

## **NGS: IRE PAPER ONE NOTES FOR S5**

**INSTRUCTIONS:** Read and copy the work into your books

***THEME: THE SOCIAL TEACHINGS OF THE QUR'AN***

### **TOPIC 1: MARRIAGE AND DIVORCE**

#### **(a) Marriage:**

- The Islamic terminology for marriage is Nikah. Marriage is defined as a contract concluded between a man and a woman who is free from any legal constraint that may jeopardize their relationship.
- The marriage contract deals with human beings and its major aim is to have lawful sexual satisfaction between the parties concerned. This makes the marriage contract different from other contracts whose subject matter is always wealth.
- Marriage is for those people who can afford to look after their wives. In other words, the one who is able to bear the expenses involved in keeping the family, such as buying food, clothes and provision of shelter.

#### **Essentials (Pillars) of the Marriage contract**

- Muslim jurists in all four schools of law (Malik, Shafi, Hanbal, and Hanafi) Maintain that the pillars of marriage are five. They include:

#### **Sighar (Formula):**

- Formula consists of offer and acceptance. These should be words well communicated from the two parties for others to witness
- Jurists also maintain that marriage may be concluded between people who cannot speak
- Offer and acceptance must be communicated at the same meeting place (Majilis) and dowry must be mentioned in the language well understood by all

#### **Al aqidaan (Contracting parties):**

- Before any marriage contract is concluded, the Bridegroom and the Bride must have attained the age of maturity and are able to understand what they are doing and the meaning of the statements they make.
- The woman (Bride) must be well identified either by pointing at her if she is present at the same venue or by mentioning her full name if not present.
- The proposed woman should not be belonging to any category of women who are Islamically made forbidden to marry.

#### **Al wilaaya (Guardianship):**

- The marriage guardian is someone responsible for getting the bride married. It could be the father, grandfather, brother or a paternal uncle. He must be a Muslim, adult, just and sane.
- It is better for the guardian to give his daughter or sister or any other woman under his guardianship in marriage after having consulted her.
- A woman should not contract her marriage without having consulted her guardian

#### **Mahar (Dowry):**

- Dowry can be defined as an obligatory gift which the husband should religiously give to his wife. This definition is based on chapter 4:4 which says: 'and give the women on marriage their dowry as a free gift'
- The bride (wife) may be entitled to all the dowry mentioned (fixed) at the time the contract is being concluded.
- If the wife is divorced before the man (husband) has touched her and after the fixation of dowry, she becomes entitled to a half of the fixed dowry. Chapter 2:237 says: 'And if you divorce before you have touched them but after fixation of dowry, for them half of the dowry is given'

#### **Shuhood (Witnesses):**

- Marriage contract, like other social contracts must be witnessed by pious witnesses in order to safeguard the rights of wives and children to avoid any suspicions.

#### ***Conditions of witnesses***

- Witnesses in a marriage contract should satisfy the following conditions:
- Intelligence: On the basis of this condition, testimony of a lunatic person and mentally disturbed individuals is not legally acceptable
- Maturity: marriage witnesses must be mature in age. Thus, testimony of under aged person (a child) is not acceptable
- Their number may either be two male witnesses or one man and two women. This is based on the Quran chapter 2:282: 'and get two witnesses out of your own men and if there are no two men then a man and two women'
- The witnesses should be in position to hear the statements of the two contracting parties (Bride and Bridegroom) in order to understand everything involved in the contract
- Freedom: the witnesses should be free people. However, Hanbal School of law advocated that testimony made by slaves is also acceptable as it was not denied by the Quran and the hadith.
- Good character: only pious men with good reputation are entitled to give witness. They must not be known to be liars.

- The one who is observing hajj rites is not supposed to act as a witness to a marriage contract. This is because, one is not allowed to engage in a marriage contract while in a state of Ihram.

### **EXAMINE THE QURANIC TEACHINGS ON MARRIAGE.**

- The supremacy of the marriage contract over all other contracts is that, it has its origin from the Quran. God says in chapter 30:21 that: 'And among His signs is this, that He created for you wives from among yourselves that you may find tranquility in them'
- Thus, the major purpose of the marriage contract is to establish a solid and concrete marital relationship between a man and a woman. The teachings can be analyzed as follows:
- The type of marriage taught by the Quran is one in which men and women are equally responsible to each other in their duties of forming and promoting the family. It is a marriage ordered by God, demonstrated by the Prophet (PBUH) and left as a duty to fulfil by humanity and live by. So, all Muslims with ability to sustain it must carry it out lest they disobey God (celibacy is not entertained in Islam)
- The Quran clearly classifies marriageable women and those that are forbidden. This is found in chapter 4:23-24. The forbidden categories include: mother, daughter, sister, foster mother, mother's sister, father's sister, brothers daughter, sister's daughter, foster-milk suckling sister, wife's mother, step daughter, son's wife and putting two sisters in wedlock at the same time, not to mention the already married woman.
- Husbands have been enjoined to pay dowry to their wives. The payment of dowry is meant to show honour and respect to the wife and to show that the man has a serious desire to marry her. Chapter 4:4 says: 'And give to the women (whom you marry) their dowry as a free gift'
- The permissible number of women a man should marry according to the sharia have been explicitly fixed in the Quran. Chapter 4:3 says: 'marry women of your choice, 2 or 3 or 4, but if you fear that you shall not be able to deal justly with them then only one'. From the same verse we learn that, polygamy is allowed on condition that fairness is displayed by the husband.
- The husband and wife are religiously required to respect and be helpful and friendly to each other. Chapter 4:19 says: 'and live with them honourably, if you dislike them it may be that you dislike a thing and Allah brings through it a great deal of good'. Therefore, couples should love each other for peace to prevail in the home.
- The Quran teaches about divorce. When the marital relationship of the two mates deteriorate and it becomes difficult for them to stay as husband and wife, the Quran allows divorce as a way of terminating the relationship. Chapter 2:229 says: 'The divorce is twice, after that, either you retain her on reasonable terms or release her with kindness'

- In case of divorce, the Quran teaches that certain steps must be taken into account before the two mates separate. One of them is the prescription of Idda. Idda is a period of probation which a divorced woman should observe before getting remarried to another husband. The logic behind Idda is to prove whether the divorced woman is pregnant or not. Chapter 2:228 says: 'Divorced women shall wait concerning themselves for three monthly periods'
- The Quran clearly defines the rights of spouses' inheritance. If one of the spouses dies, the surviving partner would be entitled to a share in whatever property the deceased might have left. Chapter 4:12 says: 'In whatever your wives leave, your share is a half if they leave no child. But if they leave a child, you get a quota after payment of legacies and debts. In whatever you leave, their share is a quota if you leave no child but if you leave a child, they get an eighth'
- Temporary marriage (Mut'a) is not allowed in Islam. In the hadith related by Imam Muslim and Ahmad Ibn Hanbal, the Prophet (PBUH) said: 'Oh people, I had allowed the Mut'a marriage but now, Allah has prohibited it up to the Day of Judgment. Whoever has under his custody any married women on the basis of Mut'a, you should release her hence forth and do not retrieve any of what you have given to them'
- The position of witnesses deserves mention. The witnesses in this contract should be two men or a man and two women as seen in chapter 2:282. They should be intelligent and not suffering from any mental disorders, they should be mature, free and of good character. The Prophet said: 'No valid marriage without guardians' consent and two pious witnesses'
- Guardianship is another teaching of the Quran on marriage. For the case of women who are still under the guardianship of their parents or other persons, permission to take them should be sought. Also, no woman should contract her marriage without having consulted her guardian. Chapter 4:25 says: 'so, marry them with their guardian's consent'
- A woman is chosen for marriage basing on four factors. These are: her religion, her wealth, her beauty and her family background. But it is better for a man to marry a religiously up right woman according to the sayings of the Prophet (PBUH). Also, chapter 24:32 says: '...if they are in poverty, Allah will enrich them out of His bounty. Allah is all sufficient for His creatures' need, all knowing'
- Marriage must be entered into with free consent of intending spouses. Consent for marriage means accepting to marry without being forced. Forced marriages or those pre-arranged are not acceptable for a reason that marital life is supposed to be maintained with the ultimate aim of permanence. The personal acceptance and the love expected therefrom are therefore highly respected. God says: 'marry women of your choice...' 4:3
- Making a marriage function publicly known is a recommended act. The Prophet (PBUH) ordered Abdul-Rahman Ibn Auf to make the wedding feast even if it is with just a sheep. The purpose of making it public is to spread the good news of wedding to all relatives,

friends and others to participate in the occasion with joy and happiness. It also helps to reveal one's behavior, character, background and above all HIV/AIDS status.

- The husband and wife must have attained physical puberty. The sharia leaves it (age of puberty) to the Judgment of the people themselves to decide as to when they should get married. But is generally agreed that the age of puberty (Maturity) for marriage to take place is eighteen years
- The Quran teaches that a man who has ability of maintaining the family should marry. This is financial and physical ability. Concerning physical ability for instance, if a man is impotent or his male organ was amputated, he is not allowed to marry because he lacks the ability to satisfy his wife's sexual needs. With regard to financial ability, the Quran says: 'And let those who find not the financial means for marriage keep themselves chaste until Allah enriches them of His bounty'
- Unlike other forms of marriage, African or otherwise, the Islamic marriage is based on freedom of choice by either partner. Forced marriage or those pre-arranged are not acceptable for a reason that marital life is supposed to be maintained with the ultimate aim of permanence. Chapter 4:3 says: 'marry women of your choice...' choice here is not restricted to men only but also to women.
- For marriage to be legally concluded, two words, offer (Ijaaba) and acceptance (Qabuul) from the two parties must be well communicated for others to witness. These words must be well communicated at the venue (majilis) of the marriage ceremony. Jurists in all the four schools of law have also agreed that marriage may also be concluded between people who cannot speak
- In case a man marries a woman and later discovers a defect on her before carnally knowing each other, he is allowed to divorce her. In this case, she becomes entitled to a half of the fixed dowry. Chapter 2:237 says: 'And if you divorce them before you have touched them after fixation of dowry for them, then pay half of that dowry'
- The Quran lays down various steps through which the marriage contract can be terminated. These are five in number. The first one is divorce which is the dissolution of marriage by the husband (65:1). There is Khulu-u which means separation initiated by the wife (2:229). The third one is Al-Lian which comes when a man accuses his wife of a adultery but with no proof (24:6-9). There is Az-zihar when a man compares his wife to any of his female relatives within the prohibited degree (58:2-4). Lastly, marriage can be terminated by court decree. For instance, if a wife files a case in the sharia court on account of neglect by the husband.
- If a man is to marry a divorced woman, the Idda period must expire first. The cardinal reason for this is to establish whether she is pregnant or not. God says in chapter 2:228 that: 'And divorced women shall wait concerning their marriage for three menstrual periods and it is not lawful for them to hide what Allah has created in their wombs.'
- If a man converts to Islam with more than four wives, he has to select only four among them and release the rest immediately. This is in line with the directive of the Prophet (PBUH) to a man who joined Islam with ten wives; he said to him: 'choose from them

only four and release the rest.’ Similarly, if someone embraces Islam and has two wives who are sisters, he has to release one of them of his choice (4:23)

- Counseling of spouses is a must and should be conducted by the parent, relatives, Imams and agencies specialized in marital affairs. The case of Abu Juham Ibn Hudhaifa and Muawiya Ibn Abu-sufian is a good example when the Prophet (PBUH) counseled Fatuma bint Ghaith that: ‘Do not marry either of them.’ on ground that, Muawiya was a pauper and Abu Juham was cruel and harsh. So, she married Usama.

### **Prohibited marriages:**

- Mut’a marriage is not allowed in Islam. This is the type of marriage which is temporary for a specified period. It was prohibited by the Prophet (PBUH). A woman in this category must be released but should be entitled for dowry if she was touched by the husband.
- Shighar marriage is also prohibited. This is the type of marriage in which daughters and sister are exchanged whether dowry is mentioned or otherwise. Such marriage must be dissolved according to the hadith reported by Abu Huraira found in the books of Bukhar and Muslim
- Nikah al Mubalil which is the marriage of a triple divorced woman. If a man divorces his wife thrice, he cannot remarry her again unless and until she marries another husband and are separated either by means of divorce or death and has cleared her waiting period for the second husband. This is based on chapter 2:230. This prohibition is not permanent but temporary.
- Marriage of a Muh’rim is prohibited. If someone is engaged in the services of Hajj or Umra, they are not allowed to conduct marriage for themselves or on behalf of others until they conclude the services of Hajj or Umra. Also, if someone marries while they are already engaged in the services of Hajj or Umra, their marriage will be dissolved. But they are allowed to remarry after concluding the services.
- Marriage during the waiting period (Idda). If a man marries a woman who is still observing her period of probation irrespective of whether she is divorced or lost her husband, such marriage is not legal and the couple should be separated forever. Chapter 2:235 says: ‘And do not get engage in marriage until the term prescribed is fulfilled.
- Marriage without the guardian’s consent is prohibited. If a woman is married without the consent of her guardian, such marriage is null and void because, consent of the guardian is a principle pillar of the marriage contract. The Prophet (PBUH) said: ‘No valid marriage without the guardian’s consent’ (Muslim). If such marriage takes place, the two mates must be separated. If the woman was touched, she is entitled to dowry. If the guardian clears them, they can remarry
- The Quran prohibits the marriage between Muslims and non-Muslims. God says in chapter 2:221 that: ‘Do not marry women who associate others with God until they

believe'. This is intended to preserve the rights of the believing women. This is also seen in chapter 60:10

- It is prohibited for one to marry his close blood relations. These are four categories and they include:
  - (a) Ascendants: These are mothers and grand mothers
  - (b) Descendants: These are daughters and step daughters
  - (c) Descendants of the father and mother. These are full and half-sisters either from the mother or father's side and their daughters.
  - (d) Descendants of the grand fathers and grand mothers
- Prohibited categories for the reason of fosterage. In this vein, one is not supposed to marry a foster mother and her children. Also, the grand-mother on the foster mother's side and her sisters are prohibited.
- One cannot marry the already married woman. This rule is found in chapter 4:24 of the Quran which states that: 'Nor should you marry the already married women'. The reason for the prohibition of this category is that, the Quran does not allow violation of other people's rights. Secondly, there is need to protect the paternity of the children.
- It is prohibited on a temporary basis to put two sisters together as co-wives under one husband (in the same wedlock). This prohibition is contained in chapter 4:23 which states: 'Prohibited to you for marriage....are two sisters in wedlock at one and the same time.'
- It is not lawful to marry more than four women at the same time. If someone marries the fifth wife, his contract should be nullified on grounds that he had already reached and attained the sealing rate of four wives as stated in chapter 4:3
- Forced marriages are also not allowed. This can be based on the event that took place during the life time of the Prophet (PBUH). Once a virgin girl came to the Prophet and reported her father who had forced her to marry a man against her wishes. The Prophet gave her the right to repudiate the marriage. Secondly, forced marriage violates the Quranic principle of free consent.

### **Significance of marriage:**

- Marriage makes an incomplete human being a complete one. It makes them grown up persons and gives them responsibilities whether those responsibilities are to feed and clothe the wife or to assist the husband.
- Marriage helps to safeguard one's faith (Imaan). It stops one from committing acts which are considered immoral in society. Acts such as intermingling with people of the opposite sex are not allowed in Islam because they promote immorality in society. Marriage is a major deterrent to such sins.
- Division of labour deserves mention. When one lives alone, much of their time will be taken up by cooking and doing other domestic chores and will not be able to spare time

to knowledge or other good deeds. A righteous wife is primarily responsible for keeping the house and children while the husband is responsible for supplying their needs

- Marriage makes a man to be rewarded for what he spends on his wife even if it is putting a piece of food into her mouth. The Prophet (PBUH) said that: 'The best Muslim is he who is good to his family.'
- Marriage fulfils half of a Muslim's faith. This is true because in marriage, a Muslim learns a number of virtues such as patience, kindness, gentleness, responsibility all of which are important in perfecting a Muslim's faith
- Marriage is a social necessity because through it, families are established and a family is a fundamental unit of our society. In this way, marriage is a major weapon through which the Muslim community may continue to exist.
- Through marriage, the rights of children are cherished or protected. It is the right of the child to be born through a lawful marital relationship. This is important because it makes them enjoy parental love, protection and the right to inherit of property
- Marriage is an act of worship (Ibaadah) because by practicing it, one obeys God. Marriage is seen as the only possible way for the sexes to unite in order to avoid the sin of fornication and adultery. By choosing marriage therefore, one displays obedience to God.
- Through marriage, Muslims follow the footsteps of the Prophets. Therefore, the act of celibacy is not allowed in Islam. Prophet Muhammad (PBUH) said that: 'Marriage is my recommended custom.'
- Marriage helps to satisfy the natural sexual desires and checks unruly sexual passions. Thus, marriage acts as an outlet for sexual needs.
- Marriage strengthens and improves social and political relations between families, clans and even nations.
- Marriage gives security in old age. Those who remain single may find themselves lonely in old age.
- Marriage contributes to physical beauty of the married couple and it gives or creates peace of mind
- In marriage, there is company, play, joking, relaxation, comfort and all this relieves the heart of hardship

## **Polygamy**

- Polygamy is a state of having more than one wife at a time. This is the opposite of monogamy which is a custom of being married to one wife. Polygamy was not introduced by Islam but it has been there since time immemorial. Islam just reorganized and put a limit to it. In chapter 4:3, God says: 'marry women of your choice, 2 or 3 or 4, but if you fear that you shall not be able to deal justly with them, then only one.'
- The Quran allows polygamy and sets a limit of four wives. Chapter 4:3 says: 'marry women of your choice, 2 or 3 or 4...' This verse clarifies that if a man was to be



polygamous, he must not exceed four wives lest one goes beyond the limits set by God which may render his marital relationship null and void.

- The Quran sets a tough condition for men who intend to be polygamous. The condition is that, all wives must be treated equally or else, the man should stick to only one. Chapter 4:3 says: 'but if you fear that you shall not be able to deal justly with them, then only one'
- The phrase 'deal justly with them' as used in the above verse means that, the husband should be in position to provide physical things to his wives equally. For instance, providing clothes, food, caring for children etc. It does not mean equal love for equal love is difficult to exercise. God says: 'you will never be able to do perfect justice between wives even if it is your ardent desire' 4:129
- Polygamy may not simply be taken as an act of pleasure. For instance, Prophet Ibrahim stuck to Sarah even though she was barren until Sarah advised him to marry a slave girl called Hajarrah. Prophet Muhammad (PBUH) led a polygamous life for purposes of guidance to his community not for pleasure.
- Polygamy is neither recommended nor discouraged by the Quran. Therefore, it is Mubah. Mubah means something indifferent or neutral; to do it or not to do it is equally the same. So, marrying more than one wife must be treated as a permission not a rule. This permission must not be abused by Muslims under the camouflage of fulfilling the Quranic teachings enshrined in chapter 4 verse 3.
- When a man embraces Islam with more than four wives, it is mandatory that he selects four and divorces the rest. This is because of the rule set by God in chapter 4 verse 3. For instance, a man converted to Islam during the life time of the Prophet (PBUH) with ten wives and went to the Prophet to seek guidance. The Prophet (PBUH) told him to choose four and divorce the rest.
- Polygamy is not an act of worship but it purely for emergency. For instance, Muslim scholars have unanimously agreed that a man should not have carnal knowledge of his wife who has given birth until after forty days. This period is too long for some men who cannot exercise patience. To avoid adultery, the Quran permits such people to exercise polygamy.
- Muslims in Uganda opposed the domestic relations bill proposed by parliament in the late 1990's not because they are advocates of polygamy, but simply because the bill made restrictions where the Quran does not. For instance, the bill made it mandatory for a man to marry one wife yet to the Quran, this is not a rule.
- God allowed Muslims to practice polygamy due to many factors. The cardinal factor is to establish justice in society. To the barren women for instance, polygamy is a solution to divorce. To the women who do not have husbands yet they would like to marry, polygamy is a deterrent to the sin of fornication. To the widows, it is a way of consolation.
- In a polygamous home, a man must not marry two sisters at the same time so that they become co-wives. The Quran strongly prohibits this practice in chapter 4:23. If such a

situation takes place, one of the wives should be divorced after it has become crystal clear to them.

- Polygamy applies to only men. It must not be misconstrued to mean women also getting married to more than one man. Women who are carnally known by many men always find it difficult to determine the paternity of the children. More so, this behavior generates conflicts in society.

### **Why does the Quran permit polygamy:**

- Failure of the first wife to bear children is one of the factors. Polygamy in this case ensures security to the barren women as men with such women are advised to take on a second wife. If a woman is barren, the aim of the husband to have an issue remains unfulfilled and this calls for polygamy.
- Some men are sexually too strong to be satisfied by only one woman
- The excessive number of women as opposed to that of men. By this, if the policy was to be one man one woman, there would be an excessive number of women who would be forced into deprivation or turned into sex objects by treacherous men. So, the best alternative was to make them co-wives.
- Polygamy caters for women who do not have husbands yet they would like to marry. Thus, if polygamy is not allowed, such women may be tempted into practicing fornication which is a major sin in Islam. The concept of polygamy therefore is aimed at promoting justice in society.
- Consolation and the need to protect the widows. During wars, many men die leaving behind many widows.
- Protection of orphans (They get protection and care from step fathers)
- The nature of some people's work. Some people have to work between long distances from home. If such men are not allowed to have a second wife, they may resort to adultery which may produce dire consequences to the family (risk of acquiring STD, HIV and AIDS)
- Some women may have long menstrual periods or other chronic diseases which may not permit sex. The only solution to this challenge is to allow men practice polygamy

### **(b) Divorce**

- When a man and a woman marry each other, it is their utmost wish to remain in this relationship forever. But when this relationship becomes severe, the husband and the wife are allowed to dissolve it. The Islamic terminology for the dissolution of marriage is called divorce.
- The Quran allows married people to separate other than living like cats and dogs. Chapter 2:227 says: 'And if you decide upon divorce, then Allah is all hearer all knower.' Although the Quran allows divorce as a way of promoting justice in society, it is not a rule or compulsory. It is an option. It comes due to unavoidable factors.

- Divorce is only permissible twice according to the teachings of the Quran. This limit was set by God in order to prevent the act of divorce repeatedly. Chapter 2:229 says: 'A divorce is only permissible twice, after that, the parties should either hold together on equitable terms or separate with kindness.'
- If a man divorces his wife irrevocably (For the third time), no reconciliation is permitted so as to take her back until she gets married to another man who also divorces her willingly or are separated by death. The Quran says: 'so, if the husband divorces his wife (the third time), he cannot, after that remarry her until after she has married another r husband. Then if the other husband divorces her, it is no sin to both of them that they may reunite.' 2:230
- The divorced woman must observe the Idda period before getting remarried to another husband. Idda means a period of probation. The logic behind this is to ascertain whether the divorced woman is pregnant or not. Chapter 2:228 says: 'And divorced women shall wait (as regards their marriage) for three menstrual periods.'
- Reconciliation after Idda period is allowed, after all, one of the cardinal reasons for the prescription of Idda is to enable the two parties think deeply before they finally separate. Chapter 2:231 says: 'And when you have divorced women and they have fulfilled the term of their prescribed period, either take them back on a reasonable basis or set them free.'
- Fair treatment should be accorded to divorced women during the Idda period. Men are enjoined to handle divorced women with kindness, by providing them with shelter, food, clothes, medical care etc. chapter 2:241 says: 'And for divorced women, maintenance should be provided on reasonable scale. This is a duty on the righteous.' Chapter 65:6 carries the same message.
- The Quran teaches that, before divorce is declared, certain steps must be taken. Chapter 4:35 says: 'If you fear a breach between them (a man and his wife), appoint two arbitrators, one from his family and the other from hers. If they wish for peace, God will cause their reconciliation.'
- Divorce issued by a man does not require a specific phrase. Even if one was joking and uttered a divorce, it is considered legally binding. Immediately on pronouncement of divorce, the wife enters the Idda period. She should be accommodated in the husband's house during this period.
- Divorce should be pronounced during the period of chastity (after menstruation) and no privacy must have taken place after the last menstruation. The Quran says: 'Oh Prophet! When you divorce women, divorce them at their prescribed periods and count.' 65:1. Abdallah Ibn Umar divorced his menstruating wife. His father (Umar) reported this to the Prophet who replied that: 'instruct your son to take her back and keep her until the end of the menstruation.' (Bukhar and Muslim)
- Divorce is allowed before marriage is consummated (before having sexual relationship). In case it is pronounced before fixing dowry, the husband is enjoined to give her a gift according to his means (2:236). In case of divorce after fixing dowry, then half of it

should be given by the husband. The Quran says: 'And if you divorce them before you have touched them, but after the fixation of dowry for them, then the half of the dowry is given.' 2:237

- Although divorce is allowed, it is hated by God. The Prophet (PBUH) taught that, divorce is one of the lawful things hated by God. This is manifested in the stringent measures put in place by God to avoid divorce. For instance, in chapter 2:230, God says, that if a man divorces his wife irrevocably, he cannot remarry her until she gets married to another man and they are separated by divorce or death.
- If a woman is divorced before sexual intercourse, there is no need for the observance of Idda. Idda means the period of waiting after divorce. Chapter 33:49 says: 'When you marry believing and then divorce them before you have touched them, no period of Idda should be counted.' The reason for this is that, no pregnancy is expected.
- The Quran addresses divorce of a pregnant woman. The Quran teaches that the Idda of a pregnant woman is until she gives birth. This is in accordance with chapter 65:4 which says: 'And for those who are pregnant, their Idda is until they lay down their burden.' If a pregnant woman is divorced, she must stay in her husband's home until she delivers, for she needs maintenance and care of the husband.
- If the divorced woman gives birth, she should be paid by the husband for breast feeding the child. Chapter 65:6 says: 'Then if they give suck to the children for you, give them their due payment.' This means, the husband should not evade the responsibility of nursing the child, its welfare and care of its mother.
- The Quran allows Khulu-u, which is separation (divorce) initiated by the wife. Chapter 2:229 says: 'there is no blame on either of them if she gives back (the mahr or part of it) for her freedom (Khulu-u).' the wife can ask for separation in case of mistreatment, neglect or any other sounding reason as far as the sharia is concerned. If the husband refuses, she has the right to refer the matter to court.
- There is the issue of Zahaar as seen in chapter 58:2-4. Zihar is a situation where a man compares his wife to any of his female relatives within the prohibited degree. If this happens, the wife is allowed to apply to the sharia court for an order requiring them to separate. This is because, such words are unfair to the wife in a descent society.
- The Quran teaches that, in case of reconciliation between the divorced wife and husband, the husband should not take her back with the intention of mistreating her. Chapter 2:231 says: 'But don't take them back to hurt them and whoever does that then he has wronged himself.'
- Divorce should be the last resort of resolving marital conflicts. Before the final separation is done, the two parties must think deeply about the future of the children. Divorce contributes to loss of parental love and care to the children which should be avoided as much as possible.

## **Challenges associated with divorce:**

- It destroys the future of the wife because her livelihood becomes an issue of great concern. The problem of providing maintenance to the divorced woman surfaces and in the end she goes back to her parents or relatives.
- It also disorganizes the husband because he has to start off with another woman. Therefore, there will be adjustment problems
- The future of the children is at stake, lacking parental care. Separation of the father and mother affects the children psychologically. They may develop a negative attitude to life
- It brings about misunderstandings and ill feelings between the two families. This not only affects the two ex-partners but also the parents. That is why the Prophet (PBUH) said: 'To Allah, the most undesirable thing among the lawful things is divorce'
- It may result into an immoral act of fornication for both partners so as to satisfy their sexual desires. This may result into loss of respect and also the spread of sexually transmitted diseases and HIV which they would otherwise have avoided in case they had not divorced

## **Why divorce is permitted:**

- Apostasy is one of the factors. If one of the spouses denounces Islam, the other spouse is allowed to seek for divorce. The Quran says in chapter 2:221: 'And do not marry the none believers'
- In case of amputation of the male organ for any reasons may also cause divorce. Such a person lacks the ability to satisfy his wife's sexual needs. Divorce must be effected to curtail the act of adultery.
- In the case the husband goes missing for a long period of time
- In case the two parties discover that they are consanguineously related, say they are brother and sister, divorce must be effected. In chapter 4:23 says that: Forbidden to you (for marriage) are;...your sisters'
- In case of cruelty
- Disrespect of one's parents
- In case marriage was done through duress
- If a man fails to pay dowry. It should be noted that dowry is one of the prerequisites to the legality of the marriage contract. So, the sharia allows a woman to file a case in the sharia court seeking an order for separation in case her husband fails or refuses to pay dowry.
- In case one the parties continuously engage in acts of disbelief (shirik), the other party may seek for divorce.
- In case a man discovers that he married the already married woman (some one's wife)

- In case a woman marries an impotent man and she finds it out after marriage, she is allowed to apply for separation (Khulu-u) as seen in chapter 2: 229
- A man's inability or refusal to look after his wife is one of the major factors
- If one of the spouses is unable to have conjugal relations (perhaps due to complications/disease), divorce is permitted. The cardinal reason for marriage to take place is to legalize sex which leads to procreation of children.
- If a polygamous husband discovers that his two wives are sisters, the sharia rules that one of them should be released (divorced). The Quran says in chapter 4:23 that: 'Forbidden to you (for marriage)....and two sisters in wedlock at the same time'
- If a man embraces Islam with more than four wives, the sharia rules that he should select four wives and then release the rest. This is in accordance with the rule contained in chapter 4:3 which fixes the maximum number of wives a man can marry at four.
- Adultery is one of the factors. If one of the parties accuse the other for committing adultery with clear cut evidence of the four witnesses, divorce is allowed.
- If a man compares his wife with any of his female relatives in the prohibited degree. For instance comparing his wife with his mother.

### **Ways through which divorce can be avoided:**

- Both spouses should have the fear of Allah. They should remember that if they are unfair to their spouse, they will be judged on their behavior by Allah
- Both spouses should stick to the teachings of the Quran and the traditions of the Prophet (PBUH)
- They should try to resolve the problem among themselves. Spouses should know that no one, a part from God and His messenger is perfect. Everybody has shortcomings. So, we should be willing to sacrifice some things.
- They should not hesitate to involve other members of the community. For instance, they should not feel ashamed or embarrassed to meet and speak with their local Imam (If he is fair and trustworthy)
- Seek counselling, preferably from a Muslim counselor. Unless they cannot find one
- Before they separate, both parties should reflect on the future of their children. A woman should think about what will happen to her children when her husband marries another wife to take care of the children.
- Both parties should seek God's guidance through supplications.
- Patience is highly encouraged

### **TOPIC 2: THE POSITION OF WOMAN IN SOCIETY**

- A woman has equal responsibility to a man in pro-creation and proper upbringing of the children, given the fact that she is the mother of the children. Chapter 46:15 says: 'The mothers shall give suck to their children for two whole years, (that is) for those who

desire to complete the term of suckling, but the father of the child shall bear the cost of the mother's food and clothing...'

- A woman should not get married without the guardian's consent. This is intended to protect her from exploitation and oppression from their husbands. Chapter 4:25 says: 'so, marry them with their guardian's consent and give them their dowry according to what is reasonable.'
- The rights of women in a polygamous marriage have also been put into consideration. The Quran legislates that, all wives in a polygamous home must be treated equally. Chapter 4:3 says: 'But if you fear that you shall not be able to deal justly with them, then only one.'
- The Quran permits women to terminate their marriage in case of neglect, mistreatment etc. The termination of marriage initiated by a woman is called Khulu-u. chapter 2:229 says: 'Then there is no sin on either of them if she gives back the dowry or part of it for her Khulu-u'
- The Quran has put in place measures to protect the economic position of women. For instance, a woman is a portioned a share of inheritance of the deceased relative. Chapter 4:7 says: 'There is a share for men and a share for women from what is left by parents and those nearest related.'
- The Quran teaches that, a woman has a right to life. She should not be killed as the Arabs used to do during the turbulent days. The Quran made her life sacred as that of men as seen in chapter 81:8-9. 'And when the girl child buried alive is questioned, for what crime was she killed.'
- The Quran teaches that men are the protectors and maintainers of women. This protection (security) and maintenance should be given to female minors and adults such as married, widows and unmarried. This is in terms of food, clothing, medical care etc. chapter 4:34 says: 'Men are the protectors and maintainers of women because Allah has made one of them excel the other.'
- Slandering of innocent women is punishable by the Quran. This is intended to protect their image in society. Chapter 24:4 says: 'And those who accuse chaste women and produce not four witnesses, flog them with eighty strips and then reject their testimony forever.'
- The Quran gives a proper description of the woman's attire as a way of elevating their status in society. Chapter 33:59 says: 'Oh Prophet! Tell your wives and your daughters and the believing women that they should cast their outer garments over their persons...' This dress protects women from rape, defilement and evil comments
- The Quran condemns in strongest terms the act of having sexual intercourse with one's wife while they are experiencing their menses. It is considered harmful as seen in chapter 2:222 which says: '...and do not approach them till they are purified.' The Prophet (PBUH) taught that, the perpetrators will receive a heinous punishment.
- The Quran teaches that, in case the husband and wife decide to separate (divorce), the Iddah period should be observed. Iddah is a period of probation which a divorced

woman should observe before getting married to another husband. The cardinal reason is to prove whether the divorced woman is pregnant or not. This safeguards the position of the woman and the paternity of the child. This is seen in chapter 2:228

- The Quran teaches that, a widow should mourn the husband for four months and ten days and then get married to another husband if she wishes. This abolished the old primitive practice of the Arabs that required a widow to mourn for a full year, without being allowed to do personal hygiene. This is evidenced in chapter 2:234
- The Quran prohibited the act of inheriting widows against their will. This shameful act was common in Arabia during the turbulent days where a step son or brother took possession of the dead man's widow along with his property. The Quran says: 'Oh you who believe! you are forbidden to inherit women against their will...' 4:19
- The Quran teaches that a marriage contract must be witnessed by two pious witnesses. If two men are not available, there should be a man and two women. The purpose is to safeguard the marriage (the rights of wives and children). Their presence is proof that the marriage between the two parties actually took place. This is evidenced in chapter 2:282.
- The Quran has also safeguarded the status of maids. Muslims are commanded not to subject maids to oppressive conditions of any kind. For instance, they should not be raped or used as sexual objects as it is seen in many homes. Chapter 24:33 says: 'And force not your maids to prostitution if they desire chastity.'
- The Quran teaches that a suckling mother deserve full care and protection by the father of the child. This includes feeding, clothing, medical care and any other expense. The Quran says in chapter 2:233 that: '...the father shall bear the cost of the mother's food and clothing on a reasonable basis.'
- The Quran has granted women freedom of expression. This disarms the orientalist who claim that the Quran has kept women backward by denying them freedom of speech and expression. As already noted, women were among the advisors of the Prophet (PBUH). Some of them such as Aisha and Fatuma became scholars from whom many Muslims acquired their education.
- Every woman is entitled to dowry from her husband. The Quran has described dowry as a compulsory gift that a husband should religiously give to his wife. The definition is based on chapter 4:4 which says: 'And give the women in marriage their dowry as a free gift.' The Quran further states that, if the wife is divorced before she was touched, she becomes entitled to half of dowry (2:237)
- A woman has the right to seek knowledge in the same way a man does. The Prophet (PBUH) taught that that: 'seeking knowledge is a duty for both male and female.' (Abu Dauda). He also said that: 'seek knowledge from the cradle to the grave.' Which means, both men and women should extensively look for knowledge.
- The Quran recognizes the role women play in development of society. The Quran assigns them shares of inheritance which may be invested for the benefit of society. Asia, Pharaoh's wife advised her husband to keep Moses in their palace who later



brought a revolution in Egypt. Khadija, the Prophet's wife was also instrumental to the development of the Muslim community.

- A woman is exempted from some religious duties. For example, she is not obliged to observe congregational prayers which are compulsory to men. On some days, she is not compelled to observe the five daily prayers and fasting.
- Quran has prohibited forced marriages as a way of safeguarding the status of women. The Quran has made consent for marriage as one of the major pillars of marriage. Once a virgin girl complained to the Prophet (PBUH) that her father had forced her to marry a man against her wishes. The Prophet (PBUH) granted her the right to repudiate the marriage.
- The Quranic allowance of polygamy paves way for every woman to get married. Chapter 4:3 says that: 'marry women of your choice, two or three or four...'

***Significance of the above teachings to society:***

- The teachings promote justice to society
- Women's chastity is safeguarded
- The economic status of women is elevated
- They promote harmonious way of living in society
- Legitimacy of the children is protected. This is through the observance of Iddah
- They make women learn their rights and responsibilities
- The Quranic teachings promote physical cleanliness and purity of women
- Rights of widows have been elevated
- Women are not anyone's property
- Women's freedom of speech and expression has been elevated
- Men are made to learn their responsibilities (obligations)
- That women can contribute to the development of society

**Note:** By and large, the above teachings promote women empowerment in society.

***Responsible parenthood:***

- This is to do with the obligations of parents towards their children. In other words, the rights of the children.
- Counselling of children concerning their relationship with other people is a responsibility of the parent. Parents must teach their children how to conduct themselves and how to treat other people according to the teachings of the Quran. In chapter 31:18, Luqman counseled his son that: 'And turn not your face away from men with pride, nor walk in insolence through the earth. Verily, God likes not any arrogant boaster.'
- The burden of teaching children the Islamic values is on the shoulders of their own parents. This burden should not be transferred to schools or other educational institutions. The significance of this is to make a child live a peaceful earthly life and attain felicity in the hereafter. Chapter 31:13 says: 'Behold, Luqman said to his son by

way of instruction; Oh my son! Join not in worship (others) with God, for false worship is indeed the highest wrong doing.'

- Children must be provided with cloths. Parents must ensure that their children dress as per Islamic teachings. Chapter 33:59 says: 'Oh Prophet! Tell your wives and your daughters and the women of the believers to draw their outer garments over their persons.' The Islamic dress is aimed at safeguarding the dignity of the Muslim woman
- Parents must have married legally so that the rights of the children are protected. For instance, a child born out of illegal relationship is denied the right to inherit property of the deceased father. That is why God commanded that: 'And come not near to the unlawful sexual intercourse for it is a shameful deed and an evil opening the road to other evils.' 17:32
- Parents should give religious guidance to their children intending to get married, guidance should rotate around faith in God, quality of spouses, relative position of men and women in marriage, issues related to polygamy, divorce laws and issues of work and maintenance of the marital home. This guidance is important as it lays grounds for the creation of harmony in the marital home.
- Responsible parenthood also entails family planning. According to Islam, family planning entails having a family that can be well catered for in terms of food, health care, education and protection (security). The Prophet (PBUH) said: 'whoever can support a family should marry.' (Bukhari and Muslim).
- The Quran teaches that, a child should be breastfed for two years. This must be done by every responsible Muslim parent. This serves two purposes; first, it ensures health development of the child, and secondly, it provides an interval of at least two years between one pregnancy and another. Chapter 2:233 says: 'The mothers shall give suck to their children for two whole years.'
- The Quran teaches that in case of divorce, the Iddah period must be observed, as seen in chapter 2:228. This helps to ensure right parenthood. Observance of Iddah in Uganda is almost non-existent and this has resulted into mixing of lineages and parenthood as majority of women get married or cohabit immediately they are divorced.
- Parents should not evade the responsibility of feeding their children and giving them decent accommodation. God says in chapter 17:31 that: 'And do not kill your children for fear of poverty. We shall provide for them as well as for you. Surely the killing of them is a great sin.' In Uganda, a few mothers dump their new born babies in latrines, for children are considered liabilities.
- Both male and female children should have different sleeping arrangement and every responsible parent must ensure that this is done. This is intended at maintaining or keeping people's rights, dignity and avoiding illegal sexual intercourse which is a shameful act as seen in chapter 17:32.
- Parents should command their children to observe prayers at the age of seven and they should be punished for non-observance of prayer at the age of ten. We should note

that, observance of prayer is one of the pillars of Islam, and therefore a factor that leads one to bliss in the hereafter.

- Under no circumstances should the parents disown their children. Some Muslim parents disown their children instead of counselling them and showing them the right thing to do. The child belongs to the family in which they are born. Thus, disowning a child violates the child's right to legitimacy.
- Parents are required to pray for their children so that God can give them guidance and wisdom. This will help them attain felicity in the future life. Praying for children was also done by the Prophets such as Ibrahim as seen in chapter 14:40 which says: 'Oh my Lord! Make me one who performs prayer and also raise such from among my offspring.'
- Parents must create a hygienic environment for their children. For instance, it is their duty to ensure that a male child is circumcised. Circumcision prevents the child from acquiring diseases. Also parents should train their children to keep their bodies clean: that is, brushing the teeth, shaving off the unwanted hairs, clipping the nails etc.
- Parents must not force their daughters to marry men not of their choice. The Quran has made consent for marriage for either the bride or bridegroom an important condition for the legality of the marriage contract. Once a virgin girl complained to the Prophet (PBUH) that her father had forced her to marry a man against her wishes. The Prophet (PBUH) gave her the right to repudiate the marriage.
- Parents should give equal treatment to both male and female children in terms of necessities and love. Discriminating children is an act of injustice highly condemned by the Quran. Chapter 42:49 teaches that all children are God's creation and He creates them in different designs according to His will.
- The Quran condemns parents who overload children with work (domestic chores) that is beyond their capacity. Chapter 2:233 says that: 'No person shall have a burden laid on him greater than he can bare.' God also says in chapter 2:286 that: 'Allah burdens not a person beyond his scope.'
- All funds and resources used for children's support should come from legitimate means. Parents must not resort to illegitimate means such as accepting bribes, stealing, embezzlement and dishonesty under the pressure of supporting many children. All unlawful sources of income will not enjoy God's blessings and therefore, children should not be exposed to such dangers.

### **TOPIC 3: BROTHERHOOD AND EQUALITY**

#### ***(a) Brotherhood:***

- The Quran has taken every necessary measure to preserve humanity from divisions and discords that have erupted due to differences in races, tribes, nationalities etc. one of those measures is the principle of brotherhood. This principle wipes away all the

differences that exist among people in society because of differences in wealth, lineage and other qualities that people use to distinguish themselves above one another.

- Islamic brotherhood can best be understood through three aspects, that is; brotherhood based on biological relatedness, brotherhood that exists between all people on account of their common humanity and brotherhood based on religious identity.
- **To begin with religious brotherhood**, the Quran teaches that, all believers are brothers and therefore, they should not wrong each other. Chapter 49:10 says: 'Believers are but a single brotherhood.' This also means, Muslims are required to guide each other to Godliness.
- Brotherhood based on faith is the strongest type of all brotherhood because, blood brothers may kill one another when their interests differ and a good example are the two sons of Adam, Cain and Abel. In contrast, people who share the same faith can work together even though they come from different countries, speak different languages or have different racial background.
- The Islamic brotherhood cuts across boundaries and therefore universal. Once one proclaims the Islamic testimony (The shahaadah), they are considered to be Muslims and therefore part of the great Muslim Ummah. Spilling blood of such a person without a genuine cause attracts a heinous punishment from God.
- The Islamic brotherhood discourages racism as seen in chapter 49:13 which says: '...Verily the most honorable of you with Allah is the one who is pious.' The Prophet (PBUH) said that, there is no superiority of the white over the black nor a black over the white.
- When giving commands regarding Islamic brotherhood, the Quran uses a beautiful style with a profound message. Instead of saying great each other it says great yourself (24:61), instead of saying do not defame each other, it says do not defame yourself (49:11), instead of saying do not kill each other it says do not kill yourself (4:29). This means, whatever is happening to others is actually happening to yourself. Any aggression against any part of the brotherhood is an aggression against the whole of it.
- The Quran teaches that Muslims should desire for others what they desire for themselves. If anyone who claims to be a Muslim does not wish for his brothers in faith what he wishes for himself, he does not have true faith. Anas Ibn Malik reported the Prophet (PBUH) as saying that: 'None of you is a believer till he wishes for his brother what he wishes for himself.'
- Muslims are required to fulfil five claims upon one another according to the teachings of the Prophet (PBUH). These are: To return the greeting when he greets, to visit him when he falls ill, to attend his funeral, to accept his invitation to a meal and to pray for him when he sneezes saying 'may the mercy of Allah be upon you.'
- All Prophets carried the same message (Islamic monotheism) which makes them brothers in faith. Therefore, if their followers were sincere to their faith, they too must be brothers. The Prophets are the cream of humanity selected to deliver a message of

guidance to their followers. Thus, their followers should belong to the same brotherhood.

- Islamic brotherhood manifests its self in the five pillars of Islam. For instance, in prayers, Muslims stand shoulder to shoulder regardless of their status in society. Zakat, the third pillar of Islam is used to liberate Muslims from difficulties hence establishing brotherly feelings among Muslims. Fasting inculcates into Muslims the feelings of mercy towards others. Hijra brings Muslims of various background together.
- God commands the saying of Salaam (Islamic greeting) as seen in chapter 24:61. The saying of Salaam crystallizes the Islamic brotherhood. The Prophet (PBUH) taught that the spread of the Islamic greeting is one way of expressing love to one another. Also, it is a must to all Muslims to respond to the greeting of a person with a better one (4:86)
- The Quran discourages Muslims from getting divided on minor issues. Chapter 3:103 says: 'And hold fast all of you together to the rope of Allah (Quran) and be not divided among yourselves...'. It is therefore the duty of every Muslim to create peace among two contending parties of believers.
- Islamic brotherhood is a source of good, peace and justice for everyone. It provides stability in a quarrelsome world. To the down trodden and oppressed everywhere in the past, it provided freedom. The case of Bilal Ibn Rabbah gives a clear example. When he converted to Islam, he entered the house of Islamic brotherhood and regained his freedom.
- **Brotherhood based on our common humanity**, rotates around man's original parentage. As far as our earthly origin is concerned, we are descendants of the first pair of human beings of Adam and Eve to which every human being belongs. Chapter 49:13 says: 'Oh mankind! We have created you from a male and a female and made you into nations and tribes that you may know each other.'
- The Quran commands believers not to laugh at other people as a way of belittling them. In the same vein, it prohibits Muslims from backbiting nor nick naming others. This is seen in chapter 49:11 which says: 'Oh you who believe! Let not a group scoff at another group, it may be that the latter are better than the former...nor defame one another nor insult one another...'
- Brotherhood as taught by the Quran guarantees the safety and wellbeing of society at large. The prophet (PBUH) taught that, a Muslim is not really a believer if he eats to his full while ignoring the plight of a hungry neighbor. Ibn Abbas reported the Prophet (PBUH) as saying: 'A person who eats to his full and the neighbor in his surroundings is hungry is not a Muslim.'
- The Quran enjoins Muslims to purify themselves from hatred and malice (59:10)
- **Then there is brotherhood based on biological relatedness:** This is the brotherhood that stands for the relationship connected to the common descent; for example father, mother, son, brother, sister, grandfather, uncles to mention a few.
- This is the brotherhood based on the laws of inheritance. The Quran has made it clear that a Muslim is inherited by people related to them by blood. This is seen in chapter

4:7, 4:11-12, 4:176 etc. chapter 2:180 says: 'It is prescribed for you, when death approaches any of you, if he leaves wealth, that he makes a bequest to parents and next of kin..'

- Relatives are entitled to good treatment, justice and kindness. This is emphasized in a number of verses in the Quran. For instance, chapter 17:26 says: 'And give to the kindred his due...' By this verse, God commands Muslims to uphold the ties of kinship and give relatives their due.
- In the same vein, the Prophet (PBUH) said that: 'He who loves sustenance to be expanded and his life time prolonged, should join the tie of kinship.' (Bukhari)

**REVISION QUESTIONS:**

1. Discuss the significance of Quranic teachings on brotherhood to society
2. Analyse ways through which the concept of brotherhood as taught by the Quran can be consolidated.
3. The advocates of international peace need no other than the Quranic teachings on brotherhood. Discuss the validity of this statement

**(b) Equality:**

- Equality simply means the state of being equal to one another. Equality and the concept of Islamic brotherhood are synonymous. These two combined together can promote international peace and tranquility.
- Belief in Islamic monotheism has a direct bearing on the idea of equality, because, belief in a single creator and sustainer who created all mankind, male and female, black and white, gives a clear idea that all human beings are equal as servants of Allah
- The story of Adam and Eve as told in the Quran forms part of the Islamic human equality. The Quran does not throw the blame for the first mistake on the shoulders of Eve alone. Adam and Eve are said to be equally to blame for the mistake and disobeying Allah and allowing themselves to be tempted by the devil.
- All Prophets carried the same message of equality to their adherents. Their way of life displayed the significance of the concept of equality in society. A case in point is Prophet Muhammad (PBUH) who practiced equality in an exemplary way. Whenever he joined a gathering, he never pushed his way to the front but simply sat where he found space.
- All human beings are born equal in the sense that no one comes with any property. All children come from their mothers' wombs empty handed and when they die, they go empty handed. No one is buried their wealth, which shows that human beings are equal to each other.
- The Quran teaches that all human beings are children of Adam and therefore, they share the same pedigree (status/class). Therefore, if all people are from the same father and mother, how can they be superior to others in terms of language and location? Chapter 49:13 says: 'Oh mankind! We have created you from a male and a female and made you into nations and tribes that you may know each other.'

- The Quran teaches that all human beings have the right to enjoy the legitimate bounties of that God has created. This implies that, all human beings are equal. Chapter 2:168 says: 'Oh Mankind! Eat of that which is lawful and good on earth..'
- The Quran denounces racism which shows the significance of equality of mankind. Racism is the belief that some races of people are better than other races. It therefore involves poor treatment of people or violence against people because of their race or colour. The Quran says: 'Mankind is not but a single nation.' 2:213
- The Quran teaches that all people have the same mission on earth, and that is, to worship Allah. This is seen in chapter 51:56 which says: 'And I created not the Jinn and mankind except that they should worship Me.'
- Equality is expressed in all religious services according to the Quran. For instance, observance of prayer, fasting, hajj etc. in these services, man and woman will be rewarded equally. Quran says: 'Whoever works righteousness whether male or female while he or she is a true believer, verily to him or her, We will give a good life.' 16:97
- There will be justice and equality in whatever punishment that will be given to the wrong doers without discrimination as seen in chapter 9:68: 'Allah has promised the hypocrites men and women and the disbelievers the fire of hell, therein shall they abide.'

#### ***Equality between man and woman:***

- Both Adam and Eve were responsible in aiding each other in the act of getting near the forbidden tree which the devil called the tree of immortality (7:20). As soon as the couple tasted of that tree, they lost their heavenly garments and concealed their private parts with leaves from the garden. Chapter 7:22 says: 'Did I not forbid you that tree and tell: verily, satan is an open enemy unto you?'
- Both Adam and Eve repented to Allah (7:23) and Allah forgave them. Chapter 2:37 says: 'Then Adam received from his Lord words (of repentance). And his Lord pardoned him. Verily, He is the One who forgives, the Most Merciful.' Basing on this verse, Islam does not allow the doctrine of the original sin.
- Both man and woman are advised by Allah to guard well their private parts and that the best garment and covering is Taqwa (God consciousness/fearing). God says they should not allow the devil to strip them off their garments as he did to Adam and Eve in the garden. God says: 'Oh children of Adam! We have bestowed raiment to cover your shame as well as to be an adornment to you.' 7:26, 7:27
- Both men and women are addressed by God as believers who protect each. Chapter 9:71 says: 'The Believers men and women are helpers (protectors) of one another.' Although men and women have different anatomy, physiology and sexual hormones, they are equal as taught in the above verse.
- Allah makes no difference between the actions and rewards for men and women. If both men and women practice righteous deeds, Allah will admit both of them to paradise. Chapter 9:72 says: 'Allah has promised to believers, men and women gardens

under which rivers flow.’ This implies that if man and woman practice evil, their abode will be hell fire (16:97)

- Both men and women are created by Allah in the best of moulds (stature/image/design) and therefore, they need to respect each other. Chapter 95:4 says: ‘Verily! We created man in the best stature.’
- Man and woman have been created for each other for the sake of providing tranquility to one another. Chapter 30:21 says: ‘And among his signs is this that He created for you wives from among yourselves...’
- Men and women were created to be garments for each other for mutual support and comfort and cover up each other’s short comings. Chapter 2:187 says: ‘permitted to you on the night of the fast is the approach to your wives. They are your garments and you are their garments.’
- Men are not superior to women in terms of actions (deeds). These actions include prayers, payment of zakat, fasting etc. The Quran says: ‘And to men a portion of that which they have earned and to women is a portion of that which they have earned.’ 4:32
- Both men and women have the right to inherit property of the deceased. Chapter 4:7 says: ‘There is a share for men and a share for women from what is left by parents and those nearest related...’ (also see 4:11-12, 4:176)
- Both men and women are allowed by the Quran to witness the signing of the contract as seen in chapter 2:282 which says: ‘...and get two witnesses out of your own men. And if there are not two men (available), then a man and one women...’
- Both men and women are responsible for procreation of children and proper upbringing of these children, as seen in chapter 2:233 which says: ‘The mothers shall give suck to their children for two whole years, (that is) for those who desire to complete the term of suckling, but the father of the child shall bear the cost of the mother’s food...’
- Both men and women have been endowed with individual freedom of thoughts, feelings, decision making and actions. Islam respects the decisions and advises given by women once they are in line with the sharia. The Prophet (PBUH) was on several occasions advised by his wives such as Khadija, Umm Salmah, Aisha etc
- Both men and women have the right to seek knowledge (education). The Prophet (PBUH) said that: ‘seeking knowledge is a duty for both male and female.’ (Abu Dauda). He also indiscriminately said that, seek knowledge from the cradle to the grave.
- Both bear the responsibility of running the home. Each of them has a role to play in managing home affairs such as proper upbringing of children, provision of food, advising each other, to mention a few.
- They both have the right to terminate (dissolve) the marriage contract in case conditions warrant it. The dissolution of the marriage contract by men is called Talaq (2:228) while that of women is called khulu-u as seen in chapter 2:229
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## **Some cases of inequality recognized by the Quran:**

- Believers are a class above disbelievers
- Inheritance
- Education
- Men are protectors of women not the reverse
- Hadith: 'raising up daughters well leads one to paradise
- Hadith: mother is loved more than father
- Among Prophets we have Ulul Azim chapter 33
- Not the prerogative of the woman to provide utilities in the home

## **TOPIC 4: INHERITANCE OF PROPERTY**

- Inheritance of property is the science which shows the legal heirs and their shares of inheritance by using both mathematical and jurisprudential principles. It is a science that shows the entire system of inheritance in Islam which Muslims of either sex should religiously study as well as teach to others.
- The Prophet (PBUH) said: 'Study mirath and teach it to other people. It constitutes half of the total sum of Knowledge. It is very easy to forget. It is the first knowledge that will be drawn from the memory of my Ummah.' (Ibn Majah)
- The objective behind the development of the law of inheritance is to protect and cater for the weaker sex and orphans. This is because the pagan Arabs and other societies in the globe before the advent of Islam used to deny women, orphans and minors the right to inherit property of the deceased. All female relations as well as male minors were excluded from the rights to mirath.
- The Quran teaches that all the legal heirs to the deceased should be considered when distributing property. No discrimination should be displayed as seen in chapter 4:7. It says: 'There is a share for men and a share for women from what is left by parents and those nearest related...'
- God commands that the property of the orphans be surrendered to them in full when they reach the age of adolescence and forbids the confiscation of any part of their property. Chapter 4:6 says: '...if then you find sound judgment in them, release their property to them...'
- The Quran teaches that, if the needy, poor (Al-masaakin) and relatives are present at the time property is being distributed, some portion of property should be given to them. Chapter 4:8 says: 'And when the relatives and the orphans and the poor are present at the time of division, give them out of the property...'
- Property of the deceased should not be shared until one's death has been confirmed. This may either be haqiqatan (in fact) or huk'man (in law). Death in law means one's

death has been actually witnessed by the people. Death becomes huk'man (in law) if someone has disappeared for a long period of time say 4 or 5 years

- There is hayaatul Muwarith. This means survival of the one who claims mirath. Whoever claims any property left behind by the deceased, must be a live either in fact or in law at the time the deceased has died. Survival in fact means one's survival is being witnessed. Survival in law is exemplified by the unborn child.
- The subject matter (estate/property) to be inherited must be clearly defined (known) to avoid any suspicion. This property must not be forbidden according to the sharia. It may be cash, agricultural produce, animals, buildings etc. any property that has been declared forbidden or illegal by the Quran should not be inherited.
- Settlement of debts should be done first before property of the deceased is distributed to the legal heirs. This is the contention (view) of the jurists in the four schools of law. This includes property that has been given in by the deceased as security against what he had borrowed.
- Before property is distributed to the legal heirs, settlement of funeral expenses should be done first. These include expenses connected with washing and clothing of the corpse, transportation and burial, provided these expenses are done within the limits of the sharia.
- A Muslim who dies heirless is inherited by the Baitul maal (Islamic treasury). This is the view of all scholars from the four schools of law. This is because, when we face financial difficulties, we get assistance from the Baitul maal. So, when one dies without an heir, whatever they leave goes to the Baitul maal.
- No property should be distributed until payment of bequests (legacies) has been done. This should be within the disposable a third of the property left behind by the deceased. For instance, if one had promised to contribute 10,000 shillings towards the construction of the mosque and they die before effecting the payment, that amount has to be deducted first.
- The legal heirs have been classified into five categories. The first category are called Quranic shareholders. The second are called the agnatic heirs, the third is to do with the redistribution of residue to the Quranic shareholders. The fourth category are called cognatic heirs, and lastly the Muslim public treasury.
- The Quranic shareholders are twelve in number, two of them their rights to mirath is based on matrimonial cause. These are husband and wife the other ten, their rights to mirath is based on blood relationship. These include the father, mother, daughter, daughter of the son, full sister, half Sister, uterine sister and uterine brother, paternal grandfather and grandmother whether paternal or maternal. Four of the twelve shares are male while eight are female.
- When a man dies leaving behind a widow who is pregnant, the sharia rules that no distribution of property should be done until the child is born in order to know its sex. If some of the sharers insist that they want their shares before the child is born, the court

of law (sharia court) will step in to distribute the property by reserving the greatest share to the unborn child or children.

- When one dies leaving behind a missing heir, for example the son, jurists have ruled that if that missing person excludes others, no distribution is done until proof is got of the death or his being alive. If he does not exclude others, then property has to be distributed twice, in the first case assuming that the missing person is alive and the second case assuming that he is dead.
- There is the case of a bastard child (walad al-zina) and a child whose paternity is denied by the husband (walad al-Lian). Both of them are entitled to mirath from whatever their mothers and their maternal relations might have left after their death. Likewise, their relations from their mother's side are entitled to mirath from whatever either of them might have left
- There is also inheritance of a hermaphrodite. That is, a creature (person) having two genital organs. This creature according to the jurists must have the signs to show that it is male or female. If the creature does sex with a woman, then it is male and must be treated as such when distributing property. If it undergoes menstruation, then it is treated as female.
- The Quran teaches that, if there are any sons, the share of the daughter is no longer fixed because the share of the daughter is determined by the principle that, a son inherits twice as much as a daughter. Chapter 4:11 says: '...to the male a portion equal to that of two females.'
- Writing of the will is of paramount importance. For one to design a will, they should be in a state of sanity, must be mature (age of majority/maturity) and must be free (not a slave). If the deceased left debts, then the will has to be cancelled (revised). The will may be made for the poor or charitable organization, to the mosque or to the unborn child.
- There are clear cut impediments to inheritance. These are factors that impede one from inheriting the deceased's property. These are four in number. There is murder, difference in religion, slavery and difference of domicile. The Prophet (PBUH) said: 'A killer shall not inherit anything.' (Abu Dauda)
- The Quran apportions **a half** of property of the deceased to one direct daughter as seen in chapter 4:11 on condition that she is alone. The same share is given to a sister when a man dies childless as seen in chapter 4:176. The same share is received by the husband whose wife dies childless as seen in chapter 4:12
- **A third** is received by three heirs. To the mother of the deceased if he left no child. It is also received by two or more uterine brothers and sister if there is no descendants of either sex and no male counterpart is living. It is also apportioned to a full sister. The Quran says: 'And if he leaves no son and his parent are his heirs, his mother takes a third.' 4:11
- The Quran apportions **a quarter** as a share of mirath to two people. It is given to the husband in case the wife dies leaving behind an issue (a child) as seen in chapter 4:12.

The same share is received by the widow whose husband dies childless as seen in chapter 4:12; 'In that which you leave, their share is a fourth if you leave no child.'

- The Quran apportions **an eighth** to only one person. The Quran clearly states that, a widow whose husband dies leaving behind a child or children from her or from any other woman, she gets an eighth of the property left. Chapter 4:12 says: 'But if you have a child, to them (your wives) an eighth of that which you leave.'
- The Quran apportions **two thirds** of the deceased's property in two places. Chapter 4:176 gives it to two sisters either full or half sisters provided there is no male counterpart or female descendant. Chapter 4:11 gives the same share to two daughters or more: 'If there are only daughters, two or more, theirs is two thirds of the inheritance.'
- The Quran gives **a sixth** to three share-holders. To the father, if the deceased leaves behind a male descendant as seen in chapter 4:11 which says: 'And to the parents, a sixth of the inheritance if the deceased left children.' It is also given to the mother if she co-exists with the brothers and sisters of the deceased. It is also shared by uterine sisters or brothers as seen in chapter 4:12

#### **IMPEDIMENTS TO SUCCESSION.**

- The impediments according to Islamic sharia are four in number, namely:
- **(a)** Murder is one of the impediments. Killing (murder) is to commit an act that terminates the life of another person. The murderer can never inherit from the deceased. For instance someone kills their father, they will not be entitled to inherit his property.
- In the hadith reported by Abu Dauda, the Prophet (PBUH) taught that: 'The killer shall not inherit anything.' In this case, the killer is a criminal who must be subjected to punishment (death).
- **(b)** Difference in religion is another factor. If the deceased is a Muslim and his heirs belong to another religion, there shall not be inheritance between the two.
- In this vein, the Prophet (PBUH) taught that: 'No Muslim should inherit from a non-Muslim and no non-Muslim should inherit from a Muslim.' (Bukhari).
- The Prophet (PBUH) also taught that: 'No people belonging to two different religions should inherit from each other.' (Abu Dauda and Tirmidhi)
- **(c)** Slavery also impedes one from inheriting property. Slavery is a state of being a slave to another. A slave neither inherits his relations nor be inherited by his Muslim relations, for he lacks capacity to have his own belongings (property). What is given to him goes to his master who is not one of legal heirs.
- **(d)** Difference in domicile (Different places of abode) is an impediment. If a person dies in a Muslim society (Dar al Islam) while his other relations are residing in the non-Islamic society (Dar al Kufur), there shall not be inheritance between them.
- This is because, the laws of the countries could be different due to some international regulations which may not favour each other inheriting from either party.

**Key words:**

1. Mirath means inheritance
2. Heir means the one who is entitled to inherit property
3. Impediment is a deterrent or a bar or hindrance
4. Cognates are people related on the mother's side
5. Agnate is a relative whose kinship is traceable exclusively through males
6. Consanguineous means: of the same blood (descended from the same ancestor)
7. Kalaala is someone who dies childless (But may have relatives such as sisters, brothers etc)

**TOPIC 5: DRESS AND ADORNMENT*****(a) Dress:***

- Dress simply means external covering or appearance. The Quran teaches that Muslims should be careful about their appearance. They should dress decently, maintain their dignity and enjoy what God has created for the purpose of clothing and adornment.
- The Quran teaches that, clothes are one of the many bounties given to man by God. God says in chapter 7:26 that: 'Oh children of Adam! We have sent down upon you a dress which may conceal your shameful parts...'
- A Muslim woman must ensure that her cloth does not resemble that of men and vice versa. In chapter 33:59 says: 'Oh Prophet, tell your wives and your daughters and the women of the believers to draw over themselves their veils...' In this verse, women are urged to wear veils to distinguish them from other people. So, men should not put on veils.
- The cloth should not be transparent for both Muslim men and women. The Prophet (PBUH) taught that women who put on transparent or tight clothes are naked. Due to this, they will not smell the fragrance of paradise. This is in accordance with the hadith of the Prophet (PBUH) reported by Muslim.
- The cloth should conceal (cover) the body adequately. If the woman is in her husband's house or in her father's house with people she cannot marry, she can dress up in a simple way. But when she is getting out of the home or when meeting a visitor, or when performing prayer, she is required to cover up herself except the face and the palms as seen in chapter 24:31
- The sharia discourages Muslims from dressing extravagantly and on this, the Prophet (PBUH) said: 'And wear clothes and be charitable not being extravagant nor self-conceited.' (Muslim)
- Men are not allowed to wear silk cloths. They are only permissible to women. At one time, a silk garment was presented to the Prophet (PBUH), he put it on and said prayers

in it but afterwards, he put it off as though he did not like it. He then said: 'This is a dress of a man who has no character.' (BUkhari and Muslim)

- The Prophet (PBUH) also prohibited men from wearing red colored cloths as it is indecent. He also disliked yellow as it is associated with women.
- Looseness of the dress needs to be mentioned and this applies to both men and women. In other words, the cloth should not be tight to describe the shape of one's body. It should not describe the buttocks, thighs and the breasts because these are parts of the natural beauty of women. This is in accordance with chapter 24:31.
- The Islamic dress should not resemble what is known to be the costume of no-believers. This requirement is derived from the general rule of the sharia that Muslims should have their distinct personality and should differentiate their practices and appearance from non-believers.
- A woman's dress should not be intended to attract men's attention to her beauty. This is because, the need for a woman's dress is to conceal her body so as to minimize sexual enticement that may in the end tarnish the concept of modesty in a Muslim society.
- Muslim men must also be dressed in loose and unrevealing cloths from his naval to his knees. This is the absolute minimum covering required. He must not go out in public wearing a short bathing suit.
- The cloth should not be so ugly and cheap. Instead of enhancing beauty, it tarnishes the wearer's appearance. Muslims should avoid wearing cloths that make them look ugly before the public. This is in line with the teachings of the sharia.
- Muslims' cloths should always be clean. Muslims are required to pay attention to their appearance making sure that their cloths are beautiful and clean. This makes it easy for a Muslim to relate well with others and also be in position to perform prayers. Chapter 7:31 says: Oh children of Adam, take your adornment by wearing your clean cloths while praying.'
- The Quran teaches that, women advanced in years who no longer feel any sexual desires, commit no sin if they discard their outer garments provided they do not aim at displaying off their beauty. But it is better for them to abstain from this (chapter 24:60)
- The dress should not be decorated (designed) with pictures of animals, insects and human beings.
- It is recommended that men's trousers should not go beyond the ankles.

**(b) Adornment:**

- Muslims are not allowed to hair pieces. Any addition of any other hair real or artificial to one's own hair is prohibited. This was discouraged by the Prophet (PBUH) according to the hadith reported by Bukhari. According to the hadith, the Prophet (PBUH) cursed the one who makes it and the one who uses it
- Tattooing is also prohibited in Islam, Islam allows wearing of ear rings for the ladies to make them appear beautiful to their husbands. However, putting holes and tattooing the ears and the

entire body is not desirable. The Prophet (PBUH) cursed the tattooers and the ones who are tattooed according to the hadith reported by Muslim

- Painting nails is not allowed to both men and women. But Islam permits the wearing of henna and this should be done by women.
- Men are not allowed to wear gold. It is only women who are permitted by the sharia.
- Wearing of necklace is allowed to only women
- Shaving off part of the head is highly discouraged
- Bleaching the body is not allowed
- Dyeing the hair is permitted to both men and women
- Women are not allowed to wear shoes which make noise to attract people's attention.
- Perfume is allowed to men and not to women
- Adding artificial hair (wigs) on one's hair is not allowed
- Men are not allowed to keep the moustache but can keep (grow) the beard. The moustache should be shaved off as taught by the Prophet (PBUH)

## ***THEME: THE ECONOMIC TEACHINGS OF THE QURAN.***

### **TOPIC I: BUSINESS TRANSACTIONS:**

The Quran gives certain specific guidelines for business transactions. It clearly lays down general rules that govern the conduct of Muslims dealing in business of any form and clearly specifies desirable and undesirable forms of business transactions.

#### ***Desirable (legal) forms of business transactions:***

- A business deal that is devoid of false (less) weights and measures is legal. It makes the purchaser of a certain item to receive it in full measure, hence avoiding loss. This is also advantageous to the sellers as their business is blessed by God
- Monitoring and surveillance in business transaction is acceptable. It is the duty of every Muslim to enjoin the maintenance of good conduct and forbid dealing in misconduct. Thus, the Islamic state must establish a department charged with the duty of looking after quality control, hygiene, sanitation and professional competence. The aim is to protect the rights of service providers and the consumers
- There is no objection in selling the Mutanajjis commodity. This is the commodity that has contacted najaasah (impure substance) and it is possible to purify it or use it, eg: fruits, carpets etc. But the purchaser should be informed about its condition so that they make a choice whether to take it or not
- Advance payment is allowed once its conditions are met. This is a transaction in which the purchaser gives the payment in cash and takes possession of the commodity after a period of time. For instance, the purchaser may say: 'Am giving you this money and I will take such and such amount of the commodity after six months'

- Advertising a commodity is allowed according to the laws governing Islamic business transactions. In this vein, the commodity should possess the attributes (features) conveyed in the advertisement to avoid conflicts and God's wrath.
- Taking commission is allowed by the sharia. There is no harm in asking a commission agent to sell one's cloth or other goods at any price and keep the excess profits to himself. This is in line with the teachings of the Prophet (PBUH) recorded in the Book of Bukhar
- It is legal to write down the contents of a business contract to avoid future conflicts. It should be written in a language that is clearly understood by both parties, and the statements made should be clearly interpreted by either party. This is seen in chapter 2:282

***Undesirable (illegal) business transactions:***

- Selling and purchasing of an impure item. This can be called najaasah. These are items that are prohibited by the Quran. For instance, a Muslim is not allowed to deal in the sale or purchase of swine or swine related products, alcohol etc. This is seen in chapter 5:3. However, the sale of guard dogs and hunting dogs is allowed.
- The sale and purchase of adulterated commodity when the purchaser is not aware of its state is unlawful. For instance, selling mixed with water, petrol mixed with diesel etc. This action is called cheating and it is a major sin.
- The sale and purchase of items that are obtained by means of gambling or theft is unlawful and it is not allowed to utilize it. If someone purchases it, it is obligatory upon him to return it to the original owner if he is aware of him, if not, one acts in accordance with what the religious authority has advised.
- Hoarding goods in order to increase prices is forbidden. This activity slows down the rate of economic development and gradually renders the country impoverished. Chapter 9:34 teaches that, those hoard up goods will face a painful torment on the Day of Judgment.
- Giving less weights and measurements is illegal and highly condemned by God in Quran chapter 83:1-4. Transactions marred with cheating in weights causes conflicts in society. It may also make the purchasers of such items register loss in their businesses. Also, if a trader is known to be a cheat, they will lose customers.
- Ethics of advertising a commodity should be respected, otherwise the whole exercise shall be rendered illegal. In most cases, suppliers manipulate consumers' choice and persuade them to choose what the supplier wants them to buy but not what they really need. Islamically, this is called cheating which is sinful and therefore illegal
- Middleman-ship is discouraged in a business transaction. A middleman earns twice, that is, from the producer and from the buyer. The sharia also teaches that the urban traders should not intercept rural traders on the way with intension of buying their merchandise cheaply. The market price should be known to the producers before the sale of their merchandise.
- Any kind of sale transaction involving any kind of uncertainty is prohibited. This can be exemplified by the situation when one was to say to the purchaser that, "I am selling to you 10 fish from my pond". This is prohibited because one cannot be certain that the 10 fish will be got from the pond. If one gets the fish, they may not be of the same size



- An item (commodity) that has a lawful benefit being sold to someone who will definitely use it unlawfully is considered illegal. These include, selling of grapes to the manufacturer of wine. One is only excused if they are not aware that the purchaser is going to use the grapes to make wine
- A business transaction in which Riba (Usury) is practiced is illegal. Riba is prohibited by God because it is associated with exploitative and oppressive policies. Chapter 2:276 says: 'Allah will destroy Usury and will give increase for charity'. The Quran further warns that those who engage in Riba related business have declared war against Allah
- Swearing in a business transaction is illegal. Sometimes traders try to promote their commodities by invoking God's Name. Swearing in business for such purposes is forbidden in Islam, be it false or true. False swearing is a sinful act punishable by hell fire. Swearing by God's Name is too great to be used as a method to sale commodities.
- Trade without mutual consent between the parties is unlawful. Thus, the sale of a commodity under force is not accepted in Islam. A sale transaction is to be regarded legal only when it is made through mutual consent of the parties concerned. This is in accordance with chapter 4:29
- An insane person who is suffering from any mental disability, a minor, a slave and a blind person are not allowed to enter into a contract of buying and selling of an article. For instance, a minor is not allowed because of his inability to know whether the business contract he is engaged in is his best interest or not.
- Monopolizing a business transaction is illegal according to the Quran (104:2). The Prophet also said that, whoever monopolizes, is a sinner. Monopoly is a situation where a commodity is controlled by one party. This is prohibited for it breeds exploitation in a Muslim community.
- It is illegal to sabotage a business deal that is being concluded by another person.

## **TOPIC 2: WEIGHTS AND MEASUREMENTS**

- In Quran, the subject of weights and measurements have been well discussed. This has been supported by some traditions of the Prophet (PBUH). Giving full weights and measurements is an act of worship and cheating in the same attracts a heinous punishment.
- Giving less weights and measurements is a great sin for which a full community was destroyed by God. These were the people of Madyan who rejected divine instructions from their Prophet, Swalih. Chapter 7:91 says: 'The earthquake took them unaware and they lay prostrate in their homes...'
- One who short-weighs will be the loser here on earth and in the hereafter. For instance, the people of Madyan thought they were making profits through cheating in weights and measurements. But the punishment inflicted on them shows they were losers. There is another punishment for them on the Day of Judgment.
- Giving correct weights and measurement is one way of displaying justice in society. If one gives short measures, they are considered to be cheats according to the Quran. It causes enormous loss to the purchaser of commodities. God says in chapter 17:35 that: 'And give full measure when you measure, and weigh with a balance that is straight..'
- A person who cheats in weights and measurements is not a believer according to the Quran. If one believes in the hereafter, they would know that, even if they succeed in fooling other

people, they will never be able to hide their fraud from God on that Day. One would realize that on the last Day, they would have to account for whatever they would have earned by defrauding people. Chapter 83:4 says: 'Do they not think they will be raised up?'

- The Prophet (PBUH) taught that, the one who gives short weights and measure will be thrown into the lowest section of hell from where they will be placed between two mountains of fire. They will be told to weigh those mountains, and they will have to stay in this condition for ever.
- Giving short weights and measure is so broad that it doesn't only stop at the use of scales, but it also applies to measurement of things like cloth and land which are sold by measure. In the same way, it covers those items that are sold by numbers such as eggs, fruits etc. If one sells them and gives less measure than the specified quantity, they are put on the list of cheats.
- The seller who cheats is considered by the sharia as a debtor of the buyer. The amount of goods given in less quantity by the seller is owed to the buyer. It is obligatory to give the balance amount to the buyer. If the buyer is dead, they must give it to his heirs. If one's heirs are not known, they with the permission of jurists pay a similar amount as sadaq on behalf of the buyer.
- The Prophet (PBUH) taught that, goods should be measured or weighed before purchasing them or selling them. Uthman Ibn Affan reported that the Prophet (PBUH) told him to always weigh and measure anything he bought or sold. (Reported by Bukhar).
- The system of weights and measurements has its origin from God who introduced the Mizan or the weighing balance as seen in chapter 55:7, which says: 'And the Heaven He Has raised high, and He set up the Balance.' The intention of introducing the balance is to make man deal with each other justly without cheating.
- The people who cheat in weights and measurement are described in Quran as rebellious or evil doers and their record is preserved in Sijjin as seen in chapter 83:7-9. In these verses, such rebellious people will be put in an eternal prison and a painful torment, which according to the hadith reported by Al-Bara bin Azib, is beneath the seventh earth.
- In the Quran, God urges believers to eat from what is lawfully earned. On the other hand however, cheating in weights and measurements makes one earn unlawfully which will lead to perdition.
- The practice of cheating in weights and measurements also encourages other evil acts such as adulteration of products (merchandise or goods). For instance, the adulteration of petrol by mixing it with diesel, selling of dried coffee beans mixed with fresh ones by measure or use of scales etc.

#### ***How important are these teachings to Muslims?***

- The practice of giving proper weights and measures is of great importance to Muslims in the following ways:
- The practice prevents ill feelings between the purchaser (buyer or consumer) and the seller because each will be contented with what they will have got.
- The practice promotes brotherhood since Islam aims at brotherly feelings through mutual dealings

- It enables the purchaser of goods to get what is worth of their money unlike when they have been given less than they paid for
- The Quranic teachings on weights and measurements help to curtail acts of exploitation in a bid to create a serene society
- It makes man gain the fear of God as he expects accountability regarding his earnings on the Day of Judgment
- The teachings promote morality in society. A society that is devoid of cheating is worth
- A fair dealer in weights and measurements earns rewards from God as the one who cheats commit crimes leading them to hell fire
- It is one way a Muslims earns lawful wealth if they adhere to the teachings of Quran on weights and measures
- Adherence to the above teachings shows Muslims' readiness to up lift the teachings of the Quran worldwide. It also shows Muslims' readiness to meet their creator.
- Giving full weights and measurements is one way of promoting justice in a Muslim community
- There is the growth of salesmanship as the rate of goods sold will be high and as such, one will realize more profits.

### **TOPIC 3: RIBAH (USURY)**

- Riba is a technical term that usually means increase and interest. It is called usury in Latin. Riba is one of the major sins mentioned in the Quran which all Muslims should guard against. Riba may be exemplified by a loan with a condition that the borrower will return to the lender more than or better than the quantity borrowed.
- All Prophets of God preached against usury because it promotes injustice in society and kills the spirit of brotherhood. In his farewell sermon, the Prophet (PBUH) declared the abolition of usury in all Muslim communities.
- The Quran teaches that the eaters of Riba (dealers in riba related transactions) will not stand on the Day of Judgment. It will be as if they have been driven to madness as seen in chapter 2:275.
- The Quran teaches that, there is a clear cut difference between Riba and Trade. The Quran recognizes trade and commerce not only as a lawful profession, but also as a moral duty. In chapter 2:275 teaches that, God has permitted trade and has forbidden Ribah
- Any transaction base on usury will not receive God's blessings and it will be detrimental to society. Chapter 2:276 teaches that, God will bless acts of charity and will curse Riba related transactions (dealings).
- The Quran teaches that, those who believe in God and the last Day of Judgment should not engage in usury. Chapter 2:278 teaches that, 'Oh you who believe, fear God and give up what remains of your demands of usury if you are indeed believers'. Therefore, true belief should also be displayed through actions such as giving up usury

- The Quran teaches that all people who engage in usury have directly declared war on God and His messenger. Chapter 2:279 says: 'And if you do not do it, then take a notice of war from Allah and His Messenger..' .This means, whoever kept dealing with Riba and did not refrain from it, the authorities are permitted to eliminate him.
- Usury is one of the 7 major sins according to the Quran. It promotes injustice and oppression in society. It is one way of breeding the dependence syndrome among poor states. It promotes master-slave relationship. Chapter 2:279 says, 'Deal not unjustly and you shall not be dealt with unjustly'
- The Quran bears witness that God has prepared a heinous punishment for people who eat Riba. This is evidenced in chapter 4:161 which says: 'And their taking of Riba though they were forbidden from taking it...We have prepared for the disbelievers among them a painful torment.'
- The Quran teaches that any transaction related with usury will not increase with God as evidenced in chapter 2:276, which says: 'Allah will destroy Riba and will give increase for deeds of charity...'
- According to the hadith reported by Jabir, the Prophet (PBUH) cursed the eater of usury, the giver, the scribe of agreement related with usury and all the witnesses. The reason is that, all these are equal in promoting injustice in society and therefore, they are all sinners
- The Prophet (PBUH) taught that when he went to heaven, he came across some people whose bellies were like houses where there were serpents that could be seen from the front of their bellies (stomachs). When he asked angel Jibril about them, he replied that they were people who ate usury
- The Prophet (PBUH) taught about exchange of goods that, gold should be exchanged for gold, silver in exchange for silver, wheat in exchange for wheat, barley in exchange for barley, dates in exchange for dates, salt in exchange for salt. So, whoever adds or demands increase, they have practiced usury. The giver and the taker are the same
- There is a difference between usury and a gift. In this line, the Prophet taught that, if one decides to return the money (pay the debt) with a certain amount over and above the original debt according to his will, this is not termed as usury but a gift. The Prophet (PBUH) himself was one time a debtor and when he paid back the debt, he paid with some addition and this is allowed in Islam

### **Why is Riba (Usury) condemned by the Quran?**

- Usury makes people unsympathetic to others which tarnishes the Quranic concept of justice. Lending and borrowing are common practices in human transactions but usury kills kindness in human hearts, cuts the root of humanism and eliminates unity and societal support

- Due to usury, the least developed countries of the so called third world have become puppets of international financial agencies such as IMF and World Bank. Such states cannot take independent decisions on certain cardinal issues without the knowledge of the west.
- Usury creates in people greed for money and desire to accumulate wealth for its own sake which makes man selfish and stone hearted
- The practice makes man reluctant to toil. The rich find it easier to earn their livelihood and do not want to invest their capital in commercial enterprises that entail hardships and risks
- Usury brings enmity between different individuals if someone fails to meet their obligations. Failure is a result of the big debt born out of usury. Such conditions are common in the contemporary world. When one fails to settle the debt in a specified period of time, the money lender confiscates one's property.
- Usury creates a gap between the rich and the poor. It makes the rich richer and the poor poorer, hence deepening income inequality in society
- Usury leads to loss of lives as it can cause unnecessary attacks in case one fails to fulfil or pay the proposed amount of money or quantity of the commodity. Apart from loss of life, it also tarnishes human dignity.
- Usury encourages destructive wars in the Glob. All international wars require money to facilitate them. It is this excess money accumulated out of usury that makes some nations arrogant. Dialogue, the would be weapon of resolving international disputes is neglected
- Whereas legitimate trade or industry increases the prosperity and stability of men and nations, dependence on Riba merely encourages a race of idlers, cruel blood-suckers and worthless fellows in society.

#### **TOPIC 4: ZAKAT (POOR DUE)**

- The literal meaning of Zakah is purification. Zakah is the purification of one's wealth. It is the 5<sup>th</sup> pillar of Islam and it is a duty performed by Muslims on a regular basis. It is a contribution paid once on a year's savings of 2.5 percent. The idea behind the payment of Zakah is to make Muslims learn not to place too much importance on material wealth. The word Zakah is mentioned many times in Quran which shows its significance.
- The Quran states clearly the categories of people who are required to receive Zakah. These are 8 in number according to chapter 9:60. These are, the poor, the needy, Zakah collectors, new converts to Islam, to free slaves, debtors, those engaged in the way of God, and the way farers.
- Zakah is not paid on things that are for personal use. These include dwelling houses (residential houses) food used by oneself, crops used for production etc. It is rather

paid on things (property) that make profits such as rentals, vehicles used for transportation of people and merchandise etc.

- Zakah is different from charity and tax. It is expected from every individual Muslim. It is paid on the net balance after a Muslim has spent on the basic needs, family expenses, donations, debts etc. so, unlike tax, Zakah is paid by those who have wealth. The poor are exempted from this duty
- Zakah is paid by free Muslims. Prisoners of war or political fugitives (refugee) and slaves are not obliged to pay Zakah. If anything, they are recipients of Zakah since they are considered to be needy.
- Zakah is sometimes called Zakatul maal. Zakatul maal and Zakatul fitir are two different things. Zakatul fitir is paid only in the month of Ramadhan in a bid to cleanse one's fasting. But Zakatul maal is paid by only those Muslims who have reached the Nisaab
- Zakah can be paid directly to an individual or to a charity organization depending on one's preference. But is better to give it to the organization charged with that responsibility. Such organizations have endless lists of people who need financial assistance
- Zakah of one area should not be transferred to another area. Once collected, Zakah should be distributed or given to the committee appointed by Muslims of the area being headed by the Imam. The presence of the Imam is cardinal since all peoples' problems are presented to him. Imams always have the lists of the poor and the needy in their areas of operation
- Zakah is paid by Muslims only. The reason is that, it is one of the pillars of Islam and thus, an act of worship. None Muslims are not subjected to payment of Zakah though they are at times recipients of this fund
- Zakah can be paid out of various items. These are: money, silver and gold or any other precious stones that hold value, pastured animals, property intended for trade or business merchandise, agricultural produce etc
- The minimum Zakatable value (Nisab) also deserves mention. For one to pay Zakah, they must possess the required amount of wealth from which the Zakah is payable. This limit is called Nisab. For instance, in terms of cash savings or money, the Nisab is 2.5 percent of the annual savings
- Zakah should be distributed to the people who need it for their personal needs. It should not be spent on projects such as road construction, putting up mosques, schools, hospitals etc. Although such projects do benefit society, its God command that Zakah be distributed to the 8 categories of people as taught in chapter 9:60
- Zakah is not compulsory on children. According to the shariah, anyone who has not attained the age of majority is considered to be a child. Children are not obliged to pay Zakah because they are unable to realize the consequences associated with Zakah payment society

### ***Significance of Zakah:***

- Zakat is one of the foundations (pillars) of Islam. If the foundation is weak, then the lives of Muslims are at stake. Today, many Muslims in the world are starving, diseased and their children are not in school. This is because, so much wealth is wasted in luxury and so, little is spent on helping the poor. The Muslim community has lagged behind because one of its foundations is weak.
- Payment of zakat purifies the wealth of the giver not to mention cleansing their hearts and souls of greed. Chapter 9:103 says: 'Take alms from their wealth in order to purify them..' In this vein, the giver of Zakat develops a spirit of brotherhood and care for others. As a results, God gives protection to their wealth.
- Payment of Zakat gives increase to one's wealth. Thus: 'The likeness of those who spend their wealth in Allah's way is as the likeness of a grain which grows seven ears, in every ear a hundred grains. Allah gives increase manifold to whom He wills.' Chapter 2:261. Therefore, payment of zakat is an investment.
- In many verses of the Quran, zakat is associated with prayer. The repeated mentioning of zakat shows its significance to society. It this that made Caliph Abubakar declare war on zakat defaulters following the demise of the Prophet (PBUH)
- Payment of zakat displays social justice. One of the major themes of Quran is social justice for those who are disadvantaged in society. Quran says: 'As for the believing men and the believing women, all of them are allies of one another. They enjoin what is right and forbid what is wrong. Moreover they establish prayer and give Zakat.' Chapter 9:71
- The one who pays zakat receives prayers from other creatures. The prophet (PBUH) says: 'No day dawns upon Allah's servants without two angels descending to the earth: one of them says, Oh Allah give recompense to those who give charity. The other says, Oh Allah, give loss to those who withhold charity.' (Bukhari). Prayer from angels has no deterrents. It is therefore advisable that, those are able should pay zakat.
- The institution of Zakat is a form of employment. For instance, Muslim scholars and expert economists, the collectors etc, are employed to the zakat council (committee) under the supervision of the chief Justice. Chapter 9:60 says: 'Zakat is for the poor and needy and those employed in collecting it...'
- Zakat can be used to support Jihad. Jihad means an honest struggle against all that is wrong and evil according to the teachings of the Quran. In this vein, zakat fund can be used to finance Muslims engaged in the noble duty of cleansing society of infidelity. This is line with chapter 9:60
- The Prophet (PBUH) compared zakat with knowledge which shows its relevance to society. He taught that there are two types of people whom one may envy. These are: a man to whom Allah granted wealth and power to use it in the right way

(charity), and a man whom Allah granted wisdom and he used it in judgment and taught it to others.' (Bukhari and Muslim)

- It leads to socio-economic development since the Zakat fund can be invested to eradicate poverty. In a situation where the Islamic state fails to provide work for the poor people who are able to work so as to support themselves, the public treasury comes in by providing them with capital to start up some projects. When such people acquire enough wealth, they become contributors to the zakat fund in future.
- Zakat can be used to buy freedom for the slaves or prisoners of war. Slavery is evil since it puts people in bondage. Setting such people free displays the spirit of justice and brotherhood in society and therefore, an act of worship. Those who have been set free will automatically supplicate for those who liberated them.
- Zakat makes people get courage of investing their wealth for the benefit of society and makes Muslims refrain from hoarding wealth.
- It reduces the differences between classes and groups of people in society, since the rich share their wealth with the poor.
- It is an expression of gratitude to Allah who gave us wealth as seen in chapter 14:7 which says: 'And (remember) when you Lord proclaimed: If you give thanks, I will give you more (of My blessings), but if you are thankless, verily! My punishment is indeed severe.'
- Zakat boosts the Baitul maal (Treasury of Muslims), hence making them self-reliant. If all able Muslims pay Zakat, the dependence syndrome will be no more in all Muslim communities
- Zakat payment reduces crime rates in Muslim communities. Those without wealth will not attack the rich in order to get money for food and other essential items.

## ***THEME: THE POLITICAL TEACHINGS OF THE QURAN***

### **TOPIC 1: LEADERSHIP**

#### ***Qn: Discuss the teachings of the Quran on Leadership***

- The Islamic leadership principles are derived from the Quran and the guidelines provided by the Prophet (PBUH). This makes it unique in its structure, function and purpose.
- The best leadership has always been provided by the Prophets right from Adam up to the Muhammad (PBUH). For instance, after a successful completion of a number of tasks, Prophet Ibrahim was given glad tidings that he had been appointed the leader of all people.
- The Quran bears testimony that Prophet Muhammad (PBUH) is the best of all leaders when it states in chapter 33:21 that: 'Indeed in the Messenger of Allah you have a good example to follow...' Therefore, it is through the study of the life, deeds, sayings and personal qualities of the Prophet that valuable leadership lesson can be derived



- The Quran teaches that every Muslim is a leader in his or her own way. Everyone has leadership responsibility and everybody is accountable on how well they discharged that responsibility. The Prophet (PBUH) said: 'Each of you is a shepherd and all of you are responsible for your flocks.' (Bukhar and Muslim)
- Society cannot exist or function well without leaders. Lack of leadership leads to anarchy. In this vein, the Prophet (PBUH) taught when any three Muslims are on journey, they are required to select one of them as a leader. When he is selected, the other two Muslims are required to give him the respect he deserves.
- Leadership in Islam is a trust. When one is selected, then they have been entrusted with the duty of serving all people under them. If a leader breaches that trust, he should be corrected. When Abubakar was selected as Caliph, he said: '...am not the best among you. If I do good help me, if I do wrong, straiten me.'
- The Quran encourages patience and endurance in leadership. For instance, when Prophet Muhammad (PBUH) was stoned by the people of Taif, angel Jibril wished to destroy the entire town, but the Prophet declined it saying, their offspring will accept Islam. This saved the city from destruction. The inspiring story shows the significance of patience and endurance in leadership.
- The Quran teaches that a Muslim leader should know the direction to which he is taking his followers. When difficulties arise, he must be able to find the best solution. In chapter 94:5-6, God says: 'with every hardship there is ease.'
- Another feature of Islamic leadership is justice. Muslim leaders should display justice to everyone in their areas of jurisdiction regardless of religion, tribe, color (Race) etc. Chapter 4:135 says: 'Oh you who believe, stand up firmly for justice, as witnesses to Allah, even though it be against yourselves, or your parents, or your Kin...'
- Muslim leaders are required by the Quran to play a supervisory role. Muslim leaders should be aware of the economic, social, political and spiritual conditions of his people. The Prophet (PBUH) and his successors (Caliphs) used to visit markets to see how transactions were carried out. This was intended for quality control.
- Obedience to the leaders is mandatory according to the Quran. Obedience should however be given to him as long as he remains obedient to the laws of God. Chapter 4:59 says: 'Oh you believe! Obey Allah and obey the messenger, and those of you who are in authority...'
- Muslim leaders are discouraged by Islamic law from actively seeking positions of authority. Campaigning for positions of power may imply that one wants to assume office in order to serve his own interests. The Prophet (PBUH) said: 'Do not ask for a position of authority. If you are granted this position as a result of your asking for it, you will be left alone...' (Muslim)
- Leadership in Islam should be free from oppressive policies. For instance, it is the responsibility of the Muslim leader to fight and eliminate racist tendencies in his area of jurisdiction. The leader should also avoid imposition of taxes on people least able to pay such as the poor, the needy to mention a few.

***Obligations (duties) of a Muslim leader:***

- A leader is the one empowered and required to administer the laws and affairs of a given nation, area or community
- Must preserve the faith in its established principles and in the form in which the predecessors of the Muslim Ummah
- He is obliged to enforce fair judgments among people (17:29, 16:90)
- He should have a sound financial administration
- It is his obligation to appoint honest and competent persons to positions of trust in order to preserve state wealth and to administer governmental affairs
- It is an obligation of the leader to supervise and examine public affairs personally, to be able to lead the nation and protect the state
- Wage Jihad against those who oppose Islam, after calling upon them to embrace it or to accept protection as non-Muslims, so that the word of Allah remains supreme
- He should ensure honesty and trustworthiness to his subjects
- He is required to solve problems and resolve conflicts among disputants
- To protect the citizens and their property by establishing a strong security system.
- It is his obligation to promote international trade
- Make sure that all punishments are administered in line with the teachings of the Quran
- Provision of essential facilities in areas of education, health etc to the citizens
- In times of crisis (shortage of food) due to war, draught, epidemics etc, he should find ways of helping the people
- He should safeguard the frontiers of the state from any unfriendly forces
- To make sure taxes are properly levied and efficiently collected in line with the sharia
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**(2) Government**

- Islam has got its own system of government. The main features (characteristics) of an Islamic government are unique from any other form of government because they were designed by Allah, taught by the Prophet and implemented by the four rightly guided Caliphs which all Muslims should follow.
- Leadership is one of the main features of Islamic government. Every Muslim government should have a head of states for the smooth running of all political, social, economic and religious affairs. He should be a Muslim, just, morally upright and above all God-fearing. He should also be knowledgeable in Islamic sciences.
- Independence is another feature of government. When government is formed with the purpose of enforcing the law of Allah, it has to be independent and not influenced by other countries. This will create justice and fair play among the citizens.
- The Islamic state should not be monarchical. It should be a system where the citizens have the right to elect leaders of their choice. In the monarchical system, the right to

elect leaders does not exist. Consequently, such a system concentrates power in the hands of few people which tarnishes the concept of justice.

- The Islamic state must not promote autocratic tendencies. Leaders in such a system are peoples' servants. They should respect people's opinions. State instruments such as police, army and judiciary should not be used to suppress people's rights and freedom. For instance, the judiciary should be left to exercise its powers freely for peace to prevail in society.
- The state should have a constitution. The Quran is the supreme law of the land and therefore, it should be used as a guide in all spheres of life. God says in chapter 17:9 that: 'surely, this Quran guides to what is most right.'
- The Islamic state must have a consultative council to assist (advise) those in authority. This means, Muslim leaders must always consult before taking decisions. The Prophet (PBUH) himself used to consult his companions on political issues. For instance, when Muslims were invaded in Medina, he inquired from his companions on the course of action to be taken.
- It is the responsibility of the government to safeguard the frontiers of the state. This is intended to protect the citizens and their property from any external aggression. In this vein, authorities in government must establish a strong standing army ready to deal with any hostile encounters.
- Obedience to the leaders is a cardinal factor in creating stability in an Islamic state. It is mandatory to all citizens to respect the laws of the state and obey the leaders as long as the leaders do not involve in acts that violate the sharia. Chapter 4:59 says: 'Oh you who believe! Obey Allah and obey the Messenger and those of you who are in authority..'
- Respect of peoples' rights should be seen in an Islamic state. For instance, every citizen is entitled to freedom of thought and expression on condition that it does not contravene the teachings of the Quran. Peoples' rights should not be suppressed on account of their skin color, tribe, religion and gender.
- Co-operation within the populace is very important in a Muslim state. All citizens are required to work together to promote peace and tranquility, moral standards and economic progress. This is in accordance with Quran chapter 3:103 which says: 'And hold fast all of you together to the rope of Allah and be not divided among yourselves.'
- Service delivery must be considered by those charged with authority in a Muslim state. Health facilities, education sector, water supply and agriculture rest on the shoulders of the state. For instance, the state must ensure that both religious and secular education are provided to the citizens as required by the Quran
- The Islamic state should create the public treasury (Baitul maal) to ensure that taxes are collected and well utilized. Once Zakah is collected, it should be distributed to the rightful beneficiaries, and these are eight according to chapter 9:60. Other taxes levied by the state (such as import and export duties) should not be oppressive

- An Islamic state should honor all agreements (Treaties) made between its citizens and citizens of other nations. The Quran teaches that: 'Fulfill to them the treaty you have made with them to the end.' The Prophet (PBUH) honored all the treaties made with other people or nations and this should be emulated by the Muslim community.
- The Islamic government should not practice any kind of transgression but should be the harbinger of peace through exchange of good will missions. It should try as much as possible to avoid disputes and quarrels among the neighboring states by playing the role of an arbiter. In the same vein, the state should not harbor armed fugitives with the aim of destabilizing the neighboring states.
- It is the responsibility of the Islamic state to promote the religion of Islam within the citizens and outside the boundaries of the state. In this case, the state should sponsor Muslim missionaries to carry out the Jihad of inviting others to the folds of Islam. This is in accordance with chapter 3:110.

### **(3) Justice**

- In Islamic point of view, Justice means placing things in their right place. It also means giving others equal treatment. Justice is one of the important values emphasized by the Quran. It is one of the first principle of social life and it emphasizes all aspects governing human relationship, between the ruler and the ruled, the rich and the poor, husband and wife, parents and children.
- The Quran commands Muslims to display Justice in whatever they do. Chapter 4:135 says: 'Oh you who believe! Stand out firmly for justice, as witnesses to Allah, even though it be against yourselves or your parents, or your kin, be he rich or poor...' This verse teaches that justice should be displayed to every human being.
- All acts of aggression have been greatly condemned by the Quran, because they violate peoples' rights. Aggression is a hostile action against another country especially when intended to dominate. In case, the Quran permits self-defense as seen in chapter 2:193
- Justice according to the Quran is the rejection of anything that is wrong in society which may result into oppression. This implies that, there shall be no oppression, no arbitrary arrests, no violation of freedom of speech etc. Chapter 42:42: 'The way (of blame) is only against those who oppress men and wrongly rebel in the earth, for such there will be a painful torment.'
- All judges in the courts of law are required by the Quran to display fair rulings to all categories of people (rich, poor, women, men, young, old etc). Chapter 4:58 says: '...and when you judge between people, you judge with justice.' Also, the witnesses

in courts should take their oaths in a bid to say the truth as a way of promoting justice.

- The Quran contains a number of punishments for people who commit mischief and injustice in society. Theft, murder, highway robbery, slander etc, are some of the cases handled by the Quran. The purpose is to promote peace and harmony in society. Chapter 24:4 says: 'And those who accuse chaste women and produce not four witnesses, flog them with 80 stripes...'
- The Quran allows qisas (retaliation). This is aimed at promoting justice in society although the victim is allowed to exercise forgiveness to the accused (wrong doers). Chapter 42:40 says: 'The recompense for an injury is an injury equal thereof; but if a person forgives and makes reconciliation, his reward is due from God.'
- The Quran teaches that a man who is unjust to others, is definitely unjust to himself. This is because, according to Quran, humanity is like one single individual. This is also in line with another ruling which stresses that, if one murders a person, it is as if they have murdered the entire humanity.
- The Quran teaches that justice should be displayed even to other creatures. For instance, a Muslim is not allowed to starve an animal to death. It is known in Islamic history that a woman was condemned to hell for starving a cat to death. Another woman was granted paradise for saving a dog from dying of thirst
- Establishment of justice is the main reason that led to the revelation of the Quran and it was the major task of all God's messengers. For instance, Prophet Muhammad (PBUH) came with the Quran to fight injustice that had rocked Arabia not to mention the entire world. He was able to end infanticide, widow mistreatment, Usury etc.
- Spiritually God made injustice haram on Himself. If one associates God with others in worship, the punishment is heinous on the Day of Judgment. If God created all creature, why then should some creatures worship others than God? So, man should exercise fairness in terms of worship. (31:13)
- Muslims are required to exercise justice to non-Muslims in various aspects of life. For instance, the Prophet (PBUH) entered a treaty with the Christians of Yemen in which he granted them security of life and property and freedom of worship.
- Also, Muslims, should not behave in unjust way because they have been annoyed by non-Muslims. Chapter 5:18 says: 'let not enmity and hatred of others make you avoid justice. Be just, that is near to piety...'
- Muslim rulers and all those who are charged with the responsibility of leading other people are required to exercise justice. Leaders should be peoples' servants. They should provide social services to the people such as water, health and educational facilities etc. Also, leaders should know that oppression has no room in Islam. Therefore, they should levy fair taxes with friendly methods of collection.
- Justice must feature high in Muslim homes (families). If the husband is polygamous, he is expected to exercise fairness to his wives and children. Things like food,

clothing, school fees etc, should be fairly distributed. This is seen in chapter 4:3 which says: 'If you fear that you shall not be able to deal justly with them, then only one.'

- Justice must be displayed during the distribution of property of the deceased. All Quranic share-holders should be considered according to the ruling found in chapter 4:7 which says: 'From what is left by parents and those nearest related, there is a share for men and a share for women.'
- Fairness must be displayed in commercial aspects. For instance, the Quran prohibited usury because of its negative repercussions on society as seen in chapter 2:275-279. Coupled with this, God says in chapter 17:35 that: 'And give full measure when you measure and weigh with a balance that is straight.'
- According to the Quran, any unjust system will fail. God says in Quran that, 'truth has come and falsehood has perished.' Thus, the Jahiliyya period and its oppressive principles totally collapsed, and a God-fearing political system was established based on the principles of sharia.
- Both the employers and the employed are required to be fair to each other. The employers should effect immediate payment to employees when the latter are through with work. Likewise, the employees should do perfect work to warrant their payment. They should not maliciously damage property under their care, should not work for less hours than the agreed upon time in the contract etc.
- Whatever God commanded Muslims to do is within their means. For instance, He commanded the observance of the 5 daily prayers, fasting the month of Ramadhan etc. God, with His infinite knowledge knows that, man is able observe those rituals and therefore, not a burden to him. Chapter 2:286 says: 'God burdens not a person beyond his scope.' (Also see chapter 2:233)
- Justice was displayed by all messengers of God as seen in chapter 57:25 which says: 'We sent our messengers with clear signs and sent down with them the Books and the measure in order to establish justice.'
- God is just. Among the great Names and attributes of God is Al-Hakam which means Judge. God is the Most Just and He judges the affairs of all His creatures with full justice. Chapter 10:44 says: 'Surely, Allah does not do any injustice to them but men are unjust to themselves.'
- Muslims are required to respect property that has been entrusted to them by either Muslims or non Muslims. This is in accordance with chapter 4:58 which says: 'Verily Allah commands that you to render back the trusts to those to whom they are due.'
- Justice will be displayed by God to everyone on the Day of Judgment as seen in chapter 95:8 which says: 'Is Allah not the best of all Judges?'

#### **(4) Jihad**

- Jihad is an honest struggle against all that is wrong and evil according to the teachings of the Quran.

### ***Why should a Muslim engage in Jihad?***

(Circumstances under which Jihad is carried out/permitted)

- To stamp out oppression 2:193
- To attain rewards from God
- If one blocks the spread of Islam
- If one stops the observance of Islamic rituals (prayers, hajj, zakat, adhan, dress)
- In case one violates the terms of the treaty (hypocrisy)
- To stamp out falsehood 17:81
- To stamp out immorality 2:208
- To keep the word of Allah supreme 22:78
- To stamp out pagan leadership in an Islamic state
- If Muslims are forced out of their homes unfairly, they are allowed to defend themselves through war as seen in chapter 22:39-40
- To stamp out all acts of aggression 22:39-40
- In case Islam has stagnated, Muslims are required to raise up and remove all barriers. (spiritual struggle)
- In case there is deliberate rejection of Quranic teachings in a Muslim state. For instance, if a section of people publicly reject the observance of prayer, payment of Zakat etc. it is incumbent upon the Muslim state to bring them to order

### ***Qn: Examine the teachings of Quran on Jihad.***

- Jihad comes from the Arabic word Jahadah which means to strive or to struggle. In the Islamic context, Jihad means to strive to make society better. It is an honest struggle against all that is wrong and evil according to the teachings of the Quran.
- Jihad according to Quran is aimed at establishing justice in society. It is intended to create a society free of aggression. Such society is characterized by social serenity and political sobriety.
- To get engaged in Jihad means to employ one's life, wealth and children to cleanse society of evil. Chapter 49:15 says: 'Only those are the believers who have believed in Allah and His Messenger, and afterward doubt not but strive with their wealth and their lives for the cause of Allah. Those! They are the truthful.'
- Jihad is the greatest revolution that starts from one's own self then to his house, friend and the Muslim community at large, and from there, it may be directed to the entire mankind. It is a revolution of self-evaluation and renewal of faith in Allah. Anyone who wages jihad without this self-evaluation becomes a loser because, their cause in the eyes of Allah does not look genuine
- The greatest Jihad is Jihad Nafs, which means Jihad against the self. In this case, a Muslim is required to struggle to cleanse one's soul from evil deeds as was exercised by Prophet Yusuf. Chapter 12:53 says: '...verily, the human soul is inclined to evil, except when my Lord bestows mercy...' If one's soul is purified, then they will not commit evil deeds and society will enjoy peace.

- Muslims are urged to declare war against the devil (Satan) which always tempt Muslims to commit sins. In chapter 36:60, God warns Muslims against following the footsteps of the devil: 'Did I not ordain for you, Oh children of Adam, that you should not worship Satan. Verily, he is a plain enemy to you.'
- In physical Jihad (Jihad al Ak'bar) which means war, Muslims are required to observe (respect) rules of engagement. These are the guidelines given by the Quran governing the Jihadist as seen in chapter 9:6. If the enemy wants peace, it should be granted to him and also escort them to a place of security.
- Related to the above, scorched earth policy is not allowed in physical Jihad (war). Scorched earth policy is a military strategy which involves destroying anything that might be useful to the enemy while advancing through or withdrawing from an area. Therefore, houses, plantations, bridges, trees, water sources etc, should be preserved.
- If the enemy is over powered and decides to surrender, Muslim Jihadists must not continue fighting lest it becomes a war of aggression. Chapter 2:193 says that: '...But if they cease, let there be no transgression...' If those who have surrendered need protection, it should be granted to them by Muslims according to chapter 9:6
- Escaping from the battle front is hypocrisy and the punishment is heinous as seen in chapter 8:16. In this verse, God warns Muslims against fleeing from the battle field for exposes the whole community to danger. Whoever turns their back against the enemy will be sent to hell fire on the last day.
- Jihad al Akbar is different from terrorism. Jihad is launched by only by an established authority as a policy in order to prevent aggression, yet terrorism is committed by individuals who have no legitimacy to speak for others. Jihad is limited to combatants while terrorism involves indiscriminate killing of civilians.
- War (physical Jihad) as taught by the Quran must be defensive and not offensive lest it becomes a terrorist act. Chapter 2:190 says: 'And fight in the way of Allah those who fight you, but do not transgress the limits...' By this verse we learn that, Jihad in Islam is aimed at establishing justice by eliminating aggressors.
- Jihad does not permit the killing of innocent people lest one becomes a tyrant. Chapter 5:32 teaches that: '...if anyone killed a person not in retaliation of murder, or to spread mischief in the land, it would be as if he killed all mankind, and if anyone saved a life, it would be as if he saved the life of all mankind..'
- Jihad is not declared to coerce people to embrace Islam as the western powers have put it. After all, a Jihadist is not permitted to destroy other peoples' places of worship like churches, shrines to mention a few. This is in line with chapter 2:190 which warns the Jihadists not to transgress the limits set by God.
- Muslims are allowed by God to defend themselves in case they are attacked. They should not simply look on when atrocities are being unleashed against them. Chapter 2:190-192 says: 'And fight in the way of Allah those who fight you...' This means,



Muslims are allowed to defend themselves in a bid to ward off all acts of injustice against them.

- In case of intellectual Jihad where one struggles to convey God's message to society, one should have proper knowledge and understanding of the message they endeavor to put across. This is confirmed by chapter 16:25 which says, Muslims should invite others to Islam with wisdom and fair preaching (Bad language should not be used). This Jihad includes the effort put in by learners (students) to seek for knowledge.
- The Quran teaches that, Muslims should first prepare themselves before engaging the enemy as seen in chapter 8:60 which says: 'And make ready against them all you can of power, including steeds of war...' Preparation includes, mobilization, training of combatants and provision of equipment
- The Quran teaches that Muslims should declare Jihad in a bid to make the Name of Allah supreme in the whole world as seen in chapter 22:78. In this case, Muslims must use various methods of inviting everyone to Islam. Preaching is mostly emphasized unless one has been attacked by those who hate the truth.
- The Quran teaches that Muslims should declare Jihad against the devil by not following its footsteps. This is called Jihad Nafsi as seen in chapter 2:208 which says: 'Oh who believe! Enter perfectly in Islam and follow not the footsteps of the devil. Verily! He is to you a plain enemy.' This Jihad involves cleansing one's soul.
- The Quran teaches that Muslims should carryout Jihad of inviting people to Godliness (True path) and shun evil, for they are the best Ummah as seen in chapter 3:110 which says: 'You are the best Ummah, you enjoin the doing of good and forbid the doing of evil..' So, it is incumbent upon every Muslim to display good conduct for others to emulate.
- In the process of inviting people to Islam and fighting against injustice (oppression), one is required to exercise patience, for there are many hurdles they must go through. The Quran shows in a number of verses how the Messengers of God suffered in their struggle to purge society of evil. They however exercised the utmost patience (Nooh, Ibrahiim, Moses, Isa, Muhammad –PBUH are a case in point)
- The best way to attain salvation in the hereafter is to declare Jihad against falsehood. This involves establishing Islamic monotheism, for polytheism is false worship. 'And say: Truth has come and falsehood has vanished. Surely falsehood is ever bound to vanish.' Chapter 17:81.
- Faith without righteous deeds and without exhorting people to the truth is not enough to make a Muslim attain bliss in the hereafter. This is in accordance to chapter 103:1-3. One's Jihad will be appreciated only if they accompany their righteous deeds with enjoining truthfulness in society
- It is incumbent upon Muslims to engage in war to defend the weak against oppressors as taught in chapter 4:75, 'And what is wrong with you that you fight not in the cause of Allah, and for those weak, ill-treated and oppressed...' whether the

oppressed and ill-treated are in one's country or otherwise, it is incumbent upon Muslim reformers to liberate them

- Jihad is an act of worship that is carried out to please Allah as seen in chapter 17:81. It is one of the most rewarded acts in Islam to the extent that if one dies in action, they are admitted to paradise. Due to its significance, some Muslim scholars visualized it as one of the pillars of Islam.
- In carrying out Jihad, a Muslim may use various methods. One can use his hand by writing books or articles on evils like corruption, oppression etc. One may use their tongue to preach against such evils. The Prophet (PBUH) taught that, the best Jihad is the utterance of the word of truth in the eyes of a tyrannical ruler (Ibn Majah)
- The Quran teaches that, Jihad does not start with physical war, which makes it different from terrorism. Jihad starts with inviting people to Islam and under no circumstance should a Muslim fight people who have refused to embrace Islam unless they themselves declare war on him.

#### ***Rules governing Jihad:***

- In case of physical Jihad, Muslims must have been oppressed (by their leaders, enemies, neighbors etc) in order to defend themselves through war
- Before war is declared, the conflicting parties must have exhausted all avenues towards peace creation. In this case, physical war must be the last resort in resolving conflicts
- The Jihadist must be well prepared. For instance, they must be well equipped in terms of arms (weapons), must have undergone training and counselling (They must be told the purpose of the war)
- In case the enemy is overpowered and surrenders, the Jihadist should not continue with war, otherwise it will become a war of aggression which is prohibited in Islam
- The prisoners of war should be treated with kindness. They should be given food, water, medication, allowed to exercise their religion etc
- Places of worship such as churches, shrines, mosques etc, should not be destroyed intentionally, otherwise it ceases to be a genuine struggle as advocated by the Quran
- Destruction of all nature such as plants, crops, water sources, animals etc, coupled with other things used in daily life such as, roads, bridges, peoples' houses, etc, is not allowed. So, scorched-earth policy is prohibited
- It is prohibited to fight from sacred places such as Mosques (The Ka'ba inclusive). When the enemy escapes and seeks refuge from a sacred place, a Jihadist must not use instruments of force to get them out. (persuasive means should be used)
- The non-fighting weak like the aged, women, children, or civilians for that matter are not to be killed, lest it would turn out to be aggression
- One must fight for no other cause other than pleasing Allah. One must not have been influenced negatively to engage in Jihad

- The Jihadists should remain steadfast in the face of the enemy. In other words, no one should desert the battle front
- The Jihadist should not be proud and boastful in attitude and behavior, for Jihad is a duty ordained by Allah. So, it is an act of worship
- The Jihadist should always be aware of the purpose before engaging in Jihad. That is, what are they fighting for? There must be genuine factors for the Jihad to take place
- The Jihadists must have full reliance on the help Allah and remember Him much. If this is done, they will not lose focus.
- In all forms of Jihad, patience must be exercised. The Jihad of preaching by inviting people to Islam and the physical Jihad require utmost patience. (They risk their lives, use their resources etc)

***Significance of Jihad to the Muslims:***

- It is a means of propagating Islam (preaching the word of Allah)
- Jihad is a source of rewards to Muslims since it is an act of worship
- It is a taste of determination of Muslims in safeguarding their religion
- It can be used as a yardstick to identify Muslims from hypocrites. For instance, the 625 AD Jihad at Uhud clearly separated Muslims from the pretenders.
- Jihad acts as a lesson through which Muslims would learn some issues for future use. For instance, the position of women in Jihad, the possible death of the Prophet (PBUH), war ethics etc
- In the early days, Jihad acted as a yardstick to measure Muslims' obedience to the Prophet (PBUH)
- Jihad Nafs helps in consolidation of one's faith by shunning the devil's handiwork
- It helps to fight immorality in society
- It is a means through which the rule of law may be established in society by dealing with oppressors
- Through Jihad we learn that, law breakers and aggressors must be punished for their actions. That is why God says in chapter 2:191 that 'kill them wherever you find them'

**REVISION QUESTIONS:**

***(1) Discuss the difference between Jihad and other wars***

***(2) The teachings of Quran on Jihad are aimed at creating a society free of aggression. Justify this statement***

**(5) International relations**

- International relations refers to the various dealings that the Nations and People of the world have with each other. It is concerned with matters related with foreign affairs (policies) such as boundary disputes, trade, agreements etc.

- The Quran advocates for international peace and harmony. This is done by fulfilling covenants and mediating between conflicting parties. Chapter 49:10 says: 'Believers are nothing else than brothers. So make reconciliation between your brothers, and fear Allah, that you may receive mercy.'
- All humanity owes its origin from a single pair of Adam and Eve. Therefore, they should relate together with mutual respect. Chapter 4:1 says: 'Oh mankind! Be dutiful to your Lord who created you from a single person.' Also, chapter 7:189 says: 'It is He Who created you from a single person.'
- The Islamic government has to defend itself against any aggression to its peace and security. In this vein, chapter 2:190. 'Fight in the cause of God those who fight you...' It should however be noted that Muslims are required to follow rules of engagement (Ethics of war). For instance, not to kill innocent people and avoidance of the scorched earth policy.
- The Quran advocates for respect of the pacts and treaties among Nations. This is seen in chapter 16:91 which says: 'And fulfil the covenant of God when you have entered into it and break not your oath..' However, if other nations fail to honor it, the Muslim state is allowed to declare it null and void. (Also see chapter 8:58)
- It is the duty of the Islamic state to ensure that international justice is upheld (enforced) as seen in chapter 5:8 which says: 'Oh you who believe! Stand out firmly for Allah and be just witnesses and let not the enmity and hatred of others make you avoid justice. Be just: that is near to piety...'
- It is the duty of an Islamic state to resolve a conflict between conflicting countries other than escalating it. Chapter 49:9 lays down procedures of resolving international disputes: 'And if two parties or groups among the believers fall to fighting, then make peace between them both...'
- The Islamic state is required to keep good relationships with neutral countries even when they are none Muslim states, as seen in chapter 60:8 which says: 'Allah does not forbid you to deal justly and kindly with those who fought not against you on account of religion and did not drive you out of your homes.'
- The Quran allows intermarriage between members of different Nations. This strengthens international relations since it fosters Islamic brotherhood and dealings (political and economic) between nations. The Prophet (PBUH), for instance, married an African lady, from Egypt called Maria Qibutwiyyah.
- The Quran also allows International trade so long as it does not contravene the laws laid down in the Quran. Muslims are allowed to transact business with both Muslim and none Muslim states. Non Islamic items should be avoided.
- The Quran allows asylum seeking by political fugitives, whether they are Muslims or not. It is the responsibility of Muslim states to treat well refugees and prisoners of war (providing them with food items, clothes, medical care, educating their children etc). Such people should not be repulsed to face the wrath of their leaders.

- Muslim states must not allow rebels to use their territories in a bid to cause havoc to the neighbouring states for no good reasons. Harboring rebels in this manner tantamount to aggression which is prohibited by the Quran
- The Quran allows Muslim states to invite people of the neighboring states to the folds of Islam. For instance, in 628 AD the Prophet (PBUH) wrote several letters inviting Kings of the most powerful states by then to embrace Islam. A case in point were the kings of Roman Empire and the King of Persian Empire.
- It is the duty of a Muslim state to defend the oppressed (The weak) wherever they may be.
- Exchange of envoys is allowed as it fosters peace and tranquility among states

## **(6) Racism:**

- Racism is the belief that one's race is superior to another or one colour of skin is superior to another or people of a particular country are superior to others. The Holy Quran is against all forms of racism.
- The Quran teaches that God created different races and tribes in order to know each other. This is in accordance with chapter 49:13 which says: 'Oh mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know each other...'
- The Quran teaches that superiority does not lie in race, colour or any other feature, but closeness to God and living by faith and morals. Chapter 49:13 says: '...Verily! The most honorable of you with Allah is that who is pious...'
- In Quran, God describes racism as the fanatical rage of the time of ignorance. While delivering his last sermon on his farewell pilgrimage in 632 AD, the Prophet (PBUH) said: 'there is no superiority between black and white' and urged Muslims to guard against racist tendencies of the period of ignorance.
- The Quran encourages Muslims to observe the Hajj rites. In Hajj, multitude of men, women and children from every corner of the world come together as brothers to answer the call of Allah, circumambulating the Sacred House and glorifying His Name.
- The Quran teaches that all human beings are children of Adam who was created from dust. So, we all belong to the same family and hence form the same fraternity. Chapter 2:213 says: 'Mankind is not but a single nation.'
- Among the measures introduced by the Quran to level the difference of rank and of race among Muslims is prayer. Five times a day, Muslims meet together and pray shoulder to shoulder with no regard to any national, ethnic, class or colour differences

- Among God's signs is the creation of the Heavens and the Earth and diversity of languages and colours. The cardinal aim is to fear Him but not intended to promote superiority among races, as seen in chapter 30:22
- The oneness of the Prophets and the oneness of their message is a tool (weapon) to be used to destroy all acts of racism. Muslims believe in all Messengers of God in spite of their different racial background. Chapter 2:285 says: '..they say, we make no distinction between one another of His Messengers...'
- The Quran condemns people who laugh at others on account of superiority in race, for the one being laughed at may be better in the eyes of Allah this is seen in chapter 49:11. Thus, ethnic jokes, silly and hurtful jest should be condemned for they carry the virus of hatred. Laughing at any beings is a sin in Islam.
- The Quran condemns the act of enslaving other people on account of variance in races. That is why Muslims are permitted by God to marry their slaves as a way of destroying the institution of slavery. This is seen in chapter 24:32
- Belief in one God also helps man to neutralize racial tendencies in society. If we all believe in one God, then we exercise equality. Chapter 4:1 says: 'Oh mankind! Be dutiful to your Lord, Who created you from a single person..'
- The Quran allows inter-racial marriages. If this is upheld by all people, the world will cease to experience incessant conflicts generated out of racial tendencies. Chapter 4:3 says: 'Marry women of your choice..'

#### **REVISION QUESTIONS:**

1. Explain the dangers of racism to society
2. In what ways can racism be avoided basing on the teachings of the Quran?

### **(7) Slavery:**

- Slavery means a state of being owned by another person. It could be social slavery, economic or even political slavery.
- The Quran provides for emancipation of slaves as a means of religious atonement for sins as seen in chapter 58:3. For instance, it is sinful for a man to equate his wife to his mother. For such a sin to be forgiven, one is required to emancipate (free) a slave.
- The Quran made no distinction between slaves and free men, and all were treated equally. In this way, the Quran restored the dignity to slaves and enhanced their social status.
- The Quran teaches that manumission of a slave is one of the many meritorious deeds available for expiation of sins as seen in chapter 5:89 which says: '...for its expiation, feed ten poor people on a scale of the average of that with which you feed your own families, or cloth them or manumit a slave..'
- According to the Quran, slaves are considered human beings and possess some rights on the basis of their humanity. Islam enjoins masters to treat their slaves the way

they treat their family members. Slaves must be given all necessities of life, just like other dependents.

- One of the five pillars of Islam is Zakat. Zakat is meant to encourage Muslims to donate money for freeing slaves as seen in chapter 9:60. A slave seeking freedom should be helped from the public treasury. The Quran recognizes the emancipation of slaves as one of the permissible expenditures of alms and charity
- The Quran teaches that a Muslim who frees a Muslim slave will be saved from the torment of hell fire on the Day of Judgment (90:11-13). Therefore, Islam is the only religion which has prescribed liberation of slaves as a virtue and a condition of genuine faith in God.
- God raised the rank of the slaves and made their blood protected just like the free person as seen in chapter 2:178. Killing of a slave without a genuine reason will lead one to a painful torment on the Day of Judgment.
- The Quran blocked all sources of slaves (such as raiding, domination and guardianship) and left only one source, and that is war as seen in chapter 47:4. In case Muslims defeated their enemies, the defeated (arrested) soldiers may be put to death or condemn them to slavery.
- The slaves are considered spiritually equal to free Muslims. That is why the Quran permits believers to marry them as seen in chapter 24:32 which says: 'And marry those among you who are single and of your slaves and maid-servants...' when slaves are married, they become free people.
- The Quran teaches that a slave has to be freed for every breach of vow. When someone does break an oath, they are required to ask for forgiveness and make up for the sin by feeding ten poor people or freeing a slave
- The Quran teaches that, any slave woman who bore a child by her master could not be sold and, on her master's death, she became automatically a free woman. The Quran also ordained that a child born to a slave woman by her master should follow the status of the father
- Slaves were (are) given a right to ransom themselves either on payment of an agreed sum or on completion of service for an agreed period. The legal term for this is Mukatabah. This is taught in chapter 24:33 of the Quran. In the verse, God makes it incumbent upon Muslims to help the slaves in getting liberated

**Note:** the word *Kitab* in the verse stands for the written contract between the slave and his master known as 'Mukatabah- deed of contract'

- When a slave wants to get himself freed, the master has not only to agree to it, but he is also directed to help the slave from his own wealth. This is intended to make the slave live a respectable life after earning his freedom.
- According to the sharia, if slaves living in an Islamic state accepted Islam before their masters, then they would become free automatically. The Quran does not permit the enslavement of Muslims

- The Quran recognizes no distinction of race or colour (black or white, rulers or subjects). They are perfectly equal, not in theory only, but in practice. For instance, the first Muazzin (herald of the prayer call) of Islam was a black man called Bilal, a former slave.

#### **REVISION QUESTIONS:**

##### **1. (a) Explain the teachings of the Quran on slavery**

##### **(b) Examine the attempts and measures provided by Islam towards acquiring freedom for all humanity**

#### **(8) Fight against oppression:**

- The subject of oppression has been widely covered in the Quran because it is one of the major challenges society is grappling with. This menace has been there since time immemorial and it is incumbent upon every God-fearing Muslim to raise up and address (condemn) it.
- The Quran strongly condemns acts of oppression in all spheres of life (spiritual, political, social and economic). Oppression is exercised mostly by people who have been granted authority over others. Oppression is one of the sinful acts and the Quran has ranked it above murder. God says in chapter 2:191 that: '...oppression is worse than killing...'
- The Quran has legislated against racism as seen in chapter 49:13 which teaches that superiority does not lie in race, color or any other feature, but in closeness to God and living by faith and morals. This is a serious warning to all people who believe in racism and are doing their utmost to promote its ugly head.
- The Quran discourages slave trade and slavery. Chapter 5:89 teaches that manumission of a slave is one of the many meritorious deeds available for expiation of sins. The Quran also permits Muslims to marry slaves as a way of silencing oppressive tendencies in society.
- The Quran discourages mistreatment of prisoners of war as seen in chapter 47:4. In this verse, Muslims are permitted to take prisoners of war but they should be treated well (be given food, medicine etc). They may be set free without charge, or free them for a ransom. Such fair treatment has won many hearts to the folds of Islam.
- Quran teaches that, oppressors should be fought and thrown out of power. Some leaders (Rulers) have got a habit of misusing the instruments of force to imprison and or exile their political opponents. The Quran permits Muslims to fight and remove them from positions of authority. Chapter 2:191 says: '..and turn them out from where they have turned you out..'
- Muslims are commanded by the Quran to refrain from assisting oppressors in unleashing their terrorist or oppressive acts on the helpless people. Such acts include land grabbing, usurpation of property, killing innocent people etc. Chapter 5:2 says:



‘...help one another in acts of righteousness and piety, and do not help one another in sin and transgression..’

- Denying freedom of expression to the citizens is an act of oppression which should be resisted. Muslims are permitted to exercise freedom of expression as long as they do not intrude upon the limits set by the sharia. For instance, freedom of expression does not permit one to speak falsely about the Quran or the Prophet (PBUH).
- An Islamic state must have a well-established independent judiciary and a legislative council in a bid to safeguard peoples’ rights. It should be manned by Muslims well acquainted with the teachings of Quran and hadith (The Shariah)
- The Quran advocates brotherhood and equality as a way of curtailing the cancer of oppression. In chapter 4:1, God reminds man that they were created from a single pair of Adam and Eve which shows that they are brothers.
- The Quran teaches that those who oppress the orphans, their reward will be hell. One way of oppressing orphan is by devouring their inheritance. Chapter 4:10 says: ‘Verily! Those who unjustly eat up the property of orphans, they eat up only a fire into their bellies and they will be burnt into in the blazing fire!’
- In marriage, the Quran makes consent of the two parties as a principle pillar for the legality of marriage (4:3). In this way, the Quran prohibits forced marriages because they are a source of injustice and oppression in society.
- The Quran has prohibited all forms of transactions in which hoarding and monopoly are exercised. These two factors may cause suffering of the poor (The majority). The punishment for those who promote such oppressive tendencies is hell fire. Chapter 103:1-4 attests to this fact.
- The Quran discourages oppressive taxes on the general population irrespective of whether one is a Muslim or not. The Islamic fiscal policy (Zakah) taxes those who are wealthy for the benefit of the poor and the needy, as seen in chapter 9:60. The non-Muslims living in the Islamic state are required to pay tax for their protection (Jiz’ya), which should also be affordable.
- Workers (labourers) should be paid their wages immediately work is accomplished. That is why the Prophet (PBUH) said, one should be paid before their sweat dries up. Payment should be given in full otherwise an explanation should be given to the party concerned.
- Related to the above, the Quran condemns the act of under paying the workers. Many people have a tendency of cheating their employees taking advantage of shortage of jobs vis-à-vis the growing number of job seekers. This should be avoided.
- Under no circumstances should a Muslim mistreat house-keepers (helpers/ maids/ house boys). They should be called by their names (Not nick names by way of belittling them) and in a polite way. They should be given medical care, food, clothes and a decent accommodation.
- The Quran permits divorce in case of lack of peace and respect in one’s matrimonial home (2:227-228). Lack of peace and respect may be caused by unnecessary beating

of one's wife, belittling one's parents by either of the spouses, denying each other sex without a genuine reason, to mention a few.

- The Quran permits freedom of worship to everyone. Chapter 2:256 says: 'Let there be no compulsion in religion.' In an event of Jihad, Muslims are not permitted to destroy places of worship such as churches, shrines to mention a few, lest one becomes a tyrant.
- The Islamic judicial system should not be discriminative. All people, black, white, etc should receive equal treatment by the law as required by the Quran. God says in chapter 4:135 that: 'Oh you who believe, stand out firmly for justice, as witnesses to Allah, even though it be against yourselves, or your parents, or your kin, be he rich or poor...'
- Boycotting one another (Innocent people) is prohibited.

#### **REVISION QUESTIONS:**

1. Discuss the teachings of Quran on oppression
2. Examine the measures put in place by Muslims to reduce oppression according to the teachings of the Quran
3. (a) Examine the ways in which oppression is carried out in society  
(b) In what ways has the Quran addressed the challenge of oppression?

## ***THEME: SELECTED SURAHs OF THE QURAN.***

### **SURAT AL-TIN (95)**

- This is a Meccan surah with eight verses. The theme of the surah rotates on the subject of creation of man, the finest mould and the process of his development and his lowliness. It begins with four meaningful oaths and ends with resurrection and the absolute sovereignty of Allah.

#### **MEANING (CONTENT)**

##### ***Verse 1: By the Fig and the Olive***

- Some Muslim scholars believe that the Fig and the Olive refer to the same two fruits that contain the extraordinary nutritive and creative properties.
- Some scholars say that the Fig and the Olive refer to the two mountains on which the two cities of Damascus and Jerusalem are located. Many great Prophets lived in these two sacred cities.
- Tin (Fig) explains the action of Adam and Eve when they clothed themselves with leaves of the fig tree in Heaven. Zaitun (Olive) refers to the time Nooh sent a dove or pigeon to check on the level of floods and it returned with Olive branch.

##### ***Verse 2: By mount Sinai.***

- This is the mountain upon which God spoke to Prophet Moses. When Moses first approached the mountain, God called him by his name and told him to remove the shoes for the place was sacred.
- At this place, Moses was given laws and commands to guide him throughout his Prophethood. These include the Ten Commandments to the children of Israel.

***Verse 3: And by this city of security.***

- This means Mecca. According to various Muslim scholars such as Ibn Abbas, Mujahid and Ikrima, this is the city of security in that, whoever enters it, is safe.
- It is the city in which Prophet Muhammad (PBUH) was born and sent. It is a sacred city that houses the Holy Kaabah which is treated with reverence by all Muslims

***Verse 4: Verily! We have created man in the best stature.***

- This means, man was created by Allah in the best image and form, standing upright with straight limbs that Allah beautified. This clearly distinguishes him from other creatures.
- Man was given knowledge to distinguish between good and bad. It is this knowledge that makes him do many wonders in the world.

***Verse 5: Then, We reduced him to the lowest of the low.***

- This means that man is at his best only if he does good deeds. If he disobeys God, then he will be subjected to hell fire on the Day of Judgment.
- It also means that, man remains useful to society when he is still young, but when he grows old, one becomes almost useless.

***Verse 6: Save those who believe and do righteous deeds, then they shall have a reward without end***

- The verse teaches the significance of belief in God. True believers should believe in the six articles of faith as clearly stated in the Quran
- Those who do righteous deeds will be saved from calamities and losses of this world and those that will come in the hereafter

***Verse 7: Then what (or who) causes you to deny the Resurrection day?***

- This means, man should not doubt the resurrection day. To deny it, will mean denying the powers of Allah the originator of life. The one who originated life, is able to return the dead to life.
- On that day, everyone will be recompensed for what they did. So, what all messengers taught about it is absolutely true

***Verse 8: Is not Allah the Best of Judges?***

- This means Allah is the best Judge who does not oppress or do any injustice to anyone. On the Day of Judgment, everyone will be paid fully for what they did during their life time.
- No one will be judged for actions they did not commit. Also, Allah will not judge one for what He did not command them to do.

## LESSONS LEARNT FROM THE SURAH:

- God reserves the prerogative to swear by any of His creatures. But man must swear by God's Name, lest they commit 'shirik' (act of disbelief)
- God honors His Prophets in various ways. In this surah, five great Prophets are honored through symbols. The Fig refers to the mosque of Nooh built on Mt. Judi; the Olive means the land of Jerusalem and Baitul Muqdis, thus refers to Isa; Mt. Sinai refers to Moses, and the safe Town means the city of Mecca which is the symbol of both Ibrahim and Muhammad (PBUH). These are called Ulul Azm Prophets.
- The surah delivers a lesson that Prophets were sent by God and delivered the same message (That is, monotheism)
- The Day of Judgment is a reality and it will surely come. Man is therefore advised to prepare for it by doing righteous deeds
- Man should maintain a good status that God granted him by exercising righteous deeds, otherwise God reserves the powers to reduce him to the lowest of the low
- God is the best Judge. He Judges His creatures without discrimination, and no one can exercise justice better than Him
- Much as God created man in the best image as stated in the surah, man cannot resemble God. So, we don't say, man was created in God's image.
- The surah informs man about important episodes that took place in the past like, God's communication to Prophet Moses at the mountain of Sinai. This strengthens Muslims' faith
- The surah addresses the city of Mecca as a city of security where peace prevails. A city in which none is wronged.
- Those who exercise righteous deeds are promised unfailing rewards on the Day of Judgment
- Whoever practices wrong deeds is similar to one who is doubtful of the Day of resurrection. To such people, a heinous punishment awaits.

## SURAT AL QADIR (97)

- Surat al Qadir is the 97<sup>th</sup> surah of the Quran, with 5 verses. It is a meccan surah and was named after the word al Qadir in the very first verse. Its subject matter is mainly about the night of power.

### IT'S MEANING (CONTENT)

#### ***Verse 1: Verily! We have sent it (This Quran) down in the Night of al Qadir (power/decreed)***

- In this verse, God says, He sent or revealed the Quran in the blessed night. So, it is God's revelation and not a composition of the Prophet (PBUH)

- The night of power/decreed occurs during the month of Ramadhan. In this night, Quran was sent down from the preserved Tablet (Lauhil mahfudh) to the house of Might (Baitul Izza) located in the earthly Heaven

***Verse 2: And what will make you know what the Night of al Qadir is?***

- In this verse, God emphasizes the significance of this Night by asking man if he has any knowledge of the Night of decreed.

***Verse 3: The Night of al Qadir is better than 1000 months***

- The 1000 months mentioned in the verse are equivalent to 83 years and 4 months. Therefore, worship during this night is equivalent to worship performed for a period of 1000 months
- According to Yusuf Ali (a great mufassir), the 1000 months means a very long period of time. That is, timeless time. These are years which one may not be in position to count.

***Verse 4: Therein descend the Angels and the spirit (Ruh) by their Lords permission with every matter***

- The verse means that, the angels descend in abundance during the night of al Qadir due to its abundant blessings and mercy, just as they descend when the Quran is recited.
- In reference to al Ruh (spirit), it means angel Jibril, the head of all angels

***Verse 5: There is peace until the appearance of dawn***

- The verse means that, the whole night is peaceful due to the blessings from God. So, the angels come with greetings of peace to the God-fearing people who are found glorifying God.
- The angels also pray for the God-fearing people. They ask God to have mercy upon the believers and forgive them. their sins

**LESSONS LEARNT FROM THE SURAH**

- The Quran was revealed by God and the purpose was to benefit mankind. Verse one of this chapter disarms all orientalists who, because of their ulterior motives, reason that the Book was composed by Muhammad (PBUH).
- We also learn that the Quran was revealed in the Night of power which is found in the last ten days of the month of Ramadhan. It was in this night that God commanded angel Jibril to carry the Quran from the preserved Tablet to the exalted house (Baitul Izza) all at once.
- We also learn that the revelation of the Quran to mankind went through stages. First, the angel carried the message all at once from the preserved Tablet to the exalted house. It was from here that revelation was effected to the Prophet (PBUH) in piecemeal.
- We learn that God pre-determines the existence of everything. This is done in the night of power which is found in the month of Ramadhan
- The surah shows the uniqueness of the month of Ramadhan

- We learn that God has endless mercy to mankind especially the believers. The night of power bestowed upon believers is.....
- In verse two of the surah, God poses a question, that, what will make you know what the night of power is? The lesson we derive from the verse is that, whenever God wants to lay emphasis on something and to draw the attention of man towards it, He repeats it twice or several times.

(f) surat al Asr

(g) surat al Fil

(h) surat al Kawthar

**(i) surat an-nasir**

(j) surat al-Lahab

(j) surat al Ik'laas