and aspirations of its young people, waiting for the promises made to them by none less than the country's constitution.

To achieve academic equity, by far the most effective legislation came in the form of Right to Education Act 2009. It has been instrumental in ensuring access to quality education for the underprivileged. However, the implementation of the RTE comes into conflict with the autonomy and sustainability of the private institutions.

The NEP, in principle, strengthens the RTE as it takes care of the three important facets of the education delivery, namely the teachers, the students and the parents. The teachers will be better trained and the curriculum for the teacher-training is being reviewed and reformulated. The students will be taught via modern pedagogies and emphasis will be placed on development of technological skills. The parents will be empowered to access right institutions for the education of their wards, especially in the rural areas.

The RTE came into being in 2009 as a gap in the population's access to education as planned and as on ground was perceived. RTE aims to provide equitable access to quality education and the NEP aims to strengthen the educational infrastructure in the rural areas. If the rural areas and the small towns become self-sufficient in

providing education to their inhabitants, equitable distribution of education will become a more realizable goal.

The focus of the NEP is to not only ensure access like RTE, but to ensure access to quality education. Moreover, NEP goes a step ahead and unlike RTE focuses on addressing fundamentally the mode and methods of education.

The National Education Policy 2020, unfortunately, comes during an aftermath of unprecedented pandemic, with over fifty thousand new cases being recorded each day, millions displaced after loss of livelihoods, children locked out of schools, deprived of their mid-day meals, even dying of exhaustion while walking or being dragged hundreds of kilometres back to their villages.

It is not a matter of ignorance towards public wellbeing that is making the two malfunctions but it is the lack of consideration of variables like competent teachers, mid-day meals, infrastructural facilities, access in times when public gatherings are not allowed, and non-percolation of the object of the policies. Until and unless the government works towards these variables, the smooth functioning of RTE and NEP would be impossible. ■

S.A.

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Role of Muslims in The Struggle For Freedom

- S. Abul Hasan Ali Nadwi

Muslims in the Forefront

Muslims have played a very significant role in the national struggle for freedom. They have been in the forefront of it. It was, after all, from their hands that the British had wrested power in India. When British Imperialism was spreading its tentacles over the country and devouring one Province after the other, the first man to realise the gravity of the danger was the lion-hearted Tipu Sultan of Mysore. He saw clearly that unless determined efforts were made in time to thwart the nefarious designs of the greedy aliens, the whole of India would ultimately be swallowed up by them. With this resolve, he unsheathed his sword and jumped into a fierce, life-and-death struggle against the British exploiters.

Tipu Sultan's Crusade

Tipu Sultan made a valiant bid to unite the Indian princes against the British usurpers. He even wrote to Sultan Salim III of Turkey to join hands with him for the expulsion of the British. His whole life was spent in the struggle. He came on the verge of success, the English were about to be swept out of the land, but they managed to achieve through diplomacy what they could not gain by arms. They cleverly obtained the support of some rulers of the South and by the use of other methods of treachery and deceit brought to naught the patriotic ambitions of that gallant son of Mysore. Tipu Sultan was

finally killed in the thick of battle on May 4, 1799. He preferred death to a life of servitude under the British. His famous, historic, words spoken a little before he met his death were: "To live for a day like a tiger is far more precious than to live for a hundred years like a jackal". It is reported that when the British Commander, General Horse, received the news of the Sultan's death and went to inspect his corps he cried out in exultation: "From today India is ours".

The history of India does not tell of a braver patriot and a more uncompromising enemy of foreign rule than him. In his life-time he was the most hated man among the English. To give vent to their spite, Englishmen in India even went to the extent of giving to their dogs the name of Tipu. It continued to be like this with them for a long time.

War of Independence

The Indian sepoys in May 1857, rose in open revolt against the oppressive misdeeds of the British masters, against the contemptuous treatment meted out by them to their Indian subordinates, their insatiable lust for money and persistent violation of the religious sentiments of Hindus and Muslims. The sepoy uprising quickly developed into a national war with Hindus and Muslims fighting shoulder to shoulder for the emancipation of the motherland. The rebels marched towards Delhi, the seat of the last of the Mughal

Emperors, Bahadur Shah Zafar, and proclaimed him to be the spear-head of their struggle and the symbol of national resistance. Battles were fought all over India under his flag. He was the unanimous choice of the people and their rightful leader and ruler and Delhi, the nerve-centre of patriotic India.

Share of Muslims

Though the War of Independence was really and truly a national war in which Hindus and Muslims had participated freely and equally and India had not yet seen a more stirring spectacle of popular enthusiasm, unity and patriotism, its leadership was predominantly in the hands of Muslims. More often than not, the leaders of the movement, at various levels belonged to the Muslim community.

Vengeance of the British

After the failure of the movement, for reasons that are well known, the British took a savage revenge from the Indians and let loose a spate of fury which revived the memories of Chengiz Khan and Halaku. The rebels were ruthlessly pursued, caught and punished. There was ruin and desolation everywhere. The three young sons of the Emperor, whom the British themselves had given asylum, were killed by them so ruthlessly that it made even the Englishmen shudder. Thirty-three other members of the imperial family, including the old and the infirm, were also slain along with them. The aging Emperor himself was put to the severest indignity. He was tried for treason in

excessively humiliating circumstances and would have certainly been put to death had high English army officer not guaranteed the security of his life. He was exiled to Burma to spend the rest of his days in utter poverty and indigence.

Death and Desolation

As the victorious British army entered the city of Delhi the terrible havoc it wrought there provided eloquent commentary to the Quaranic verse that:

Kings when they enter a country despoil it, and make the noblest of its people the meanest: thus do they behave.

(-XXVII: 34)

The troops were given a free hand to plunder the city for three days and they made use of the opportunity with such enthusiasm that an English officer, Lord Lawrence, felt compelled to write to General Penny, who was the General-in-Command, in such strong words about the whole affair, "I believe we shall lastingly, and indeed, justly be abused for the way in which we have despoiled all classes without distinction".

For three days death and destruction reigned supreme in Delhi. People were slain indiscriminately, shops were looted, houses were burnt. Men, women and children fled the town in thousands. In the end, the city which, till yesterday, was the seat of Muslim splendour was reduced to shambles. A graphic account of the general ruin and spoliation is furnished in his memoirs by

Lord Roberts who had led the English army from Kanpur to Delhi. This entry bears the date, September 24, 1857, which means that it was made soon after the Red Fort of Delhi had fallen to the British. Wrote Lord Roberts:

“That march through Delhi in the early morning light was a gruesome proceeding. Our way by the Lahore Gate from the Chandni Chowk led through a veritable city of the dead; not a sound was to be heard but the falling of our own footsteps; not a living creature was to be seen. Dead bodies were strewn about in all directions, in every attitude that the death-struggle had caused them to assume, and in every stage of decomposition. We marched in silence or involuntarily spoke in whispers, as though fearing to disturb those ghastly remains of humanity. The sights we encountered were horrible and sickening to the last degree. Here a dog gnawed at an uncovered limb, there a vulture disturbed by our approach from its loathsome meal, but too completely gorged to fly, fluttered away to a safer distance. In many instances the positions of the dead bodies were appallingly life-like. Some with their arms uplifted as if beckoning, and indeed, the whole scene was weird and terrible beyond description. Our horses seemed to feel the horror of it as much as we did, for they shook and

snorted in evident terror. The atmosphere was unimaginably disgusting, laden as it was with the most noxious and sickening odours”.

Islamic Rebellion

It was, indeed, a general massacre, but the wrath seemed to be directed particularly against the Muslims, for many among the higher British authorities associated the uprising with an Islamic Jihad and believed that the moving spirit behind it were Muslims. To quote Henry Mead: “This rebellion, in its present phase, cannot be called a sepoy Mutiny. It did begin with the sepoy, but soon its true nature was revealed. It was an Islamic revolt”.

Another narrator of the dreadful drama says: “An English officer had made it a principle to treat every Muslim as a rebel. He would enquire from everyone he saw if he was a Hindu or a Muslim, and would shoot him dead right there if he turned out to be a Muslim” .

Mass Execution of Muslims

After Delhi had been subdued and the British control was firmly established over it, there began the public executions. Scaffolds were built on the thoroughfares and such places were treated as centres of entertainment by the Englishmen. They would collect there in groups to ‘enjoy’ the executions. Several localities of Muslims were totally wiped out. “Twenty-seven thousand Muslims were executed, to speak nothing of those killed in the general

massacre. It seemed that the British were determined to blot out of existence the entire Muslim race. They killed the children and the way they treated the women simply belies description. It rends the heart to think of it”.

Lord Roberts writing to his mother on June 21, 1857 remarked. “The death that seems to have the most effect is being blown from a gun. It is rather a horrible sight, but in these times we cannot be particular”. The purpose of this “business” was to show “these rascally Musalmans that, with God’s help, Englishmen will still be the masters of India”.

Price of the Struggle for Freedom

The Muslims, thus, had to pay most heavily for waging the struggle for freedom. The British held them to be the major offenders and decided that their future generations should also be made to bear the burden of their guilt. The attitude of the British bureaucracy can well be gauged from the following quotation from Henry arrington Thomas of the Bengal Civil Service in his pamphlet, ‘Late Rebellion in India and Our uture Policy’ written in 1858, i.e. only a year after the rebellion:

“I have stated that the Hindus were not the contrivers or the primary movers of the 1857 rebellion and I now shall attempt to show that it was the result of a Mohammadan conspiracy. Left to their resources, the Hindus never would or could have compassed such an

undertaking They (the Mohammadans) have been uniformly the same from the times of the first Caliphs to the present day, proud, intolerant, and cruel, ever aiming at Mohammadan supremacy by whatever means, and ever fostering a deep hatred of Christians. They cannot be good subjects of any government which professes another religion; the precepts of the Quran will not suffer it”.

Exclusion of Muslims from Public Services

This attitude towards the Muslims continued to be the cornerstone of British policy in India for a long time. The Muslims were debarred from lucrative government jobs and were ejected from all other gainful occupations, their trade was ruined and the endowments from which their schools used to be maintained were seized. A system of education which ran counter to their cultural and intellectual ideals, and aspirations was introduced deliberately in the country.

It was, sometimes, openly stated in official notifications for government vacancies that only Hindus would be considered for appointment. Thus, Sir William Hunter has reproduced the following extract from a Calcutta Persian paper (*Durbin*), dated July 14, 1869.

“Recently when several vacancies occurred in the office of the Sunderbans Commissioner, that official in advertising them in the

Government Gazette, stated that the appointments would be given to none but Hindus”.

Commenting on the above complaint, the author goes on to say:

“..... the Muslims have now sunk so low that, even when qualified for Government employment, they are studiously kept out of it by government notifications. Nobody takes any notice of their helpless condition, and the higher authorities do not deign even to acknowledge their existence”.

Unconcealed Vindictiveness

The British made no attempt to conceal their ill-will against the Muslims. They caught hold of them at the slightest excuse and owed no mercy. They waged a fierce war against the small band of *Mujahids* (Crusaders) beleaguered in the tribal belt of the North-West. Whoever was suspected by them to be in league with the *Mujahids* or with the party of Syed Ahmed Shaheed was arrested and legal proceedings were started against him. Innumerable religious leaders, merchants and noblemen were tried on these grounds at Patna, Thanesar and Lahore, and sentenced to heavy terms of imprisonment. Some of them were branded as Wahabis and punished on that account. Symptomatic of the boundless British malice and hatred towards the Muslims was the judgement delivered by an English judge while condemning the three alleged Wahabi leaders, Maulana Yahya Ali, Mohammad Jafar Thanesari and

Mohammad Shafi Lahori to death. The learned Judge, in the course of his judgement remarked :

“You will be hanged till death, your properties will be confiscated and your corpses will not be handed over to your relatives. Instead, you will be buried contemptuously in the jail compound”.

After the sentence of death had been passed, parties of English men and women visited the jail to see the condemned prisoners in their cells and to take delight in their sighs and groans. But when they found that the prisoners, instead of being sad and dejected, were actually exulting in their state and looking forward expectantly to the martyrdom that had so blissfully fallen to their lot, they felt cheated and urged upon the government for the revision of their sentence to one of life-imprisonment. Ultimately, it was announced by the Deputy Commissioner of Ambala to the unfortunate men that the Chief Court had altered the death penalty passed against them to transportation for life. He said :

“You rejoice over the sentence of death and look upon it as martyrdom. The Government, therefore, have decided not to award you the punishment you like so much. The death-sentence passed against you has been changed to that of transportation for life”

The three prisoners along with two others, Maulana Ahmadullah Azimabadi and Molvi Abdul Rahim Sadiquri were

then deported to the Andamans in 1865 where Maulana Yahya Ali and Maulana Ahmadullah died. The entire property of the family of Sadiqpur in Patna was seized by the Government, their houses were ploughed down and official buildings were constructed on their sites. The tombs of their ancestors were demolished. All this was done to quench the mad thirst for vengeance.

Several other noted Ulema were sent to the Andaman Islands to serve life-sentences in banishment. These included Maulana Fazl-i-Huq Khairabadi. Mufti Inayat Ahmad Kakorwi and Mufti Mazhar Karim Daryabadi, of whom Maulana Fazl-i-Huq met his death in exile while the other two returned home on completing their sentences.

This policy of unmitigated spite and revengefulness was responsible for the political and educational backwardness that came over the Muslims during the earlier stages of the British rule and from which they have not yet been able to recover.

The Formation of the Indian National Congress

The first session of the Indian National Congress was held in 1884. It was attended by some prominent Muslim representatives. The fourth session at Madras, in 1887, was presided over by a Muslim, Mr. Badruddin Tayyabji, and Muslim delegates drawn from different walks of life participated in it in sufficient strength. A donation of Rs. 5,000 - was announced in that session to the

Congress by Mr. Humayun Jah.

Sir Syed Ahmad Khan's Disagreement

Initially Sir Syed Ahmad Khan was a supporter of a common political platform, but he later changed his mind. His contention was that the political and educational backwardness of Muslims demanded that they should dissociate themselves from the national movement and avoid incurring the displeasure of the British Government by joining hands with the extremists of Bengal and other Hindu agitators. He felt that a separate non-political organization would serve the interests of Muslims' better, the other course, that of political collaboration with the Hindus in opposition to the British being fraught with the danger of reviving old wounds and creating fresh difficulties for them.

The Support of the Ulema to the Congress

Notwithstanding Sir Syed Ahmad Khan's opposition, a large number of independent Muslims, under the leadership of the Ulema, extended full support and cooperation to the nationalist activities and the Congress. They did not consider politics to be the 'forbidden fruit' for Muslims. In 1888, a whole set of religious decrees was published by Maulana Mohammad Saheb of Ludhiana urging upon Muslims to ally themselves with the Congress. These decrees were signed not only by prominent religious leaders of India like Maulana Rasheed Ahmad Gangohi and Maulana Lutfullah of Aligarh but of Medina and Baghdad as well.

The Balkan War and its Repercussions in India

A wave of repugnance and anger arose among Muslims against the European Powers-particularly Britain which was then their spearhead-with the outbreak of the Balkan War in 1912. The Islamic political consciousness, gaining in strength as it had been steadily, reached its climax and burst in the East like a boil that had been suppurating for a long time. It was during these days that Maulana Abul Kalam Azad started publishing his fiery weekly paper, *Al-Hilal*. It became popular immediately and acquired a readership among Muslims running into thousands and lakhs. Its bold and trenchant criticism of Britain and the West was followed eagerly throughout the country. In addition to it, Maulana Mohammad Ali's English weekly, *Comrade* (which made its appearance originally from Calcutta and was later shifted to Delhi) and Maulana Zafar Ali Khan's *Zamindar* (Lahore) and a host of other Muslim newspapers and periodicals helped to produce a vigorous anti-British feeling among the educated sections of the community. In the upshot, Maulana Mohammad Ali, Maulana Shaukat Ali, Maulana Abul Kalam Azad and Maulana Hasrat Mohani were arrested and put behind the bars."

Maulana Mahmud Hasan of Deoband

The Principal of the Muslim religious institution of Deoband, Maulana Mahmud Hasan (who later came to be known as Sheikhu'l Hind) was a sworn enemy of British Imperialism. No greater

antagonist of the British had, indeed, been seen in India since the time of Tipu Sultan. A staunch ally of the Ottoman Empire-since it symbolised the power of Islam in the world and also held the Muslim Caliphate-and an indefatigable fighter in the path of India's freedom, he had dedicated his whole life to work for the liquidation of the British Empire. He did not stop even at establishing secret contacts with the Afghan Government and with the revolutionary leaders of Turkey like Anwar Pasha. He was taken into custody in 1916 by Sharif Husain at Medina in Arabia who handed him over to the British. The Maulana and his associates Maulana Husain Ahmad Madani, Maulana Uzair Gul, Hakim Nusrat Husain and Molvi Waheed Ahmad, were deported to the Mediterranean island of Malta in 1917 where they remained till 1920.

Maulana Abdul Bari of Firangi Mahal

So was Maulana Abdul Bari of Firangi Mahal a tireless champion of India's freedom. He organised the Jami'at-i-Ulema-i-Hind to bring the religious leaders of Muslims on a united platform in the struggle for national independence and took a leading part in Khilafat agitation. During his lifetime the Firangi Mahal in Lucknow functioned as the key-centre of Muslim politics.

Rowlatt Report

Came the Rowlatt Report in 1918, which made the Muslims the main target of its attack and laid the blame for anti-British activities largely at their door. It further brought matters to a head.

Khilafat Agitation and Hindu-Muslim Unity

The Ali Brothers-Mohammad Ali and Shaukat Ali- were released a year later. A wonderful spectacle of Hindu-Muslim unity was seen thereafter everywhere in India. The two communities gloriously forgot their dissensions and linking their destinies with each-other marched forward like a single body to do or die for the attainment of national freedom and the preservation of the Otta'man Empire. The country's atmosphere was altogether electrified with rare revolutionary feeling.

India had witnessed a stupendous political awakening. It was ablaze from end to end with resentment against the British masters. Such was the setting in which Gandhiji made his debut on the political stage of the nation. He undertook a countrywide tour in the company of Maulana Mohammad Ali and Maulana Shaukat Ali, addressing mammoth public gatherings from place to place and arousing the masses for the national struggle. Such a tremendous popular upsurge had never been seen in India before.

Non-Cooperation Movement

In 1920, Gandhiji and Maulana Abul Kalam Azad presented before the people the two-pronged programme of non-cooperation with the British Government at all levels and the boycott of foreign goods. The proposals found ready acceptance with the masses as the major

weapons of their movement and they proved to be so very effective that the Government was compelled to take full note of them. The British were threatened in India with a complete breakdown of the administrative machinery and a general insurrection. The inherent weakness of foreign rule was thoroughly exposed.

British Atrocities on Moplas

During the struggle for freedom, the severest loss in terms of life and property was suffered by the Mopla Muslims of Malabar. Provoked by unmitigated tyranny and coercion, the Moplas rose in armed, revolt against the British Government on August 21, 1921. The rebellion, which lasted for a little over six months, assumed such massive proportions that the Government had to call in even a warship to deal with it and fiftyone lakhs of rupees were spent by them on its suppression from August to December alone. Thousands of Moplas were killed. As an instance of the ghastly atrocities perpetrated by the British, Mopla prisoners were herded together like cattle in the compartments of a railway train which three doctors had unanimously declared unfit for human transport, with the result that a great many of them perished in the way. The British paid no heed to their loud cries of anguish and pathetic requests for water. The detenus were kept under strict vigilance and subjected to all kinds of humiliation after the rebellion had been quelled, and, for a long time, the Moplas, in general, were denied the enjoyment of ordinary civil liberties. The Committee of

Inquiry appointed in 1922 by the Special Commissioner of Malabar reported that: “ There are at least 35,000 Mopla women and children whose condition is extremely miserable and unless proper measures are taken for their relief, many of them are likely to die of disease and starvation”.

The Last Resort

The British Government in their desperation took resort to the most favourite strategy of imperialists everywhere-that of ‘Divide and Rule’. They sowed seeds of communal discord in the land. The then Viceroy took a prominent Hindu leader into confidence and impressed upon him the need for starting powerful missionary movement to bring back into the fold of Hinduism those who had embraced Islam. The Viceroy also advised him how essential it was to organise his community on a militant basis after the Khilafat agitation had demonstrated beyond doubt the strength, religious fervour and organisational capacity of the Muslims-the Hindus having foolishly allowed the initiative to pass into the hands of Muslims by making common cause with them on the issue of Khilafat which was wholly a Muslim affair.

Shuddhi, Sanghatan and Tabligh Movements

This was the starting point of Hindu revivalist activities which under the twin names of *Shuddhi* and *Sanghatan* spread all over India. As a reaction to them the Muslims also came forward with the *Tabligh* movement. An unending series of

religious discussions, debates and conferences ensued, culminating, not unexpectedly by any means, in violent communal disturbances. The country was caught in the grip of terrible Hindu-Muslim riots.

The Congress manfully stuck to its task in the midst of this fearsome madness. It continued to hold its annual sessions regularly. A special session to take stock of the tragic turn of events was summoned in 1922 under the Presidentship of Maulana Abul Kalam Azad while the regular annual session in the same year was held at Co-canada and presided over by Maulana Mohammad Ali.

Countrywide Communal Conflagration

The communal frenzy remained unchecked till the peak was reached in 1927, when as many as twenty-five riots were recorded within the space of a few months. The nationalist sections of both the communities were profoundly distressed at this state of things but there seemed to be nothing they could do to restore communal peace and harmony. The gulf between Hindus and Muslims grew wider and wider. Ultimately, the malady began to cast its sinister shadow on the minds of the leaders of the two communities also till the parting of ways between Hindus and Muslims came up before the world as a reality from which there was no escape.

Parting of Ways

A general impression was created among the thinking classes of both Hindus

and Muslims that the patriotic fervour of the leaders of the nationalist movement was cooling down quickly and they were getting divided more and more openly into separate communal camps. The basic impulses of their thought and ambitions being communal in essence, they could not be looked up to standing fast by the ideals of Indian nationalism in the hours of trial and opportunity. The Muslims felt in their hearts that the Hindu leaders (whose guiding spirit now was Gandhiji) had failed lamentably to take adequate steps for combating the communal menace. They had not brought forward that open mindedness, impartially and determination which was expected of them. By virtue of belonging to the majority community they wielded greater power and influence in the country, and could, therefore, have succeeded in putting down the riots had they shown greater courage and objectivity of out-look and denounced the communalists, whoever they were, openly and without fear or favour.

Maybe, this view was wrong or exaggerated but it was wrong or exaggerated but it did alienate the sympathies of many Muslim leaders, who had been in the vanguard of the nationalist movement, from the Congress. The Muslims, in general, were persuaded to believe that in order to safeguard effectively their rights and interests they would better rely on their own strength.

Separate Muslim Front and the Demand for Partition

In consequence, Maulana

Mohammad Ali resigned from the Congress along with his friends and associates and, joined the Muslim political camp. The separatist instincts among Muslims became sharper and stronger with the passage of time. Mr. Mohammad Ali Jinnah revived the Muslim League in 1937, and, in a few years, it rose to be the most powerful representative organisation of Indian Muslims. After the League had consolidated its position, it raised the demand for Pakistan. Thanks to the anomalies of Indian social existence, the bitter experience of communal discrimination in official circles, political immaturity of the people, and inter-communal fear and suspicions, the country was eventually partitioned in 1947.

Maulana Husain Ahmad and Jami'at-ul-Ulema

Muslim religious leaders connected with the Jami'at-ul-Ulema stayed firm in their loyalty to the Congress till the end. They did not waver in the least from their traditional nationalist stand. In the forefront of them was Maulana Husain Ahmad Madani who by his uncompromising hostility towards the British and extraordinary patriotic zeal and sincerity of purpose proved himself to be a worthy successor of his teacher and mentor, Maulana Mahmud Hasan Deobandi. These Ulema cheerfully bore the concentrated opposition and disfavour of their co-religionists, a large majority of whom had come to snare the views of the Muslim League. Maulana Madani strove to the best of his ability, during those fateful

years, to make the Muslims realise the folly of the Pakistan demand. He undertook extensive tours of the country, preaching the gospel of unity from town to town and village to village. Morally and religiously, his conduct remained absolutely stainless and above suspicion throughout that period of trial and crisis, and friend and foe are unanimous in their praise of his integrity and sincerity. After the independence, too, when unlimited opportunities had opened up for personal gain, he sought no favours for himself, so much so that he politely declined to accept the title of Padma Vibhushan, which was conferred upon him by the President of India in 1954, saying that it was against the traditions of his precursors to receive honours from the Government. It is tragically true that the high hopes he had entertained from freedom remained largely unfulfilled and he felt frustrated and heart-broken, but during the struggle he remained firm like a rock, and even after the independence had been won there occurred no change in his political views and convictions.

Another leader of the Jami'at-ul-Ulema, whose services cannot be overlooked in the course of the present narrative, is its General Secretary, Maulana Hifzur Rahman. The courage, resoluteness and enthusiasm with which he strove for the freedom of the motherland before 1947, and has since then been displaying in the safeguarding of the rights and interests of Muslims will not easily be matched by other

contemporary Muslim leaders. His heroic services during the post-independence communal riots will always be remembered with gratitude and admiration. He has never hesitated to expose the bitter truth in connection with these outbreaks, in the Parliament and elsewhere, and in criticising the local administration where it was found to have conducted itself unjustly towards the Muslims during a communal disturbance.

Maulana Azad

Maulana Abul Kalam Azad had the distinction of serving as the President of the Congress for the largest number of years and at the most critical junctures of the nation's history. Two important British official missions -the Cripps' Mission and the Cabinet Mission-visited India during his ultimate term of office to negotiate with the Indian leaders. The Maulana, as the President of the Congress, took an active part in the negotiations. The delegates, including Sir Stafford Cripps, were deeply impressed by his keen political foresight and acumen.

It was during the Maulana's Presidentship of the Congress that India attained freedom. His memories, published shortly after his death, show that his sagacity was the role of a luminous mind in the machinery of the Congress. He commanded universal respect for his sagacity and political insight. His contribution to the cause of freedom has been as profound as that of anyone anywhere. ■

The Uniform Civil Code

- Minnatullah Rahmani

India is a country of different culture and inhibits people of different religions. Religion has been ever embedded in its soil. People of different faiths have acted upon their religious beliefs with full freedom in this country. History of the remote past, when Muslim first set foot on the soil of this country and settled along the western coast, says that this multi-religious land had freedom of restriction by the Government on the rules and traditions connected with religion and culture. The variety of culture and allegiance to various faiths did not become the cause of discord and chaos in the social set-up of its people. Muslim who came over to this land with their eternal faith and perfect culture had legal freedom not only in their modes of worship but also in respect of their own system, of personal law. Early history tells us that just as the Hindus has "Brahmins", appointed to solve their problems and affairs, so also the matters concerning the Muslim used to be decided by Muslim Quazis, who were all known technically as "Huner-mand" (the wise).

Muslim ruled over India for a pretty long time during which period also the system of prayer and worship of the non-Muslims as well as their personal laws were left intact and the affairs of the followers of different religions well settled according to their provisions of their religion. After the end of Muslim regime even during the British rule the personal laws remained intact and the Britishers during the first half of the present century gradually incorporated the Islamic laws in the Act which came to be known as "Muslim Personal Law". This was in fact a recognition of the truth that the Muslims would not give up these laws which related to their personal and family life. It is the duty of a responsible govt. to realise the

importance of these laws and provide for the security of the same.

When India became independent and a new constitution was formed for the country, the legal status of the Muslim Personal Law was duly acknowledged and the traditions of the long past and popular trends, which are based on faith, came to be honoured. It was expressly declared by the legislators in the Constituent Assembly that 'there shall be no interference in the Muslim Personal Law'.

THE PROBLEM OF THE UNIFORM CIVIL CODE

There is a talk now afoot in the country for abrogating the Muslim Personal Law and for enforcing a uniform civil code instead. "Uniform Civil Code" means the laws framed for the social and family life of the people inhabiting a particular territory. These laws encompass all matters relating to the personal and family life of every individual and the matters relating to Nikah, Talaq, Dissolution, Gifts, Wills, Inheritance and Adoption are to be decided under these laws. These laws are to be enforced without any regard to the religion, culture, traditions and customs of any person. Regardless of all such things, there is only one law under the uniform civil code for the followers of every religion. This is the law that would govern even matters relating to Nikah & Talaq. In short all the matters which relate to personal law would come under the perview of the civil code.

In India the Uniform Civil Code would clearly mean that the Muslims in this country may have to perform Nikah & Talaq even against the mandates of their faith. In matters of wills (Wasiat) and inheritance too they shall have to follow laws other than the laws of the religion. In the same way the followers of other religions,

traditions and customs shall have to drift away from their religion and abrogate their traditions thus binding themselves under a new system of law. Thus the Uniform Civil Code has clearly a system at variance with the Muslim Personal Law, which shall have no place after the Uniform Civil Code is enforced¹. In other words the Muslim Personal Law, which is based on the Quran and Sunnah, and the Uniform Civil Code can't go side by side. This fact has been explained by Mr. Gajendra Gadker (Chairman, Law Commission, Govt. of India) in his speech as follows:

“For the Muslim brotherhood Secularism declares that the matters relating to the abolition of polygamy and the subject of uniform civil code shall be decided on purely social considerations and not with reference to the Quran”¹

The reason behind this 'declaration of Secularism' in his mind may be the fact that unless the Quran and religion are not avoided completely, the plan of a secular State can't be accomplished as was also opined by an intellectual: “If any state does not frame uniform civil laws for all the citizens, it has no right to call itself a secular state.”² Or, he might have come to the conclusion that “the Scripture of any religion, whether divinely revealed to man or hummed into the ears of saints and Rishis. can't command the degree of finality in any sphere of life.” Whatever, the reason, the view held by a reputed jurist and a responsible spokesman of the Government as that no dialogue can be held with reference to the Quran on the problem of the Uniform Civil Code, while the Muslim Personal Law has its foundations only on the Quran and Sunnah.

None the less it is the marvel of the constitution-makers that while on the one side they have provided constitutional guarantees to the Muslim Personal Law, they have also given the directives on the other hand for the

enforcement of a uniform civil code, thereby evolving a scheme which can please both the hunted and the hunted for the time being.

THE LEGAL BACKGROUND

The history of a uniform civil law starts with this dual policy adopted by the framers of the Constitution. It would be better first to examine that part of the constitution which relates to the Uniform Civil Code ' The directive principal under Article 44 of the Constitution lays down:

“The State shall endeavour to secure for citizens a uniform civil code throughout the territory of India” .

During the reading of Article 44 in the Parliament, debates were held at length. The Muslim members of the Parliament made demands for additions and alterations and proposed several amendments but none of these was accepted.⁴

Doctor Amedkar tried to satisfy them by his statement:

“The Govt. is being simply vested with these powers which does not mean that the personal & religious law would be necessarily abrogated in spite of the opposition by the Muslims, Christians or any other section of the Country. No body should have apprehensions that the Govt. shall insist on it by the “simple vesting of power.

The power of the Government are practically always limited whatever be the unrestricted character given to it by words. For the Government cannot exercise its power in a way which may result in Muslim revolt. Should the Govt. contemplate to act so it would be dubbed as senseless” .

It was thus that the vastness of power confirmed by the Constitution was attempted to be narrowed down by verbal assurance. The success of this endeavour can be assessed by the force in this assurance. However, Article

44 was passed by a majority of votes on the Parliament and thus the seed was sown for enforcing the Uniform Civil Code.

THE HISTORICAL BACKGROUND

While keeping in mind the legal background of the Uniform Civil Code, it would be proper to examine the historical factors so that we may be able to assess what has been the line of thinking adopted by the Government and the people responsible for legislation.

This is a fact that continued endeavours have been made to pave the way, on governmental and semi-governmental levels through different platforms, for the enforcement of the civil code. Extremists and moderate groups have been organised making efforts directly or indirectly, for enforcement of a uniform civil code. Even such associations have been formed as have adopted this as their basic objects. These individuals groups or association although not enjoying the co-operation of the Muslim masses and people versed in the knowledge of Quran and Sunnah, are working at their own levels ¹ and claim unabashed that quite a large section of the Muslims is with them.

The attitude of the Governmental authorities is also in support of the Uniform Civil Code which has been manifested by them on various occasions, For instance, when the Hindu Personal Law was being modified afresh, the then Central Law Minister, Mr. Patsker declared:

“After the coming into force of our Constitution on 26th January, 1950 we have passed the special Marriage Act and, the Hindu Marriage Act. The Hindu Law of inheritance is now under consideration of the Parliament, All these are step towards framing a uniform civil code.”¹

In course of the steps taken towards framing a uniform civil code why the Hindus

came first and how the Uniform Civil Code is to be enforced throughout the country had been thus explained by him at a press conference:

“The reforms now being introduced in the Hindu Laws shall be enforced among the entire population of India in the near future. If we succeed in framing laws affecting the 85% of our population, they will not be difficult to be enforced against the rest. Such a law will bring uniformity in the whole country.”

This statement by Mr. Patsker is a declaration of a well designed policy. It is true that the policy has not been executed practically till now but the outlines of the policy have never faded in their minds and from time to time assessment is being made whether the minds of the people apart from the 85% can put up with this policy or not.

In 1963, the Government proposed to appoint a commission with the object of considering amendments to the Muslim personal Law and finding out practical ways of operation. This commission could not be appointed in face of complete opposition by the Muslims and the Law Minister had to end the discussions stating that the Govt. at present does not consider it proper to bring in the amendments (in the Muslim Personal Law).² This statement itself indicates that the question is not over nor there is a change in the policy: The atmosphere is not favourable, therefore the policy will not be executed. In 1972, the Central Law Minister Mr. Gokhale again reiterated this policy, while presenting the Adoption of Children Bill, 1972 he stated in the parliament : “This Bill is a strong step towards the Uniform Civil Code”³

The statements made by the different law, ministers are in index of the Government policy and suggest that the Govt. wants to take full advantage of the Directive Principle in the matter of the Uniform Civil Code and wants a

brain-washing of every individual and group for enforcing the Uniform Civil Code. But alongside, there are some, such persons also in the Government and outside the Govt. whose thinking is devoid of any regard for people's opinion and who want to enforce the Uniform Civil Code by force. These people think that "after a common family law is enforced by the Govt. with the help of the so called secular members of the parliament, the Muslims will resent for some time but the sky will not come down on that account"¹ This was repeated with greater clarity by Mr. Gajendra Gadkar (Chairman Law Commission) as follows: "The Muslims should prepare themselves to accept the Uniform Civil Code. Should they not accept this proposal voluntarily, the law shall be brought into effect by force."²

THE REASONS BEHIND THE SUPPORT TO A UNIFORM CIVIL CODE

The details given above point to the fact that the Government has always wanted enforcement of a uniform civil code³ and for a long time past a particular section in the country, consisting of Hindu in the majority with a few Muslims has been trying brain-washing for the purpose. Some people with extremist mentality suggest the enforcement of the uniform Civil Code even by force and some want to prepare the way under the plea of reforms while others in sermonising pose advise to put up with the circumstances. But all these people with their different counsels have the same goal. Their suggestions may be different, their tones varied and their reasonings diversified, but a deeper study suggests that the object is the same and all of them will reach the same goal sooner or later.⁴

The reason behind such unity of purpose is due to the fact that their minds have been influenced by western ideas and their education and training has been on western patterns. They have their mental and practical

attachment with the western society and they have studied and followed the western system of law; therefore, the Muslim personal law appears to them to be foreign to the frame of the Indian Constitution. They consider Shariat to be a thing redundant and, in their opinion, it is just a private affair of the individuals but cannot be the law. Their western way of thinking has also rendered the traditions of the East undeserving of respect and the eastern ways and temperament have no appeal for them. The only touchstone for them is what, has been given by the West to test things. Apart from the West they have no ideology, no message, no line of thought and action. The lesson for a uniform civil code has been given to them by the West where everything pertaining to religion is a private matter of individuals, restricted to prayers and rituals only. Therefore, these people can hardly conceive of anything apart from the uniform civil code.

The important reason for the Support to the Uniform Civil Code may be attributed to enactments by the Parliament during the period 1954 to 1956, which gave a particular shape to the Hindu Personal Law, a thing quite foreign to the concept of Hindu religion. This has been the reason for touch opposition to these enactments by a fairly educated section of the Hindus, and it is also a historical fact that the then President of India, Dr. Rajendra Pd., had given his assent there with great reluctance. Right from the time the Hindu personal law came to be abrogated, minds had begun to be set for the abolition of the Muslim personal law also and for enforcing on every Indian citizen the personal laws on the same pattern as had been imported from the West for the Hindus. While the aforesaid laws for the Hindus, were under consideration before the Parliament, the well known leader Acharya Kriplani participating in the debates had said: "If India is a democratic State, I would submit that the laws ought not

to be framed for any single community. Will our Government enact laws on monogamy for the Muslims?"¹

THE REASONINGS OF THE SUPPORTERS, OF A UNIFORM CIVIL CODE

Some of the reasonings in support of the Uniform Civil Code relate to certain provisions of the Muslim personal law and some directly concern the Uniform Civil Code. The reasonings relating to any provision of the Muslim Personal Law are not to be discussed here as they are incidental which it would be wrong to consider as the basis for settling issues. Here we have to present the substance of the arguments which directly refer to the Uniform Civil Code. From the analysis of these arguments four basic issues emerge before us.

(i) The argument advanced from the constitutional point of view that in face of Article 44 of the Directive Principle, there should be only one civil code for the citizens of the country. These Directive Principles in the Constitutions are really the outlines which present a picture of the country's future. The Government must adopt a path which may lead to the achievement of the objective of the Directive Principle.

(ii) India is a secular State; secularism naturally demands that the law of the land should be rid of the religious bindings and, therefore, non-religious family laws should be enforced through the Uniform Civil Code.

(iii) Religious laws have become obsolete and their utility-importance has ceased to exist. These do not conform to the demands of the age, nor they have the capacity to solve social complications. The antique set of static teachings can't be useful for the society and, therefore, it is necessary to enforce new laws in place of the religions laws so that a powerful society may be nursed into shape.

(iv) India has the followers of various religions

and it is necessary that they should have some personal laws in order to developed among them the spirit of integration and to strengthen unity. The diversity of personal law becomes a source of differences between them causing injury to national integration.

THE REASONS AGAINST A UNIFORM CIVIL CODE

The Muslims are opposed to the Uniform Civil Code.¹ The religious minded sections of the Hindus also do not favour it.² The basic reason for the opposition by the Muslims is the fact that the uniform Civil Code conflicts with the religious teachings and in the wake of its enforcement the mandates of the Quran and Sunnah shall have to be given a go-bye in family and personal life, and such laws will have to be brought in force as will do away with the restrictions imposed by the religion and the very concept of right, and wrong (Halal & Haram) shall vanish from the personal life of individuals. Muslims are not prepared to find solutions to their family and personal problems through these laws which may come in conflict with their religion at every step.

Those who have not studied Islam and consider it to be just a collected lot of prayers, customs, and usages like other religions, can't understand the cause of opposition by the Muslims to the enforcement of Uniform Civil Laws. So also those who are not aware of the devotion of, the Muslims to their religion, can have no idea of the real force of Muslim opinion on this subject. The complete devotion of Muslims to their faith and the comprehensive teaching of Islam don't provide any scope to them for renouncing their religious law governing their personal life, for these form an important part of their faith and they are founded on the Quran and Sunnah just as Namaz, Fasting and the other items of worship. The other reason is that the followers of every religion have some distinctive features of their cultures which

mostly relate to personal laws. In some religions these are based not on religious teaching but on custom and usages or geographical factors. The Muslim have also their cultural specialties founded on the teachings of religion, which the Muslims are not prepared to give up. It is not because the Muslims have any distinctive point of view without reason or are guided by feelings of segregation. It is because these distinctions are founded on the teachings of their religion. Otherwise also, the cultural diversities and the distinctive features of the different ways in social life do not result in separatist tendencies, Separatist tendencies are manifested by lack of interest in national affairs, lack of common social contacts and aloofness from welfare undertakings. The Hindu not praying in the mosque the Muslim not performing pujas in a temple, the Christian not acting upon the Granth saheb and the Sikh who does not consider the sacred teaching of the Bible essential for him, can never be dubbed as separatist.

**AN ANALYSIS OF THE REASONING
ADVANCED BY THE SUPPORTERS OF THE
UNIFORM CIVIL CODE**

The basic arguments advanced in support of the Uniform Civil Code are not considered acceptable by the opponent to the said code, on an analysis of the points made out in support of the code it appears that these neither have any logical force nor are in agreement with Indian temperament and society. It is proper to scrutinise the reasonings so that the other side of the picture may also be presented.

(1) The most important point involved is the constitutional aspect which has served as the very seed of the problem. As already explained in the introductory portions, the Directive Principles of the Indian Constitution under Article 44 provide for the introduction of uniform civil laws but the Constitution of

India also gives an assurance for religious freedom under Article 25 relating to Fundamental Rights. It guarantees that every individual will have the perfect right to accept any faith and to act on and propagate the same, The context of the Constitution runs is as follows.

“Article 25 (1) -Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice, and propagate religion.

(2)—Nothing in this Article shall affect the operation of any existing law or prevent the State from making any law—

(a) regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice.

(b) providing for social welfare and reform or the throwing open of Hindu religious institution of a public character to all classes and sections of Hindus.

The uniform civil laws can't go on side by side with religious freedom which leads the jurist to the conclusion that the two Articles stand in conflict. These gentlemen have discussed at length both the provisions of law i.e. the Fundamental Rights and the Directive Principles, and the decisions by different courts also throw light on both. It is the general trend of the judiciary and law experts that the provisions relating to fundamental rights are more important and constitute part of the complete law, while the position of Directive Principles is subservient and can't be described as the complete law. Religious freedom relates to fundamental rights and therefore, has legal superiority in its fullness and the uniform civil law can't be forced in the existence of this constitutional provision.

The Directive Principle in the

Constitution might provide outlines for the makers of the Constitution, but these do not necessarily mean that the picture be completed on these outlines. The Directive Principles under the Constitution also provide for other matters besides the Uniform Civil Code, but no legal shape has been given to them nor anyone has a grievance that the said outlines have been left without completing the picture. Not only this, there are other Directive Principles which have been incorporated into law with further executive action, but later on scope has been provided in the law and provisions have been made which rendered theme ineffective. "Prohibition" is a case in instance. It finds place in the directions of Gandhiji himself which he had been proclaiming again & again even before Independence; and the largest political party, the All India National Congress had also resolved before the achievement of Independence against the use of intoxicants, while the Constitution of India under its Directive Principle has clearly provided for Prohibition. Laws came to be also framed for the achievement of the object, put the use of intoxicants has once again received full legal protection under the force of circumstances.

1. This mode for applying the law in India also suggests that the Directive Principles are not to be necessarily acted upon and in view of legal tradition it can well be said that the Directive Principles do not present any blueprint of the country's future. These might be the vision of the Constitution makers which do materialise sometimes but more often than naught the endeavour for their fulfilment touches the very borders of life and death.

2. Secularism neither demands that the Uniform Civil Code must be enforced in India nor it means to scratch out of existence the religious impressions, from every spot of the country, the tradition from the society and the religious teachings from the hearts of men. The

secular state means that the Government itself shall have no religious complexion and shall not be partisan to any religion and there shall be no discrimination on the ground of believing or not believing in any religion, every Individual having the freedom to follow the religion of this choice. This is manifest from the Constitution of India, and laws have been framed having the same aspect in view. Therefore, the question does not arise that the Uniform Civil Code is the essential demand of secularism.

It can also be very well said that secularism provides a compromising via media through which the State has the right to make laws concerning general matters of the State, to participate in international affairs and to find out solutions to the problems arising in the common life of the citizens, while the individual has the right to follow in his personal and family life the laws governing him by virtue of his religion or customs and usage. If Secularism be interpreted as anything else and be used for abolishing the Muslim Personal Law, it will be only the dictatorship of the majority but no secularism.

3. It is a fact that the religious laws are old but it can never mean that they have become frozen and have ceased to possess any utility having lost the capacity for solving social problems. Religious laws, are divided into two parts. The one relates to fundamentals¹ and the principles which don't admit of any amendment. The other relates to matters which may be adjusted according to the change of circumstances, know practices and customs and they are being even so adjusted.² In face of the existing laws classified under the second part, it would be wrong to say that religious laws have become frozen and they have lost their utility and the capacity to solve social problems.

The view point that every law becomes obsolete by antiquity, has no logical force.

Neither every ancient thing becomes useless nor everything new becomes useful. The usefulness or otherwise of laws has to be judged only on the criterion whether they are capable of maintaining and developing the society on reliable foundations and with vitality. The family laws under discussion here should be judged on this principle alone. Obviously the Uniform Civil Code will be founded on the pattern of Western laws. The Hindu Code itself has been drawn up on the basis of personal family laws prevalent in the West and the outlines of the Uniform Civil Code will not be very different from them. Therefore, it can be very well said that the laws which are being attempted to be introduced in India have already got their laboratory, we should make a study of these laboratories and find out to what extent these laws have served as means to the attainment of satisfaction and peace in family life.

This is a subject for extensive and comparative study for which there is no scope within these limited pages. But on factual grounds it must be admitted that the family life in the Western countries is crumbling into bits and personal life has lost all peace and confidence. Marriage has become a play thing and divorce a thing of fun.³ Modesty and chastity are just words confined to the pages of dictionary. Society is swarmed which children of unknown fathers and with unmarried mothers, Stark nudity and the assemblage of the nudes¹ are probably being looked upon as part of a vital society. These are the miracles of modern civilisation and the resultants of the Western family laws being enforced, If the hearts of the intellectuals have not become devoid of feelings for the losses and still possess the capability and courage to admit the evil as evil, and if they do not believe that everything new must be accepted and everything old must be hated then there is no reason why the Uniform Civil Code should be

advocated denouncing the religious personal law as absolute.

4. Unity and national integration is of vital need to the country. To develop the feelings of friendship and tolerance among the different communities inhabiting India is the best national service, but to use the slogan of national integration for political exploitation is an anti-national act of the worst kind. It is wrong, and even fatal for the future of the country, that whatever appeals to the people having a particular, mental set-up should be assumed as the demands of secularism and a medium for, national integration and what conflicts with their way of thinking should be branded as bigoted, narrow-minded and communal.

In what manner and to what extent National integration and mutual tolerance are related to the "Uniform Civil Code" can be assessed from the fact that the matters relating to the personal life of individuals have never led to conflict between any communities. No instance can be cried regarding any difference between Hindus, Muslims, Sikhs and Christians on the question of Nikah, Talaq, Hiba, Inheritance etc, for these are matters not between two communities but between two or some of the same community. On the contrary, inter-community marriages (which may constitute an article of law under the Uniform Civil Code) are likely to result in grave consequences, and on several occasions extremely serious communal tension has been generated on that account. Thus it would be correct to say in the light of facts that the personal laws of the different communities cannot injure the cause of national integration and the unity of the country.

The fact cannot be denied that there are serious problems existing which have damaged the cause of national unity and integrity and involve the further risk of damage

in future. But for expediency's sake endeavours have been made continually for adjustments to suit popular temperament. The subject-matter itself has not been abolished in the name of national integrity. The language problem is one amongst them existing as burning flame which has created commotion in Assam. It did excite Bengal and created the wide gulf of hatred and enmity between the North and the South. The extent of gulf can, be ascertained from the disturbances in the past and possibly it may lead to separation in future. Notwithstanding all these, the fascinating slogan of national integrity could not be heard on the question of language and if it is at all heard, it is just to stop the disturbance.

Under these circumstances if the opponents of the Uniform Civil Code say that the slogan of national unity and integrity are made use of only for political exploitation, they cannot be said to be in the wrong. Inter-community marriage is projected as the best recipe for national integration and communal harmony. But the undesirable consequences of different such marriages in the recent past are lost sight of while making this proposition. More than that, it is also forgotten that this recipe was adopted even by that personality who is described generally in India as the symbol of communalism, the destroyer of the unity of the country and responsible for its partition. Mr. Mohammad Ali Jinnah got himself married in a Parsi family under the Special Marriage Act, which itself served as parallel legislation injuring the Muslim Personal Law and was adopted by a popular Muslim leader. But all know how far this could improve the cause of national integration. In fact experience tells us that without religious, cultural and linguistic affinities between the conjugal pair most of the marriages end in fiasco, leading very often to a divorce. The marriage that cannot bring about integration between husband and wife can hardly be expected to produce national

integration.

The truth is that these personal laws do not have any adverse effect on national integrity and the Uniform Civil Code cannot be the means for national integrity. Of course it can be the because of national discord. The laws should be so framed that all the religious, cultural and linguistic units in the country may be assured about their individual security and may participate as peaceful and active citizens in bringing strength and prosperity to the country within the frame work of these laws. This mode of legislation will be helpful in creating an atmosphere for integration. But if the various cultural, linguistic or religious, units feel their individualities being wiped out through legislation, a reaction will set in among them. They will raise their voice of protest against it and shall cease to repose any confidence in the legislators which will be damaging to the cause of national integration. The Muslims firmly believe that the Uniform Civil Code will be the means for the effacement of their cultural and social entity. As such, the Uniform Civil Code cannot be the means for the effacement of their cultural and social entity. As such, the Uniform Civil Code cannot be the means for the attainment of national integration but contains the potentiality of creating national disintegration.

In view of the above facts Muslim leaders, Ulema and Scholars are opposed to any 'Uniform Civil Code'. They think that the Muslim Personal Law provides a useful way for the solution of the problems in the personal life of the Muslims and that the Government ought to provide further convenience and legal facilities for the enforcement of the same. The enforcement of the Uniform Civil Code by abrogating the Muslim Personal Laws may be a source of appeasement to certain sentiments but this change cannot lead to any useful performance. ■

Weaponising UCC

- D. Raja

Nearly a century back, Babasaheb Ambedkar told a gathering of over 3,000 women that “I measure the progress of a community by the degree of progress which women have achieved”. This statement remains a good yardstick to gauge the progress of any society. Prime Minister Narendra Modi recently made a fervent pitch to “Indian Muslim sisters and daughters” to support the BJP, claiming that the party had delivered gender justice to Muslim women by abolishing triple talaq. He also made a case for a Uniform Civil Code (UCC), saying that there cannot be two laws in one family. When reports of open discrimination of minorities are common, the PM’s concern for minorities, especially Muslim women, comes as a surprise. He could have asked the RSS ecosystem to stop peddling hatred towards minorities. Nonetheless, his rhetorical speech in Bhopal a few days ago has flagged several questions about the UCC, personal laws and gender justice.

The UCC has been a part of every BJP election manifesto since 1989. After the party’s decimation in the 1984 general election, it abandoned moderate politics and started to pursue the Hindutva agenda. The Ram Janmabhoomi movement created fissures in society and led to riots across the country. The UCC also became a divisive ploy around the same time. In the 1989 manifesto, the BJP promised to “prepare a draft with a view to evolve a consensus for a uniform civil

code”. The UCC entered the BJP’s lexicon of divide and rule at the time when it started on a path of demonisation of minorities to gain political power. Since then minorities have been portrayed as foreigners with doubtful allegiance to the Indian nation. This legacy of the BJP makes us question the intent of the Prime Minister’s advice to “Muslim sisters and daughters”.

Clearly, the PM’s pitch for UCC has been made with the 2024 general election in mind. His appeal is not to Muslim women; it is to Hindu men, while giving them nothing but promising to take something away from the minorities. The UCC pitch is an attempt to divert attention from the colossal governance failures of the past nine years — demonetisation, unemployment, inflation, the recent Manipur crisis.

The Left has been at the forefront of the fight for women’s justice. Supporting the Hindu Code, CPI leader Hiren Mukherjee said in Parliament that “the introduction of the daughter as a simultaneous heir along with the son and the widow is really a matter of very great importance, and for this, not only women but all progressive and democratic sections of society have been agitating for so long”. At that time, Hindu right-wing groups were gheraoing Parliament in opposition to this. When Parliament legislated to overturn the Shah Bano judgment to the disadvantage of Muslim women, Gurudas Dasgupta of the CPI

spoke in Parliament against religion being made a criterion of legislation. He said, "When religion is being made the basis of law-making, we strike at the very root of our Constitution, at the foundation of the Indian Republic."

Laws that derive sanctity from religion often work against the interests of women. Hence, the basis of law-making in our secular republic should be secular. There is a need to arrive at a consensus to strike at the very root of discriminatory laws and practices transcending different religions and communities. However, that consensus has to be evolved, as Ambedkar suggested, and not imposed.

It was CPI MP Geeta Mukherjee, who heralded the Women's Reservation Bill to ensure women representation in Parliament and State Assemblies. It was cleared by the Rajya Sabha in 2010. The Bill has not seen the light of the day though

Modi has been PM for nine years. Images of women wrestlers, who were protesting against a BJP MP accused of sexual harassment, being pushed around by the Delhi Police are fresh in public memory.

Chapter IV of the Constitution begins by assigning to the State the responsibility to promote a social order "in which justice, social, economic and political" is central. The Directive Principles of State Policy also asks for elimination of income inequalities, participation of workers in management of industries and right to work. These progressive measures have been ignored by the Prime Minister. However, PM Modi's theatrics have served to polarise the society and has resulted in the concentration of wealth with a few persons, reinforcement of caste hierarchies and subjugation of women. ■

(Courtesy: The Indian Express, 22-07-2023)

Dear sir,

Maulana S.M.Rabey Hasani Nadwi, Nazim Nadwatul Ulama passed away on April 13,2023.He was the patron of the Fragrance of East and under his guidance Journal made successfully its journey in highlighting the spirit of Islam.

We propose to bring out a special issue of the Journal in his memory.It will be a great contribution if you kindly write a few words on him to be included in this issue.

Your Sincerely
(Shariq Alavi)

Editor

The Fragrance of East, Nadwatul Ulama, Lucknow

How To Save The Nation

- S. Bilal Abdul Hai Hasani Nadwi*

Today, fascist forces gained momentum and often raise their ugly heads to destroy India's composite culture and civilization. Even they are prone to sacrifice country's assets and wealths for their own benefits and interests. It is indeed a matter of great concern. If they steer the country on the same direction, they will pose a great threat to its unity, stability and security. The long history of the country shows that India has always been a bouquet of flowers from time immemorial where people belonging to different religions, castes, speaking different languages, having different cultures, different modes of living, different clothing, different food habits, live together in harmony. Love and fondness has always been its main features. Hazrat Khwaja Moinuddin Chishti Ajmeri like celebrity was born here. He was an embodiment of morality, probity, honesty and integrity. Even today his name is held in high esteem in and out of the country. Countless anecdotes of tolerance and forbearance of Muslim rulers are also preserved in the books of history.

Unfortunately, a deliberate conspiracy is being hatched to obliterate real and genuine history of the country. Besides, such myths and baseless anecdotes are being incorporated in the syllabi which will definitely create gulf. The need of the hour is to cement the

prevailing fissure and cleft from which mutual love, sympathy and commiseration may come up among various religions and communities.

It should be the main characteristic of any country that the people of that country must live with peace and serenity and make use of their power and caliber in constructive work which strengthen the country otherwise civil wars will undermine it from within and then controlling over it will be a herculean task. It is up to us to come forward and work in unison for the development of the country. Only then we may lead a peaceful life here.

Needles to add that freedom of religion is our constitutional right. Applying superiority of law is the main essence for any country's prosperity, progress, protection and security. Because of lawlessness anarchy and mobocracy will breed which no one can stop easily. It is time when every person and party should ponder over it cool-mindedly.

For the sake of own benefit harming the country in any way is akin to harming himself. We all are boarding in the same boat. If anyone makes a hole to it and hurts it, the existence of all will be on peril. One may suffer trouble but not give any spot and bolt on the image of the country. Former Prime Minister Atal Bihari Vajpayee when came to Nadwatul Ulama, Lucknow to meet ailing S. Abul Hasan Ali Nadwi, Maulana told him "Vajpayeeji please take

* *Nazir-e-Aam, Nadwatul Ulama, Lucknow*

care of the country. The country is being weakened and its main spirit is also being damaged.”

Today, at the time of elections every candidate tries to get his party succeeded. And to achieve it he adopts such illegal resources which sometimes prove cancer for the country. If this mode of selfishness remains, we will have to incur its retribution one day or the other.

Accordingly, everybody will have to think above his personality and party level and interest of the country must be the top priority. If the country flourishes, everything will stay intact. Every citizen of the country possesses energy and potential. If anyone strives to enfeeble his fellow member, as if he tries to debilitate his country itself. ■

(English Rendering: O.R. Nadwi)

The Islamic Calendar

The Muslim Era began with the Great Event of the Hijrah from Mecca to Medina or the Emigration of Prophet Muhammad and his Companions from Mecca to Medina. The adoption of this Event as the beginning of the Muslim Era took place in the Caliphate of 'Umar Ibn Al-Khattab, the second Caliph after Muhammad.

The Muslim calendar is Lunar, and its months are determined by the various positions of the moon. In every year there are twelve months, and each month is either thirty or twenty-nine days depending on the position of the moon. These months are: Muharram, Safar, Rabee' Al-Awwal, Rabee' Al-Thani, Jumada Al-Oola, Jumada Al-Thaniyah, Rajab, Sha'ban, Ramadan, Shawwal, Zhul-Qa'dah, and Zhul-Hijjah.

Every week has one special day to remember and observe. This is Friday, and its significance stems from the noon congregational prayers which must be observed by every Muslim who can attend. There are other significant occasions which should be remembered with a special observance.

1. The Hijrah which falls on the Eve of the first day of Muharram.
2. The Prophet's Birthday which falls on the Eve of the twelfth day of Rabee' Al-Awwal.
3. Ramadan, the Month of Fasting, in which the Qur'an was revealed.
4. The Night of Power of Qadr which may be celebrated on the eve of the twenty-third or the twenty-fifth or the twenty-seventh of Ramadan.
5. 'Eedul-Fitr (Feast of Breaking the Fast of Ramadan) which falls on the First day of Shawwal.
6. 'Eedul-Adha (Feast of Sacrifice) which falls on the tenth day of Zhul-Hijjah.

Forgiveness And Benevolent Treatment

- S.Sulaiman Nadwi

The historians are agreed that all the historical events bear ample testimony to the fact that the Holy Prophet (peace and blessings of Allah be upon him) never took revenge from anyone. It has been reported by Hadrat 'A'isha (may Allah be pleased with her) in Sahihin: The Holy Prophet (peace and blessings of Allah be upon him) had never taken revenge from anyone on account of any personal reason except that a person had ridiculed and disgraced the commandment of Allah.

He deeply felt the derogatory treatment meted out to him by the chiefs of Ta'if, but when ten years after stones were being hurled on the Muslims through a sling in the battle of Ta'if; on the other side, the Holy Prophet (peace and blessings of Allah be upon him), the embodiment of mercy and compassion was praying to Allah: O Allah, give them a right understanding and surrender them to the cause of Islam, and it happened so that when their envoy arrived in Madinah in the 9th Hijra, the Holy Prophet (peace and blessings of Allah be upon him) got them stayed in the Masjid-i-Nabvi and treated them with respect and honour. The Quraish hurled abuses on him and threatened to kill him; thorns were strewn in his way, filth and refuse and dirty foetus of a she-camel were thrown on his sacred body

and they also tried to throttle him by twisting a cloth around his neck. They ridiculed and jeered at him. The mischief-mongers called him, God forbid, a magician, a sorcerer, a madman, a poet but he did not fly into rage. Even the poorest man when he is insulted in society cannot tolerate this disgrace. A person saw the Prophet (peace and blessings of Allah be upon him) preaching: There is no god save Allah in Dhi al Majaz. Abu Jahl followed him and threw dust on his sacred head and shouted: O people, do not be taken in by his words. This man wants you to abandon the worship of Lat and Uzza. The Prophet (peace and blessings of Allah be upon him) however paid no heed to him.

The most inciting and wrath-provoking was the event of Ifk, when the hypocrites reported the story of the false allegation against 'A'isha (may Allah be pleased with her), the wife of Allah's Messenger (peace and blessings of Allah be upon him) and the daughter of Abu Bakr (may Allah be pleased with him), his devoted friend and companion of the cave of Thaur. There were a large number of hypocrites in the city and this baseless tale was noised abroad within no time. The Holy Prophet (peace and blessings of Allah be upon him) was in great embarrassment and was much

annoyed at the people's tongues. The most notorious among the hypocrites who spread this rumour was 'Abdullah b. Ubayy, the chief hypocrite. The Holy Prophet (peace and blessings of Allah be upon him) did only one thing. He addressed people standing on the pulpit: O Muslims! Who will exonerate me from the imputations of that person who has troubled (me) in regard to my family. Sad b. Mu'adh stood up and said: Allah's Messenger (peace and blessings of Allah be upon him), I will defend your honour against him. Name the person and I will strike his neck. Said b. 'Ubada who was the ally of 'Abdullah b. Ubayy opposed him and thus tie men on both the sides were ready to fall upon one another and Allah's Messenger (peace and blessings of Allah be upon him) tried to subside their anger until they became silent. Allah, the Almighty Himself vindicated 'A'isha's (may Allah be pleased with her) honour by descending a revelation and the slanderers were given punishment according to the laws of the Shari'ah.

And so for as 'Abdullah b. Ubbay is concerned, he was acquitted as there was no evidence of the Shari'ah against him. Among the persons who were given punishment was Mistah b. Uthatha. Abu Bakr (may Allah be pleased with him) used to give Mistah some stipend as a token of kinship and for his poverty and he (Abu Bakr) said: By Allah, now I would not spend anything

for him. Thereupon, the following verge of the Holy Qur'an was revealed:

And let not those who possess dignity and ease among your swear not to give to the near of the kin. Yearn yet not that Allah may forgive you? (24:22)

So Hadrat Abu Bakr (may Allah be pleased with him) continued to give him the stipend he had withdrawn.

One among the slanderers (as has been mentioned in the interpretation of the Surah, Nur in Sahih Tirmidhi) was Hassan and Hadrat 'A'isha (may Allah be please with her) was so much energed with him that she would not forgive him; but when 'Urwa b. Zubair spoke against him Hadrat 'A'isha (may Allah be pleased with her) did not like that Hassan should be rebuked in her presence and said'. It was he who wrote the verses defending the honour of Muhammad (please and blessings of Allah be upon him) against the disbelievers.

The hypocrite Jew Labid b. Asam cast a spelt upon Allah's Messenger (peace and blessing's of Allah be upon him). Hadrat 'A'isha (may Allah be pleased with her) asked him to probe into the matter further. He said: I do not like that I should induce people to commit high-handedness with one another. Zaid b. San'a, a Jew had business transactions. The Holy Prophet (peace and blessings of Allah be upon him) took some loan from him.

He came to demand the payment before the fixed date and pulled his mantle rebuking him and said: O the sons of 'Abdul Muttalib! You always make such excuses. Hadrat 'Umar (may Allah be pleased with him) flew into rage and said addressing him: O the enemy of Allah! You behave arrogantly with the Messenger of Allah (peace, and blessings of Allah be upon him). The Holy Prophet (peace and blessings of Allah be upon him) said: I expected a better behaviour from you. You should have asked him to demand politely and asked me to pay his debt. Then he asked Hadrat 'Umar (may Allah be pleased with him) to pay his debt and also pay him twenty Sa'a extra dates.

Once a single pair of clothes was left with the Holy Prophet (peace and blessings of Allah be upon him) and they too were coarse and dirty. They became heavier with perspiration. Someone sent some clothes to a Jew from Syria. Hadrat 'A'isha (may Allah be pleased with her) requested him to borrow a pair of clothes from the Jew. The Holy Prophet (peace and blessings of Allah be upon him) sent a man to the Jew. That arrogant person said to him: I understand what do you mean. You want to take away the clothes without giving the price, Thereupon, the Holy Prophet (peace and blessings of Allah be upon him) said: You know well that I am most careful and honest payer of the things entrusted to me.

Once he was going somewhere when he passed by a woman the side of the grave and weeping. He stopped there and said to her: Fear Allah, and show endurance. She (not recognising him) said: You have not been afflicted as I have been. When he (the Holy prophet) had departed, the people said to her: Did not you know that he was the Messenger of Allah (peace and blessings of Allah be upon him)? She came to him hastily and said: I did not recognise you. Thereupon, he (the Holy Prophet) said: Endurance is to be shown at the first blow. Once Hadrat Sad b. 'Ubada became ill. The Holy Prophet (peace and blessings of Allah be upon him) mounted his riding animal and went to enquire after his health. On the way a meeting was being held, and the Holy Prophet (peace and blessings of Allah be upon him) stopped there. 'Abdullah b. Ubayy, the great hypocrite was also present in the meeting. When dust flew at the feet of the animal, he placed the end of his mantle on his nose and said to the Holy Prophet (peace and blessings of Allah be upon him): Do not raise dust. When he (the Holy Prophet) reached him he said: Take your ass away; the foul smell of your ass has confounded me. The Holy Prophet (peace and blessings of Allah be upon him) greeted him and then dismounted his riding animal and preached Islam. 'Abdullah b. Ubayy said: Do not annoy us in our home. Preach Islam to a

person who comes to you of his own accord. 'Abdullah b. Rawaha, the famous poet, said: Do come here. The situation became so tense that swords were unsheathed. The Holy Prophet (peace and blessings of Allah be upon him) pacified the anger of both the parties. The Holy Prophet (peace and blessings of Allah be upon him) came to Said b. 'Ubada, leaving the meeting and said to him: Have you heard the talk of 'Abdullah b. Ubayy. He said: He is the person on whose head the inhabitants of Madinah were going to wear the crown of Madinah before your arrival. When the spoils of the battle of Hunain were being divided, some of the Ansar looked upon this as act of partiality. This discontentment reached the ears of the Prophet (peace and blessings of Allah be upon him). He said: May Allah have mercy on Musa. He had been oppressed by the people more than this.

Once a bedouin came to him. He was sitting in the mosque. He felt the need to urinate. He was not aware of the etiquettes of a mosque and he stood up and began to urinate where he was standing. The people ran towards him in order to beat him but the Holy Prophet (peace and blessings of Allah be upon him) said: Leave him. Bring a bag of water and pour it out at this place. Allah has not sent you for difficulty but for facility and ease.

Hadrat Anas (may Allah be

pleased with him) who was a special servant of Allah's Messenger (please and blessings of Allah be upon him) reported: One day the Holy Prophet (peace and blessings of Allah be upon him) wanted to send me for some work. I said: I would not go. He kept quiet and I went out saying this. All of a sudden, the Holy Prophet (peace and blessings of Allah be upon him) came behind me and caught hold of my neck. When I turned my face, I saw that the Holy Prophet (peace and blessings of Allah be upon him) was laughing and he said affectionately. Now go for the work, I told you. I said: Well, I go. Hadrat Anas (may Allah be pleased with him) further reported: I served the Holy Prophet (peace and blessings of Allah be upon him) but never did he said: Why did you do this work or why did you not do that work?

Hadrat Abu Huraira (may Allah be pleased with him) reported: The Holy Prophet (peace and blessings of Allah be upon him) used to sit in the mosque along with us and conversed with us. When he went to his house we also went. One day he went out of the mosque when a bedouin came. He pulled his mantle so tightly that his neck became red. The Holy Prophet (peace and blessings of Allah be upon him) turned his face and looked at him. The bedouin said: Load my camels with corn. What (goods, riches) you possess neither belong to you nor to your father.

The Holy Prophet (peace and blessings of Allah be upon him) said: First compensate for my neck, then I will give you corn. He said: By God, I will never do it. The Holy Prophet (peace and blessings of Allah be upon him) got his camels loaded with barley and dates without saying anything.

(God forbid), the Quraish abused the Holy Prophet (peace and blessings of Allah be upon him) and vilified him. They bore rancour against him and did not address him as Muhammad (the praised one) out of grudge against him but called him as Mudhamam (condemned), in reply to which he said to his companions: Do you not see how Allah has turned away the curses and abuses of the Quraish from me; they curse and abuse Mudhamam where as I am Muhammad.

During the days, the Holy Prophet (peace and blessings of Allah be upon him) was making preparations to conquer Makkah, he was very careful that the Qureish should not know about his intention. Hatib b. Baita'a a companion wanted to inform the Quraish about it. He therefore, wrote and sent it secretly to Makkah through a woman. The Holy Prophet (peace and blessings of Allah be upon him) came to know about it. He sent Hadrat Zubair (may Allah be pleased with them). They brought the messenger and the letter. The Holy Prophet (peace and blessings of Allah be upon him,) called Hatib and

enquired from him. He confessed his guilt openly and begged to be excused. It would have been incumbent on every political leader of the time to inflict punishment for this crime, but the Holy Prophet (peace and blessings of Allah be upon him) forgave him on the plea that he had participated in the battle of Badr. He did not say anything to the woman who was an accomplice in this crime despite the fact that if the letter had reached the enemies, the Muslims would have to suffer heavy losses.

Farat b. Huyyan was engaged by Abu Sufyan for spaying the activities of the Muslims. He used to write verses containing satires on the Holy Prophet (peace and blessings of Allah be upon him). One day he was arrested and the Holy Prophet (peace and blessings of Allah be upon him) ordered to kill him. The people held him and were taking him. When he passed through a street of Ansar he said: I have embraced Islam. One of the Ansar informed the Holy Prophet (peace and blessings of Allah be upon him) about it: He says that he is a Muslim. Thereupon, he (the Holy Prophet) said: There are some people regarding whose faith we leave the decision to themselves. Farat b. Huyyan was one amongst them. The historians are of the view that later on he became a true Muslim and the Holy Prophet (peace and blessings of Allah be upon him) donated to him a piece of land in Yamama. ■

Islam And Education

- Mohammad Aslam Siddiqui

Right from the beginning Islam used knowledge as an important tool to root out ignorance, illiteracy, superstitions, banalities, obscenity, bad customs and other a host of anti social activities. The six century of Christian era in which Prophet Muhammad was born was the darkest phase in the history of mankind. The moral fabric of the society was torn to shreds. Humanity had reached the edge of precipice. Allah sent prophet Muhammad (PBUH) to take out the people from darkness to light and steer them to the right way and gave him a book named "The Qur'an" through Angel Jibrael. The first revelation which descended to the prophet was "Iqra bismе Rabbi kallaji khalaq." (Read in the name of thy Lord Who created you). No doubt, the first revelation of the Qur'an vividly indicates to the importance and significance of education. "That is why Islam always laid immense stress on acquisition of education. The prophet Muhammad (PBUH) said, "Seeking knowledge is incumbent upon every Muslim man and woman".

"The importance of education in Islamic theory and practice is too well known to be reiterated here. The word 'Qur'an' comes from 'Quara' meaning 'to read'. During the first half of the 7th Century, Muslims made a vigorous start with education. The Sayings of the Holy

Prophet cover such modern ideas as compulsory education for both sexes, adult and continuing education and exchange in the field of education and learning. Serious and concerted efforts were made to widen the educated segment of society without any loss of time and even prisoners of war were asked to teach reading, writing and arithmetic to their captors to obtain their release. This produced an unbelievable educational upsurge in the lives of the nomadic Arabs. In this, the Arabs present an extraordinary spectacle in the history of civilization. The ignorant and illiterate Arabs, within a hundred years after their grand march of conquest, assumed the leadership of intellectual pursuits. It was this extra-ordinary phenomenon which made Muslims masters of a large part of the world in a short time". (Islamic Education Redefinition of Aims and Methodology by Manzoor Ahmad, p,7)

History bears witness that knowledge has always been a guiding factor in human life. It has played crucial role in the the past and will surely be a beacon in the present and also in the future. "In his book "Madrasa Education In India" Kuldip Kaur says, "According to Islam, education is a powerful instrument for bringing about social change and to put an end to ignorance and superstitions. Education can also transform the world

into an abode of peace, free sin and misery. A teacher is held in high esteem in the Islamic society, even though he may not be wealthy. Learning and scholarship have always been the most prized virtues in Islamic society; so "imparting education" has been considered a meritorious deed. "Muslim education was pioneered by a man who had no formal education. Yet both as a preacher of a new religion and as the head of a state, Muhammad proved to be an effective teacher and an enthusiastic promoter of learning. Muhammad sat in the mosque at Madina surrounded by his followers, and instructed them by repeating whatever he had to say three times ", until they memorized it - such instructions were also imparted to women. People in search of knowledge went to the mosque, which, besides being a place of worship, also served as an educational center. Under the Abbasids, education made tremendous progress because Muslims came under the influence of Greek literature and philosophy. It was during this period that the Arabs became acquainted with Indian sciences, particularly medicine, mathematics and astronomy. The contact of the Arabs with the outside world revolutionized their outlook on different spheres of life. This period witnessed the intensification of efforts towards formalisation of the educational system, initiated during the Umayyad times. Besides providing elementary education to the general masses, efforts also made for development of higher education.

"There are many versions at the sayings of the Holy Prophet emphasizing the importance of imparting knowledge as a religious duty. The followers of Islam have always held learning and education in such regard as verging on veneration. This attitude towards learning has made the Muslims contribute to the progress of science for the benefit of mankind. Universities such as Qartaba (Cordova) in Spain, Al-Azhar at Cairo and Madrasa Nizamiya at Baghdad have turned out scholars as Ibn-Khaldun, Ibn A sir, Imam-al-Ghazzali, Imam Fakhruddin Razi, Abu Ali Ibn Sena (Avicenna), Nizam-ul-Mulk Tusi, Umar Khayyam, Saadi and Hafiz among many others". "Noted Islamic scholar Maulana S. Abul Hasan Ali Nadwi has rightly said, "There is not a single sector of European revival which is not indebted to Islamic thought. Islam imparted a new glow of life to Europe".

In short, until Muslims attached to education and accorded their spectacular attention to it they made remarkable progress and prosperity in every spheres of life. But ever since they showed negligence, indolence, and tardiness, they dwindled and humiliated everywhere. The crux of the matter is that the future of any nation depends on education. In the words of Dr. A.P.J. Abdul Kalam, "Education is the most powerful weapon which you can use to change the world." Accordingly, it is high time due attention must be paid towards education. It is the greatest asset which Allah has given us to lead a peaceful life in this world. ■

Making Awareness of Islamic Scholars with the Constitution of India is the Need of the Hour

- Obaidur Rahman Nadwi

Darul Uloom Nadwatul Ulama needs no introduction. Since its inception, it laid tremendous stress on the acquisition of religious as well as modern education. The main plank of Darul Uloom Nadwatul Ulama is to produce such Ulama who inculcate a deep and insightful knowledge of Islamic Sharia, and also get awareness of new developments of the time so that they could tackle modern challenges of the world with ease. By the grace of Allah, it has achieved great success in this direction. In 2018, it established a one- year Diploma Course in English for pass outs of the institute. "Recently, it set up "Nadwa English Speaking Center" for enhancing speaking skills of students. "Now, the institute has started a new course - "Legal Literacy Program" for its pass outs and graduates to apprise them of the Indian Constitution and its various dimensions. A program in this regard was held on 20 July, 2023 in Nadwatul Ulama. It was presided over by Maulana S. Bilal Abdul Hai Hasani Nadwi, Rector Nadwatul Ulama, Lucknow. In his inaugural address, Maulana S. Bilal Abdul Hai Hasani Nadwi said, "The main aim of this course is to acquaint Islamic scholars with the Constitution of India so that they may easily transact their jobs in a sublime way. Keeping in view this intention, Darul Uloom Nadwatul Ulama introduced the course. "Maulana Atiq Ahmad Bastavi, Secretary Sharia Academy, Nadwatul Ulama stated that there are a host of law colleges in Lucknow. The arrangement will be made for the education of Muslim family laws for lawyers and advocates. Similarly, a course comprising Islamic Sharia laws would also be initiated for Muslim lawyers. He further said this initiative of Nadwatul Ulama is laudable and praiseworthy. Other Islamic institutions would also be able to

avail this opportunity. "Professor Nasim Ahmad Jafri, HOD Department of Law, Integral University, Lucknow introduced the "Legal Literacy Program" as well. He said having knowledge about the Indian Laws is essential for every citizen. To become a good citizen, it is incumbent upon them to learn the Indian Constitution. He further said , "The Constitution of India, Civil Law, Criminal Law, and important subjects regarding awareness of the Indian Constitution have been incorporated in the newly designed course. He expressed his desire that Ulama should learn Indian Laws just like as Modern educated scholars should also learn Islamic Sharia." Dr. Kamal Ahmad Khan, professor Department of Law, University of Lucknow expressed his immense pleasure on the introduction of the course in Darul Uloom Nadwatul Ulama and said the concept of sin is in Islamic Sharia and the concept of crime is in the law of the land. It is upon us to understand which steps are deemed as crime and which are not. If the Ulama are aware of laws , they enjoy confidence and they can say every point in the ambit of law. "Retired judge S.M. Haseeb expressed his views and stated that basic important points are included in the course whose knowledge is incumbent for every citizen. The Indian Constitution gave rights and privileges. Our privileges are not limited. So, knowing the law is essential for us. "Maulana Kamal Akhter Nadwi thanked the guests, and Maulana Manowwar Sultan Nadwi conducted the proceedings. The program was commenced with the recitation of the Holy Qur'an by Maulana Zafruddin Nadwi and it ended with the prayer of Maulana S. Bilal Abdul Hai Hasani Nadwi. A good number of teachers and students attended the program. ■

Around the World

Erdogan: Could OK Sweden's Nato Entry if EU Opens its Doors to Turkiye

Vinius (Lithuania): Turkish President Recep Tayyip Erdogan introduced a new condition for approving Sweden's membership in NATO, calling on European countries to "open the way" for Turkiye to join the EU.

The surprise announcement by Erdogan before departing to a NATO summit in Lithuania's capital added new uncertainty to Sweden's bid to become the alliance's 32nd member, which Turkiye initially blocked saying Sweden was too soft on Kurdish militants and other groups that Ankara considers security threats. "Turkiye has been waiting at the door of the EU for over 50 years now, and almost all of the NATO member countries are now members of the European Union," Erdogan told reporters in Istanbul. "Come and open the way for Turkiye's membership in the European Union. When you pave the way for Turkiye, we'll pave the way for Sweden as we did for Finland," he added.

■ **Heatwaves Killed 61,000 in Europe Last Year, Says Study**

More than 61,000 people died because of last year's brutal summer heat-waves across Europe, according to a study published in the journal *Nature Medicine*. The findings suggest that two decades of efforts in Europe to adapt to a hotter world have failed to keep up with the pace of global warming. "In an ideal society, nobody should die because of heat," said Joan Ballester, a research professor at the Barcelona Institute for Global Health and the study's lead author.

This summer is likely to be even worse: On top of climate change, the Earth has entered a natural El Nino weather pattern during summer for the first time in four years, bringing about conditions that will turn up the heat in many parts of the world. The season is already shattering various global temperature records. The researchers who studied last year's heat-waves used data collected by the EU from 35 countries, including some nonmember states.

Most of the people who died were women, especially those older than 80. Among younger

people, men died at higher rates. Mediterranean countries, where temperatures were highest at the time, suffered most: Italy, Spain and Portugal had the highest heat-related mortality rates.

Extreme heat had been expected that summer based on how much the planet had warmed overall in the past decade, Ballester said. When temperatures spiked, many European governments had "heat action plans" ready, developed in response to a more unexpected and deadlier heat wave in 2003, but those adaptations weren't enough to prevent mass casualties, he said. As climate change continues, the world can expect more and more deaths from extreme heat, he added. ■

Cambodian Prime Minister Hun Sen to Step Down After 4 Decades

Cambodian Prime Minister Hun Sen, one of the world's longest-serving leaders, said he will resign and hand power to his eldest son after almost four decades of hard-line rule.

The former Khmer Rouge cadre has run the kingdom since 1985, eliminating all opposition to his power, with rival parties banned, challengers forced to flee and freedom of expression stifled. His Cambodian People's Party (CPP) won a landslide victory in an election with no meaningful opposition, taking 82% of the vote, paving the way for a dynastic succession to his eldest son.

Election authorities disqualified the only serious challenger, the Candlelight Party, on a technicality in advance of the election.

The government hailed the 84.6% voter turnout as evidence of the country's "democratic maturity" but Western powers, including the United States and the European Union, condemned the poll as neither free nor fair.

The UN's human rights chief Volker Turk added his own criticism, saying opposition parties and media had faced "restrictions and reprisals" aimed at hindering free elections.

Mr. Hun Sen said Hun Manet, a 45-year-old four-star general, would take over as prime minister at the head of a new government on the evening of August 22. ■

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