

## Concept of Islam

'Islam' is derived from the Arabic word 'slm' which means 'to surrender, submit or yield'. It means to resign one's self to the will of God. Islam also means 'peace' which is mentioned in Sayeed Ameer Ali's book 'The Spirit of Islam'.

The main basis upon which Islamic life is founded upon includes:

- 1) A belief in the unity, power and mercy of Allah
- 2) Charity and brotherhood amongst mankind
- 3) Subjugation of passions
- 4) Being grateful to Allah and remembering to thank Him and being humble
- 5) Accountability for human actions in another existence; being conscious of how we treat others and the sins we commit
- 6) Finality of the Prophet

The whole concept of Islam rests on the understanding that Allah is sovereign, all-mighty and powerful, He created the universe and man, gave him guidance, and gave man the choice between being a Muslim or a Kaafir, on the basis of which he will be judged in the hereafter. Reciting and believing in the qalmah allows man to join the fold of Islam; the first part of the kalmah presents the concept of Tawhid (oneness of Allah) and the second part affirms the Prophethood of Muhammad.

Fundamentals of Islam, which is a complete code of life, cover the political, social, economic and legal aspects of life because Islam contains clear and definite rules and practices. The mission of the Prophets/messengers has been to preach Islam and its teachings and to establish divine order on earth. As a religion, Islam stands for the complete submission and obedience to Allah and it is only through the submission that one can achieve peace of body and mind.

- Ayat of Quran: "Indeed, it is in the remembrance of God alone that the heart of man finds rest"

Islam is composed of five articles of faith; belief in Tawhid (God), angles, books, prophets, day of resurrection/predestination. As well as the five pillars of Islam; kalimah, salat, zakat, saumm, hajj. As well as jihad forming a central concept of Islam.

The concept of Islam is divided into two main broad categories according to which a person should lead his life;

- 1) theoretical (beliefs and principles of Islam, or 'aqaid' and 'usul' of Islam) or the iman/faith
- 2) practical (hukums or 'orders') deeds or actions

Characteristics of Islam:

- 1) Simplicity (no mythology, understandable, no complex rituals or hierarchy of priests, simple sources of guidance being Quran and sunnah), Rationalism (no superstitious beliefs,

invokes intellectual faculties of a person, importance given to education and knowledge) and practicality (belief and actions have no contradiction, easy to practice)

2) Unity of matter and spirit; material and spiritual life both given importance and equilibrium. Not too extreme towards one side.

3) A complete way of life: guidance pertains to both public and private sphere, touches on eco/social/political/legal facets of life. Islam says no to secularism, which means that religion should not retreat within the private sphere but should be practiced in public life and collectively too.

4) Balance between individual and society: individual has been given liberty, freedom, rights, responsibilities. Whereas society, on the basis of the notion of collectivism, has been given social responsibilities such as zakat, congressional prayer, jihad.

5) Universality and humanism: Allah is “rehmat ul alameen” which means a mercy on entire humanity, not just muslims. Message of Islam is for all, not God of Muslims but God of all. Humanism entails dignity, human rights and equality; all of which are the essence of Islam.

6) Permanence and change: An equilibrium is maintained. Permanence entails pillars, articles of faith, basic laws, shariah. Change entails flexibility/change in law in modern times via ijтиhad. It is not extreme in its rigidity which would have made it redundant.

7) Complete record of teachings preserved: Judaism and Christianity have been subject to adulterations. Islam is still pure and pristine; how it was 1400 years ago

### **Tawhid (monotheism)**

The basic principle of Islam is tawhid; the belief in the unity of Allah. It is a revolutionary concept, especially during the time when it was revealed, and the starting point of Islam. Belief in the oneness and unity of Allah is the essence of Islam and is espoused in the Articles of faith, and the Pillars of Islam. It means Allah has no partners in His dominion, no similarities with another, no rivals in His divinity and worship.

The concept of Tawhid is composed of the following attributes of Allah:

- 1) Oneness/Unity
  - 2) Sovereignty of Allah (Absolute)
  - 3) Omnipotence
  - 4) Eternal and Immortal
  - 5) All-Knowing
  - 6) All mighty
  - 7) Perfect
- Quran: “There is none like unto Him...”
- 1) Unique in person and worship; Allah has no offspring, no partners, not born from anyone. He alone deserves to be worshipped.
- \*Quran: “Yet they have taken besides Him, gods that can create nothing but are themselves created”

2) Unique in name and attributes: No one can possess the attributes of Allah to the same level of perfection. For instance, a man may be forgiving but cannot be as forgiving as Allah. Similarity of traits exists in name, but not in degree.

3) Unique in action and lordship: Created the universe and everything in it, He alone creates, maintains and sustains, His actions are unique.

\* Quran: "Allah is the creator of all things and He is the Guardian and Disposer of all affairs"

**Proof of the Unity of Allah:**

1) Vast, complicated universe beyond human comprehension and understanding but everything in it is well coordinated and working smoothly. Seasons come and go, sun rises and sets, earth revolving and rotating, day and night etc. All this implies that there must be one "supreme" authority in control, because had there been more than one, there would have been chaos and conflict.

*Impact of Tawhid Upon the Life of a Muslim/Individual:*

1) Inculcates self-respect and self-esteem: Since Allah is the only one who provides and maintains life, a person becomes fearless of other human beings. People bow in front of Allah only, and do not beg anyone else as only Allah can solve their problems.

2) Freedom from slavery and dominion of other human beings and non-living deities: This leads to the moral and spiritual development of Muslims

3) Modesty: Man realizes how powerless he is. He does not boast and is not arrogant, because Allah has given and Allah can take back

4) Makes him dutiful, virtuous and upright: Knows that in order to succeed, he has to follow the path of Allah

5) Allows him to make a distinction between good and bad/halal and haram

6) Brave, strong and courageous: Only Allah can solve problems and remove hardships. No need to bow down or ask humans for help or depend on their assistance too much.

7) Satisfaction and peace of mind and body: No more fear of death, prepared for afterlife

8) Believers never become hopeless

9) Become obedient and determined

*Impact of Tawhid Upon Society (Collective):*

1) Equality amongst humans: All created by one God, all son of Adam and Eve. All created from same material, eradicates all distinctions with respect to race, caste, sex, class etc.

2) Unity and brotherhood: Tawhid instills the concept of all Muslims belonging to one ummah irrespective of geographical distance. All believers are one body and when one part gets hurt, the entire body suffers.

3) Concept of human dignity: Allah created man as His vicegerent on earth, hence all men enjoy dignity and respect

*Belief in Akhrat (life after death)*

This deals with the day of judgment, bodily resurrection, heaven and hell. It is referred to as 'al-akhirah' in the Quran. The death of a person is not final, in fact it is only an end to the worldly life, it opens the doors to the eternal life. Barzakh is in qabr (interim period).

The importance of belief in akhirat can be judged from the fact that it is an essential pre-req to enter the folds of Islam. In Quran, the mention of al-akhirah on many occasions is right next to belief in the oneness of Allah.

Quran refers to this day as 'yaum-al-qiyamah' (the day of great rising), and yaum-al-akhir (the last day) and yaum-al-hisaab (the day of accountability).

Impact of belief in the day of judgment is that it instills a sense of responsibility, accountability, fear of God, humility, patience and courage, piety and virtue, encourages abstinence from sin etc.

HP said: "you will have to die, like you sleep, and you will have to get up as you wake up".

Even in nature, plants die every winter and come to life again in spring.

## Political Theory of Islam

The political philosophy of Islam has been, throughout history, linked with different political systems in vogue at the time. These include: western secular democracy, communism of Russia, Fascism of Italy, dictatorship of the Amir (leader). Despite this, many remain clueless regarding the political theory of Islam.

In contemporary times, Muslims want to link Islam to the modern and prevailing political ideologies – trying this constantly because otherwise, they think Islam will be abandoned. Such is the plight of Muslims today that we are engulfed in today's time and many have abandoned the true tenets of Islam. However, the positive side to this is that Islam is a dynamic, evolving religion meant for the modern times – many have tried to make Islam flexible and dynamic enough to accommodate changes and patterns of modern society.

Fundamental concept behind the political theory of Islam is that it is a complete code of life (political, social, legal, economic) and is comprehensive, with clear-cut rules and definite practices. Tawhid is the bedrock of Islam and all other principles are a reflection or an extension of this one principle.

The mission of all messengers has been, from time to time, to preach Islam and disseminate Islamic teachings and to establish divine order on Earth. When the prophets were spreading Islam's message, all people (including opponents) accepted and acknowledged the "existence" of God as the creator but they did not or were not ready to attribute 2 qualities to Him alone:

- 1) Illah: the sole object of worship
- 2) Rabb: Master/the one who sustains and nourishes

Only Allah possess the attributes of Illah and Rabb, but man because of his lust for power claims "godhood" upon his fellow beings and tells them to obey his commands and pay allegiance to him alone. There are two types of aspirants to "Godhood": direct and indirect.

- 1) Direct claimants of Godhood appear bold and powerful or in positions to exercise authority and enforce others. These include Namrood, Phiron, kings, leaders, rules. They want to be recognized as 'illah' and 'rabb'
- 2) Indirect: Now powerful, no authority as such but are cunning and play with the minds of people. They usually pretend to be the intermediaries between God and man; mouthpiece of God.

### *Principles of Islamic political theory:*

Communal in nature, progressive, collectivism over individualism, balance

- 1) Tawhid: Basic tenet of islam, sovereignty of Allah, everything belongs to Allah who is the main lawgiver and no one has the right to give commands in his own right. Even if people pass a unanimous vote, they cannot change the law of God

- 2) Risalat (Prophethood): Medium between God and mankind. Prophets do not enjoy any sovereignty in this own right. They are not the creators of laws but only the transmitters or the communicators of laws of God.
- 3) Khilafat: Man is vicegerent of God on earth, which implies that all men are equal, they are caliphs, and their duty is to submit to Allah. Islam does not adhere to the belief in the divine right of Kings and nobody has a more privileged position than others by virtue of wealth, class, birth or status etc.

#### Nature and Characteristics of Islamic State versus The Western State

Western state: secular, western democracy. Sovereignty of the people. Absolute power of the people to legislate and authority rests with the people (parliament/congress). Popular sovereignty. People are powerful; they can create any law and annul any law.

Islamic state philosophy also repudiates theocracy of the European sort where a priestly class dominates over the rest of the people and manipulates religion, and makes indirect claims of Godhood and claims absolute sovereignty.

Islamic political philosophy is best described as a 'theodemocracy' :

- i) Absolute sovereignty of God and Man as the vicegerent of God on Earth.
- ii) opposition to popular sovereignty; Kingdom of God
- iii) In an Islamic state, Allah enjoys absolute sovereignty, he is the supreme law giver, and based on his law all muslims are vicegerents of His. This means that there is democracy on the basis of equality because all are caliphs of God with limited popular sovereignty under the suzerainty of God.

So, it is a theodemocracy in the sense that:

Theocracy: in the sense that nobody can change an explicit command of God and no independent judgment can be formed on an issue that God has explicitly spoken about  
Democracy: The entire muslim community survives on consent and establishes the executive on the basis of consent. Everyone has freedom of expression and association. Shariah has to be implemented on all matters.

#### *Why is there restricted or limited popular sovereignty in Islam?*

The main argument is that God has limited intellectual capability of man, and has deprived him of his liberty?

The counter-argument to this is that man has been deprived of this right of popular sovereignty because man is not perfect, only God is.

- i) Problems with popular sovereignty:

Firstly, it is an established fact that people who come in power usually come by means of duping others through their wealth, societal status etc. They only want to further their own interests, and are least concerned about the majority. Secondly, man is not perfect, hence cannot make perfect judgments/decisions, because he can be myopic in his views and his judgments can be clouded by emotions. Thirdly, elected representatives can make disastrous decisions at times, only to realize later the mistakes that they have committed.

Allah has created 'hudud' – divine limits, which have been laid down by him and are not changeable and govern all aspects of a person's life. In economic terms, they recognize private property but at the same time they make it obligatory for a person to pay zakat.

*Islamic democracy in its essence:*

- 1) viceregency instead of sovereignty: man is God's representative on earth, man has limited power to legislate laws, and has to abide by the divine laws
- 2) no class divisions: equality
- 3) The whole community of believers has been given the right to rule: no divine right to rule, all are equal
- 4) no room for dictatorship: popular viceregency is the basis of Islamic political philosophy and is a negation of authoritarianism.
- 5) No person or group will suffer any disability on account of birth or status in society: eg. During the time of the Prophet and the 4 caliphs, we see examples of slaves who were appointed as military leaders and shoemakers who became imams. Hazrat bilal is also an example
- 6) freedom of expression: all sane muslims, men and women, are allowed to hold and voice their opinion as all are repositories of knowledge
- 7) protection of rights of non muslims: liberty to worship, business, equal in the eyes of the law and protection of the state
- 8) Islamic Shura (institution of consultation): Shows that Islamic system is modern/flexible/fresh because 'shura' is an institution to be used to carry out ijihad/ijma and apply Quran for current everyday problems.
- 9) Everyone equal before the law: rule of law
- 10) The purpose of the state is positive and not negative: the state not only exists to protect and safeguard people from exploitation and abuse, but also to maintain and further social justice etc.
- 11) Islamic state is universal and all-embracing: Islamic state regulates both private and public affairs of man, and covers all aspects (social, econ, political, legal)
- 12) Islamic state is an ideological state: not based on geography or territory, but on the notion of the muslim ummah. It is not base on the capitalist ideology or the communist ideology
- 13) Equilibrium between individualism and collectivism: Islam is the middle course. For instance, it allowed private property but also makes giving zakat obligatory.
- 14) Islamic foreign policy: Based on protection of foreigners in homeland, immunity of diplomats and envoys, fulfilment of promises and treaties signed with other states (hudaibiya), no intervention unless explicitly asked by the said country's govt.
- 15) independent, autonomous and powerful judiciary
- 16) Character of the amir (leader) has to be exemplary
- 17) Institution of khilafat: Vicegerent of Allah, chosen by consent of people. Women cannot be leader of Islamic State.

Imp quotations:

Allama Iqbal: "Take religion away from politics, and you have despotism"

Gandhi said he wanted a democracy in India that emulated or followed in the footsteps of one that was put in place by hazrat umar

## Systems in Islam

### 1. Economic

#### *Introduction:*

Islam is not an ascetic religion, it does not want to deprive people of all the good things that have been provided to mankind in this world. It adopts a positive view of man; all are vicegerents of God on earth; the entire Universe and all its components have been created for man. Virtue lies not in shunning all the bounties and blessings of God but enjoying and employing them within the Islamic framework.

Objective of Islamic economic system is to encourage economic activity that maximizes human welfare, develop a human being spiritually.

#### *What is the Islamic Economic System?*

- i) Allah provides sustenance
- ii) Allah is the real owner; we hold everything in 'trust' for Him
- iii) Distinction between halaal and haram
- iv) Equity (fairness) and not equality in wealth distribution
- v) Principle of moderation – one shouldn't tilt to any extremities as this can lead to disaster

#### *Comparison between capitalism, communism and Islamic economic systems:*

- Ø Capitalism: individualistic, private property, private gains, prioritization of private benefit over social benefit, profit motives emphasized over welfare motives, no spiritual orientation, secular, morally neutral, earth bounded, exploitative
- Ø Communism: No individual perspective, no liberty or freedom, equal distribution of benefits irrespective of individual's hardwork, no spiritual orientation, morally neutral and secular (can make people lazy, they will lack initiative to work hard), Earth bounded, equality but not equity (due to equal distribution of wealth irrespective of how hard one works)
- Ø Islamic: Spiritual and material well being both, zakat, equitable distribution of wealth, private and public benefits both are catered to, brotherhood, circulation of wealth, morally upright activities, both individualism and collectivism. Islam recognizes a triple nature of possession: 1) private: private property, 2) collective: water, gas etc. and 3) state: public welfare hospitals, schools etc.

#### Goals of Islamic Economic System

##### 1) Economic well being and moral norms of Islam:

The Quran says: "Eat and drink that which God has provided and act not corruptly, making mischief in the world"

Islam enjoys all muslims to grow materially; no quantitative limits set to the extent of economic growth. Islam sees the struggle for material wealth as a form of virtue, and says that muslims should gain mastery over nature in order to increase their growth.

- 2) Prohibition of begging: There is a concept of reliance on self, or 'khuddi' as illustrated by Iqbal. Ecosystem is there to provide gainful employment to all who are looking for it.
- 3) Prohibition of all 'immoral practices' to earn livelihood that are repugnant to the spirit of Islam: liquor, sex, prostitution, dishonesty, bribery, fraud etc.
- 4) Economic/material well being of the individual: In pursuit of material wellbeing, one should not let go of his spiritual orientation or that of the Islamic economic order, and one shouldn't make being materially well off an end of life itself. There should be harmony between spiritual and material gains.

Quran says "the love of this world is the source of all evils"

- 5) Harmony between spiritual and material gains: If only spiritual gains are pursued then living itself becomes difficult. And if only material well being is pursued, then spiritual maladjustments occur; frustration, crime, alcoholism, extra marital affairs etc. There is a lack of inner happiness and contentment.

- 6) Universal brotherhood and justice:

Prophet said "An arab has no superiority over a non-arab, not a white has any superiority over a black except for righteousness".

Islam advocated for the common ideology and common origin of man; entails mutual cooperation and help.

- 7) Social and economic justice:

It entails that each individual should get his fair share for his contribution to the society. And that there is no exploitation of consumers, producers, employers, labourers etc.

- 8) Equitable distribution of income: no gross inequalities

- 9) Concentration of wealth should not be within a few hands: Islam advocates distributive justice

- 10) Circulation of wealth: Zakat

- 11) Inheritance according to the law of shariah

- 12) Halaal and haram

- 13) Limited capitalism

14) Freedom of the individual within the context of social welfare: man has been created free by God and is subservient only to Him. The Islamic charter frees all individuals from all sorts of bondage. Individual freedoms are of paramount importance in Islam as long as it does not infringe upon the rights of others.

15) Social welfare: bait ul maal, prohibition of riba and alternatives to riba such as Islamic banking, partnership, interest-free loans etc.

16) Prohibition of interest and hoarding: Prophet said "Allah has blighted usury and made arms giving fruitful"

17) Laws regulating labour conduct

Islam recognizes the 'free market system' which encompasses individual freedoms, free will, the institution of private property, profit motive etc.

Differences between Islamic Economic System and Capitalism:

- 1) Private property held in 'trust' by man in Islam
- 2) No absolute ownership, man is bound by the conditions of the trust as laid down by Allah, which include zakat, equity, brotherhood etc
- 3) Government intervention allowed whenever the need arises to maintain the balance between individual freedom and interest of the society

Conclusion: the above discussion concludes that the material well-being of mind as well as the society on the foundation of spiritual values constitutes an indispensable part of the economic philosophy of Islam.

## **Judicial System in Islam**

### *Introduction*

Why is a judicial system needed in the first place? This is because man is a social animal, he cannot live perpetually on his own, and is not independent of other people. Inevitable he is interdependent on others and during interaction, friction or conflict can arise. There can be infringement of rights by one over another's. one party may wrong another, but the wronged party may be too weak to stand up for itself.

In such situations, it is imperative that there must exist such a judicial system whereby the weak and innocent get a remedy while the strong/guilty get a punishment. For this reason, there exists a 'judge' and this is both a religious obligation, and a social necessity.

Hazrat Umar was the first one to establish a judge as an independent entity.

### Concept of Justice:

- 1) Greek: remedial justice

- 2) Roman: Natural justice
- 3) Anglo-Saxon concept: Formal justice
- 4) Islamic concept: radically different from the others, characterizes 'balance' and absolute fairness. It is not only a formal function of the state but also a religious obligation.

Judicial system necessary to:

- 1) Prosperity and development of nations
- 2) Protect the rights of the oppressed
- 3) Restrain the oppressor - deterrence
- 4) Peaceful settlement of disputes
- 5) Ensure human rights, liberty and freedom
- 6) Curb immoral behaviour
- 7) Establish a just social order

Principles of Justice under Islam:

- 1) Justice with complete, substantial fairness
- 2) Establishment of a judicial system is a state responsibility
- 3) Judicial matters must be executed in an impartial manner
- 4) Rule of law; all equal under law
- 5) Judicial autonomy
- 6) Motive and intention behind the crime; different punishments for different intentions
- 7) Innocent until proven guilty
- 8) Victim should be indemnified
- 9) Rights of suspects to be upheld; right to fair trial, right to not be forced to speak against his will
- 10) Timely dispensation of justice; no delays
- 11) Proportional punishment; equal to the nature of the crime committed
- 12) Self defence is no offence
- 13) A judge should be mentally capable, neutral, mature, well educated, well revered in society, have upright conduct

*Moral System in Islam*

Introduction:

Morality is the lifeblood of the nation. Level of progress and welfare in a society depends on the level of moral conduct. Western countries in today's world suffer from a lack of morality. They may be technologically advanced but moral decay is threatening the social fabric of life. In Islam, actions that are subject to morality (good or bad) are those that are voluntary and some intentionally.

Islamic concept of morality:

- 1) Morality is a universal fact. Actions are either good or bad.

- 2) Haqooq-ul-Allah and Haqooq-ul-Ibad: Prophet said “The best of you are those who have the most excellent morals”
- 3) Purification of self through practices and pillars of Islam
- 4) Character building in Islam: for society and individuals, to please Allah

Implementation of Islamic System of morality in contemporary world:

- 1) Self evaluation and reformation: first correct oneself, then preach to others
- 2) Propagation of teachings of Islam in a tolerant way (not forced onto others)
- 3) Introducing universal education
- 4) Leaders and culture play an important role

Moral Values Propagated by Islam

- 1) Truthfulness: Quran says “lying is the basis of all evils”
- 2) Tawakkul (trust in God): Quran says “Allah loveth those who put their trust in Him”
- 3) Abstinence from evil (taqwa)
- 4) Fulfilment of promises
- 5) Austerity (simplicity). Quran says: “simplicity is part of faith”
- 6) Regard for parents and children: “paradise lies at the feet of the mother”
- 7) Tolerance
- 8) Justice
- 9) Equality
- 10) Unity

# Status of Women in Islam

## *Introduction*

This is a misunderstood concept of Islam.

Treatment of women in other religions and civilizations:

- 1) India: subjugating women was a cardinal principle in Hinduism. They are dependent on their protectors, do not have a right to inheritance. Their descent is traced through males only. Their body, soul all belong to men. A good woman is one who was under the subject of her husband/brother/father. "Sattee"; widow burning with husband.
- 2) Athens/Greece: Women are always 'minors'; subject to husband, father, brother. They do not have a consent in marriage
- 3) Roman catholic culture: women are seen as minors or an 'award'. No independent rights, they are dependent, and always under the tutelage or guardianship of men. At marriage, her property becomes his property. Wife is seen as a purchased commodity; a slave, with no independent rights
- 4) English common law: In the beginning, all property of a woman was owned by her husband/father, she was subject to husband's authority. John Stuart Mill wrote that wives are slaves to men in the english system
- 5) Christian Church: Used to tell women that they should be ashamed of themselves, that they are 'doors to hell', associated with the devil, curse from God, Eve brought down Adam. Church deprived women of their legal rights

### *1) The Spiritual Aspect*

In the eyes of God, men and women are equal in terms of rights, responsibilities and legal status. Religious obligations are same for both. Women received 'wahi' in Islam; Bibi Maryam and mother of Musa. Women have been given some relaxation compared to men; no need to pray/fast during menstruation, no need to offer prayers during congregation.

### *2) The Social Aspect:*

- As a child and an adolescent: No infanticide, femicide allowed or burial of daughter. Equal treatment of all children. Female education is mandatory.
- As a wife: Marriage deemed a 'sacred' contract based upon mutual love, respect and loyalty. A woman cannot be forced into marriage, which Mufti Menk says is a sin to do so. Husband and wife have equal rights. She has a right to privacy, even from her husband. She has a right to divorce; 'khula' in which evidence has to be presented before a court judge, this is due to the inherent emotional nature of women. In all family decisions, man cannot be the dictator, there needs to be mutual consent and cooperation.

- As a mother: Islam says one should be kind to parents, because it is next to 'worship of God'. Once, a man came to the Holy Prophet and asked him who is the most worthy of his company, to which the prophet said 'your mother, your father' (thrice).
- As a sister:
- Respect for servant: Holy Prophet called his servant 'umm-e-yameen' which means 'oh mother'

*3) The Economic Aspect:*

Islam gives women economic rights that were not given as late as the 20th century in the west in some societies. These rights include:

- The right of independent ownership: a woman can hold property, assets, cash etc. as long as she likes, and can enjoy the profits/rent coming from it. Even after marriage, there is no obligation for her to transfer all her property to her husband/
- The right to employment: Although Islam regards the role of women as a 'mother' and 'wife' as the MOST important role, there is no restriction on her from seeking employment in a field that suits her nature.
- The right to inheritance: Islam restored this concept amongst women in the society. Her share is completely hers, she can do whatever she wants with it. Her share is  $\frac{1}{2}$  that of a man because she has lesser financial responsibilities attached as compared to a man.
- The right to alimony: on divorce, she is entitled to receive alimony from ex husband.

*4) The Political Aspect:*

An investigation into the teachings of Islam and history of Islamic civilization reveals that men and women have been given equal political rights. Women have a right to vote, to stand up for elections, to participate in public affairs, to hold public office. Women also used to be involved in serious discussions with the Holy Prophet. Even during Hazrat Umar's time, he is known to have said 'A woman is right, and Umar is wrong'.

Hazrat Ayesha was a very learned woman, and Holy Prophet often used to take advice from her, she also guided the caliphs in certain matters. Both Hazrat Ayesha and Fatima partook in wars.

*5) The Marital Aspect:*

A woman has a right to haq meher, she has a right to reject her spouse as chosen by her guardian/parents, she has freedom of khula/divorce (a right which was given as late as 1882 in England), can choose her own spouse

*6) The Educational Aspect:*

She has complete freedom of education, provision of which has been made compulsory on her parents for both their sons and daughters.

## 7) The Societal Aspect

Women play a role in the character building of the entire society, because they spend time at home and raise children. Their primary responsibility is to shape the character, morals, standards etc. of their children, which are the future of the nation. The environment that a mother provides at home plays an instrumental role in the personality and values upheld by a child.

*Limitations/Misconceptions regarding women's status in islam:*

- 1) Half witness: women easily pressurized into saying something
- 2) Half inheritance share: lesser financial responsibilities
- 3) Parda: veil, modesty
- 4) Cannot be a leader: This is due to her menstrual cycles, child rearing responsibilities, her emotional nature
- 5) She is not to commit adultery or speak in a vulgar manner
- 6) Cannot marry two men at the same time: prevent diseases, determine biological father of child

*Women in Contemporary World/Society*

- 1) Considerable change in role: They have taken on new duties that were previously assigned to men, and they are attempting to fight the stereotypes. For instance, they are part of army, fighter pilots, political office holders
- 2) Women working outside their homes: Previously, women abandoned education early and focused on household chores, taking care of husband and children. Today, women are equal counterparts to men. It is no longer a taboo for women to go abroad for education or go to work
- 3) More vocal: more vocal in demanding equal wages and their rights
- 4) Advancement in career and profession: Equal to men, now becoming CEOs, climbing up the corporate ladder
- 5) Greater independence and autonomy: late marriages becoming a norm, and now even after marriage, women enjoy a greater say in running household affairs
- 6) Increased decision making power
- 7) Increasingly involved in educational field: women are increasingly becoming breadwinners, and going for primary/secondary education
- 8) However, violence against women has also increased: men have greater physical strength, acid attacks, rapes, marital rapes, honour killings etc.
- 9) Women prostitution and illegal sex have become norms in the society: objectification of women is increasing, they are treated as toys
- 10) Changing dressing 'sense', 'style' and 'code' of modern women: many are against the idea of hijab, wearing western clothing

## Veil, Freedom, and the law against Hijab in France

### Introduction:

Literal meaning of the word 'hijab' is to veil, cover, screen. Islamic terminology: it means women covering parts of their body using a loose piece of cloth when they go outside their homes or when they appear in front of a 'na mehram'. Quran refers to the hijab as a 'partition', i.e. seclusion of women in the public realm. It is worn by women beyond the age of puberty. Islam stresses upon the moral boundaries between men and women and hijab is a means to do so.

### *Why wear hijab and what does it imply?*

- Hijab is seen in the contemporary times as not only a dress code but also denotes a modest way of behaviour and modesty in dressing.
- It is a symbol of modesty and privacy.
- Seclusion of women from men in the public sphere
- Women's identity
- Individuality; it is a means of preserving one's own identity and modesty
- A religious obligation
- Socially, it prevents the spread of evil and vices
- Personally, it shows a pious and chaste lady

Quran mentions hijab in Surah Nur: "*And tell the believing women to lower their gazes and be modest, and to display of their adornments only that which is apparent, and to draw their veils over their bosoms*"

and Surah Al-Ahzab: "*Oh Prophet, tell your wives, your daughters and the women of the believers to draw their cloaks close round them. This will be better so they may be recognized and not molested*"

These verses allow us to understand that covering up of the body allows muslim women to be distinctly recognized, respected and so that they are not subjected to evils or rape or molestation.

Holy Prophet said that a woman who wears clothes such that they reveal her body and its shape will not even smell the sweetness of heavens for 500 years.

### *Hijab; a social need or obstruction of freedom?*

Wearing of hijab by women is not only a religious obligation that pleases Allah, but also need of the society; a rational present. Many argue that hijab is a violation of women's right to freedom, but that is not true because it complies with hudood-Allah; rules set by Allah. It is not a denial of right but in fact, it is an added safeguard to protect women's honour.

- 1) Historical aspects: The arab history reveals that immodest and immoral women used to walk in markets without a veil. People used to recognize them by their lack of veil; prostitutes; purchasable commodity. Whereas muslim women used to wear hijab in totality and entirety; hence hijab came to define not only their dress code but also 'behaviour when outside their home'.
- 2) Prevention of social and moral crimes: Lessens the likelihood of sexual harassment in public places. Reduces or lessens the chance of invoking predatory sexual desires amongst men in society.
- 3) Bare bodies are an insult to women: in modern times, women who expose their body to fit the trends of the society and appeal 'liberal' and 'open minded' are no different from women of the ancient times who had no self respect and value.
- 4) Hijab frees women from being thought of as a sexual object: women in ancient as well as in modern times are subjected to commercialism and objectification, and this can be seen from today's tv channels and advertisements. Women are used and exploited for their beauty. Women are valued for their looks and not for their piety or intellect.

The law against veil in France:

This was passed in 2004 by the French national legislature (their parliament), whereby scarf was prohibited from public spaces (Schools and offices) as it was seen as discriminatory. This law is violation of fundamental human rights and an invasion of privacy of women. All religions have orthodox forms whereby women are told to cover their bodies, such as christian nuns.

The french claim that the hijab is a religious symbol whereas France is a secular state. In reality, this law is a discriminatory law which shows the prejudice of the French against Muslims. If women are allowed to wear mini skirts and show their bodies, why can't other women be allowed to not show their heads/hair? How come other religious symbols aren't banned, such as the star of david worn by jews, or cross worn by christians?

Reasons why hijab is neglected by women in contemporary muslim societies:

- 1) Influence of western culture
- 2) It defies the notion of 'modernity'
- 3) Islam is seen as backward
- 4) Seen as a hindrance or an attempt to curb women's freedom/liberty
- 5) Seen as conservatism
- 6) Difficulties in getting married
- 7) Working environment doesn't allow hijab
- 8) No hijab culture - needs to be inculcated in the minds of young females
- 9) Discrimination between those who wear hijab and those who don't
- 10) Liberalism defined in wrong sense

## **Human Rights in Islam and the West**

### *Introduction*

Human rights are the necessary corollary to the notion of human dignity. The acceptance of the notion of human dignity entails the recognition of certain human rights that are universal, indivisible and inalienable.

It is an obligation on all muslims and non-muslims to respect each other and make a commitment not to violate them.

Human rights are those rights that are inherent by virtue of being human, enjoyed by all irrespective of class, caste, creed, sex.

However, there is a basic difference between human rights as recognized by Islam and those recognized by the West.

### *The Islamic concept of Human Rights*

This is an old concept, as old as Islam itself and is known as 'huqooq-ul-ibad'. Human rights have been granted by Allah by virtue of the dignity and honour of mankind. Source of human rights is Allah, (quran through wahi and sunnah). These rights were given to muslims 1400 years ago, during the last sermon of the Holy Prophet and hence have a divine origin.

### *The western concept of Human Rights*

Western scholars have a habit of attributing all good things in the history to themselves and acting as if had it not been for them, the world would still be in darkness. They claim that the foundation of human rights stems from the 'magna carta' of Britain, but they don't realize that:

- 1) magna carta came into existence 600 years after the advent of Islam
- 2) it was not the objective of the writers of the magna carta to grant freedom and rights to all; even the people did not know at that time that the charter contained such rights.

### *Islamic Claims to Human Rights*

According to Islam, human rights are natural, inborn and inherent by virtue of human dignity and honour. Islam gave human rights to all people at once, and not in phases, irrespective of caste, class, gender etc. These have a divine origin and do not discriminate between anybody.

- 1) Human rights in light of the UDHR 1948: The UDHR was signed after the 2nd world war and after colonialism was retreating and HR abuses by colonial powers were being made visible. Hence, to regulate individual and collective action, human rights were classified by the UN and these included: right to liberty and security, right to privacy, right to religiosity, right to fair trial and justice, right to life speech and association, right to freedom etc.
- 2) Human rights in light of the last sermon of the holy prophet: The farewell pilgrimage and the subsequent last sermon of the holy prophet in maidan-e-arafat denotes the

completion of the Prophet's prophetic career (9th zil haj, 10 AH). The charter of human rights was laid down in the sermon, and the world has yet to come up with such a document of morality and ethics which are so complete, fresh and perfect. In the sermon, the Prophet emphasized: equality, liberty, no compulsion in religion, economic rights, political rights, justice for all, divine rights, rights of men women slaves etc.

*Comparison of Human Rights in UDHR with those in the Prophet's Last Sermon*

- 1) According to ancient point of view: Last sermon was 14 centuries old, it is thorough and profound. Whereas, the western HRs date back to the magna carta of 1215 AD (600 years after advent of Islam) and the UDHR was signed in 1948 - both do not put forward anything new which wasn't already mentioned in Prophet's sermon.
- 2) According to practical and enforcement point of view: Human rights in Islam are more enforceable and practical because they do not conflict with each other, are in line with each other. The Islamic state can enforce these rights. Whereas in the west, there are no moral sanctions - this is why the UN couldn't do anything to prevent HR abuses in Iraq, Abu Ghuraib, Guantanamo Bay etc.
- 3) According to depth and universality point of view: Human rights as propagated by Islam entail a lot of depth and universality, whereas UDHR only applies to those states that are signatories to the UN. Whereas the last sermon applies to all of humanity, both muslims and non-muslims.
- 4) According to security and guarantee point of view: Human rights as articulated by Islam ensure security and guarantee of mankind because they have been given directly by Allah who is the protector of mankind. They cannot be changed and are eternal, unlike the UDHR.
- 5) According to balancing and clash point of view: Human rights in Islam do not clash with each other, and contain both rights and duties that are in line with each other. They give limited, not unlimited, freedom, as long as you do not infringe upon the rights of others. Whereas in the UDHR and the western conception of human rights, there is confusion regarding where freedom of man ends.
- 6) UDHR does not have a balance between rights and duties. It is changeable, it is not universal. Whereas the Islamic concept of rights is not changeable because it is divine law and was conceived at a time when nobody could even think of a concept close to human rights.

## **Islamic Civilization and Culture**

### *Introduction:*

Meaning of civilization: it means the manner of order in which men live together as citizens. Citizens willingly merge themselves together to form social, religious, legal and economic organizations. These organizations then develop to form a complex society; civilization is an advanced state of human society, in which a high level of culture, science, industry and government have been reached.

Civilizations are characterized by dependence upon agriculture, long distance trade, some form of government, specialization of occupations and division of labour, urbanism, class stratification etc. It also has a transport system, writings, standards of measurement, formal legal system and progress made by man in every sphere of action.

### *Characteristics of Civilization:*

- 1) Means of subsistence
- 2) Type of livelihood
- 3) Settlement pattern
- 4) Forms of government
- 5) Social stratification
- 6) Economic system
- 7) Other cultural traits

### *Meaning, definition and characteristics of culture:*

Meaning: culture is a set of traditional values, norms and beliefs that are transmitted and shared in a given society. They include customs, rituals, values, beliefs and norms, passed from one generation to another.

### Characteristics of culture:

- 1) Culture is a social construction
- 2) It is learnt (enculturation)
- 3) It is dynamic and not static (doesn't remain the same always)
- 4) It is shared: requires social interaction

Elements of culture: beliefs, values, customs, rituals, language, symbols, stories and artifacts.

### Islamic civilization:

The foundation for it was laid by the Holy Prophet. It stretches from one end of the globe to another (muslims are part of one ummah) and is based on the concept of unity. Muslim dynasties ruling in various parts of the world helped mould and enhance musim civilization:

golden period was under the Abbasids where 'Al Andulusia' became the center of muslim learning. Moreover, Spain, Baghdad, Cairo, India etc. all became center of muslim cultural and economic activity.

*Salient features of Islamic Civilization:*

- 1) Tauheed, which is the bedrock of islamic civilization
- 2) Universal dimension: not contained to one territory, caste, class, ethnicity etc
- 3) Open and pluralist: it allows importation (adding) ideas from other civilizations. Allows religious autonomy - coexistence with other civilizations
- 4) Balanced: middle ground between material and spiritual life, encourages moderation
- 5) Eternal civilization: perennial - lasts as long as Islam, till the end of time
- 6) Complete belief system: pillars, beliefs, shariah
- 7) Progressive and flexible/dynamic: it is not static, can be updated according to needs of time
- 8) Traditional yet fresh and modern
- 9) Equality and brotherhood
- 10) Freedom of thought and action

*Distinctions of Islamic Civilization:*

- 1) Tauheed: Affects all other things; everything else is a corollary of or an extension of this fundamental principle
- 2) Self purification: prerequisite for closeness to Allah. Purity of heart, body, and soul and mind. Purity via good deeds such as zakat, roza, namaz, justice, piety etc. Love of this world is impurity.
- 3) Dignity of man: man is a vicegerent of God on earth. Man is 'ashraf ul makhlooqat' and even angels prostrated before men
- 4) Equality: "verily, we have honoured all children of Adam" (quran)
- 5) Social justice: economic, political, legal
- 6) Moral values
- 7) Tolerance
- 8) Rule of law
- 9) Universality: not bound by the notions of nationality, creed or caste like Hindus.

## Clash of Civilizations

### *Introduction:*

Clash of civilizations is a theory coined by Samuel P. Huntington which talks about the post cold war era. During this time, two intellectuals presented their theories regarding global politics:

- 1) Francis Fukuyama: world has reached the 'end of history'. Eternal triumph of the ideology of liberal democracy, human rights, capitalism, free market economy etc. And no alternative ideology will not come up
- 2) Huntington: communist or capitalist ideology is no more going to be a source of conflict. The world has reverted back to its normal state of affairs, and now a cultural conflict is going to take place. In the future, conflict is going to be along cultural or religious faultlines. Most probably this clash will be between western and islamic civilization primarily because islamic civilization has gained prominence ever since the start of the post cold war era. His theory was supported by people like Bernard Lewis and Patrick Buchanan, as well as Islamic scholars such as Maulana Maududi.

### *How does his theory evolve?*

Huntington says that initially, conflict was between princes, which led to the creation of 'nation states'. After the French Revolution, conflict was amongst nation states but contained within the western world. Eventually, post cold war era led to the reconfiguration of global politics, and now clash amongst civilizations is inevitable.

Events supporting this theory: 7/7 attack on London, 9/11 attacks, internationalization of terrorism.

### *Civilization according to Huntington:*

He believes that civilization is a cultural entity and that religion forms the most basic element of a culture and of a civilization. He says rise of the chinese and Islam are the biggest threats to the western hegemony.

He says that the Islamic civilization has experienced a massive population growth/explosion and is fueling instability on its borders and within itself. He also posits that a 'sino-islamic' cooperation will emerge to counter western propaganda and hegemony (CPEC in Pakistan?).

He says that the western-islamic clash is going to be the bloodiest of all clashes in the 21st century.

### *Causes of this CoC as espoused by Huntington:*

- 1) Differences between the two civilizations are massive: difference in history, culture, language, tradition and religion - no compromise between both civilizations, because one can't be half muslim and half christian
- 2) Increased interaction leads to increased friction which leads to increased conflict

- 3) Globalization increases interdependencies of countries which means increasingly the differences and similarities between cultures become more apparent to everyone
- 4) A surge in muslim population growth: this is increasing unemployment amongst muslims, muslim youth is getting disoriented and frustrated, which is increasing recruitment amongst terrorist groups such as ISIS
- 5) Islamic resurgence: this is creating cultural and religious consciousness amongst muslims
- 6) Economic modernity: economic divide is increasing in societies and the gap between rich and poor is being filled by religion
- 7) The demise of the soviet union: It has removed the common enemy between Islam and the West which was uniting both before (critique: is the fight against taliban in Afghanistan still uniting west with pakistan?)
- 8) Rejection of the notion that western values are universal: Many muslims are increasingly denouncing the universality of western values

*Flaws in Huntington's Theory:*

- 1) Not all muslims are pitched against the west - some bend over backwards to get a green card/canadian or foreign nationality
- 2) Disunity amongst muslim ummah: shia sunni conflict, saudi-iran conflict, lack of common leadership amongst muslims
- 3) Robert Bartley says that globalization will enhance pluralism and peace, rather than increase conflict and paranoia
- 4) Asami says that national identity supersedes civilizational identity
- 5) Religion is not always a unifying force; pak-bangladesh split of 1971 (common religion but divided along linguistic lines)
- 6) Within muslims, many different cultures are present
- 7) Edward Said: called Huntington's theory 'clash of ignorance' as he believes that in today's world, there is increased inter dependency amongst countries which will bring civilizations together and that liberal democracy, human rights, equality, freedom etc. are not western but islamic values

## **Seerah of the Prophet**

### **Holy Prophet as an Individual**

#### **Introduction:**

The life of the HP serves as an ideal example of a perfect life for the whole of mankind (muslims and non-muslims). Although blessed with Prophethood, he lived the life of an ordinary man; this was to raise a man from amongst ourselves to teach and guide us in a manner closest to human nature.

He helped the poor, orphans and needy.

He enjoyed the company of deprived women to learn about their problems

He was hospitable with strangers and travelers.

He was affectionate with friends, magnanimous with enemies, fair and just in dealings. In short, HP was a role model, an epitome of success, an ideal example for humanity for all the times to come.

#### **Physical appearance of the HP:**

He was neither excessively tall nor short, had thick, black, long hair. He had a heavy voice which was commanding and soft. He had a broad face, hairless body, and was a composed person, but his cheeks would get red when angry. He never laughed too loudly, just smiled.

#### **Kindness and Affection displayed by the HP:**

Always treated people with kindness and tenderness. He never showed harshness. The Quraish of Makkah threw stones, rubbish at him, hurled abuses at him, even tried to kill him but he never go back at them. During the conquest of Makkah, he became the undisputed leader and granted general pardon and amnesty for all except a few. There is also the incident of the woman who used to throw garbage at him every day but was forgiven by HP.

#### **Forgiveness Displayed by the HP:**

He never took revenge, even from his staunch enemies as evidenced from his visit to Taif. Moreover, Abdullah bin Abbay was leader of the hypocrites of Madinah, and he left no stone unturned in defaming and thwarting the mission of the Prophet. During the battle of Uhud, he withdrew 300 of his men right before the battle which didn't help the muslims' case. He was also involved in spreading rumours about Hazrat Ayesha (R.A.). However, when he died, HP offered his funeral prayers and asked for his forgiveness.

#### **Hospitality Displayed by the HP:**

Hospitable to guests/travelers/strangers; all treated by HP with due care, never considered them as a burden. This hospitality was not confined to muslims only but to non-muslims as well. Once, a polytheist came to visit HP and HP offered him a goat's milk, which he drank

completely. Was offered second goat's milk, he drank that too until he drank milk of all the goats but HP did not stop offering him till he was satisfied.

#### Modesty and Indifference to the World:

Did not like when people stood up to greet him. He said: "do not exalt me as Christians have exalted Jesus, son of Mary. I am just the servant of God"

He would visit the sick, ride a donkey, accepted a slave's invitation for a meal. Even when he was a ruler of a state, he would not live a luxurious life. Unlike Qaiser (Cesare) of Rome or Kisra of Persia, he was absolutely modest. He wore thick and coarse clothes, would spend days on mere dates and water. Slept on reed mat and would wake up with body marks.

#### Honesty and Truthfulness:

Even before Prophethood, HP was known as Al-Sadiq (the truthful) and Al Ameen (the Trustworthy). Enemies would defy his message but could not deny his uprightness and honesty. Muslims and non-muslims both entrusted him with their valuables. Qaiser of Rome asked Abu Sufyan if he had heard of HP speaking a lie before Prophethood, and Abu Sufiyan replied in the negative.

#### Honour:

HP was a pleasant person. With all the severity and seriousness of his mission, his company was neither boring nor dull, but was full of delightful and pleasant humour. He joked and laughed with his companions. Once, an old lady came to HP and asked him to pray for her forgiveness. HP to this said that "no old woman will ever enter paradise". She came sad and started crying, HP then instructed his companions to tell the old lady that she will enter paradise but as a young girl.

#### Behaviour towards women and orphans:

Before Islam, both women and orphans were regarded as the lowest strata of society and were looked down upon. HP gave women their true honour; defined the rights of a girl child on her father, a wife over her husband, a mother on her children.

As a husband, HP showed affection towards all his wives and gave all equal time. Orphans were to be treated justly.

#### Selflessness:

HP and his family members and other clan members always at the forefront of facing danger and last in the distribution of benefits. They would be at the forefront during wars, last in the distribution of booty.

#### Conclusion:

HP exhibited austerity of conduct, delicacy of feelings, devotion of duty, humility of spirit, severe sense of examination.

## Holy Prophet as a Military Strategist:

## 812 - Holy Prophet as a Military Strategist.

## -Introduction-

- HF - born an orphan, worked as a herdsman in his boyhood and became a tradesman by profession.

  - Prophet hood → he invited people but majority turned against him → persecution and oppression followed.
  - Makka → Makkah
  - Even though Quraish continued to plot against muslims and HF
  - As a result, several wars were waged against the muslims by the Quraish & muslims were forced to draw weapons for their self-defense.
  - Madinah → was → ordered muslims to fight against non-muslims in the following words:  
"And fight in the cause of Allah with those who fight with you but do NOT transgress limits, for Allah does NOT like aggressors".

- Law of war laid down by H. P. in the light of the following verse;

- Hipp NOT only altered the means but also the goals: goals of war - very different from traditional warfare that was solely pre-emptive and done to  $\uparrow$  territorial rule or enhance supremacy and wealth.

obedience of the leader;

- in order to instill discipline in his armed forces, Hitler commanded all the soldiers to be strictly obedient to their commanders.
  - Wars → successful → well thought out and coordinated strategy → if lack of leadership → fail.
  - Lower in rank → should obey → higher ups, no matter what they say, it needs to be followed.

\* - Exempt; Givero-e-Uno

- 4 Muslim soldiers who were placed there positioned to guard the Lind Mountain from back once saw the enemies fleeing left their posts to collect booty even after strict command had been given to them not to do so. (Abu'l-Ban - Wa'ed, attacked from behind, victory turned into defeat.)

- H.P. "He who obeys me, obeys God and he who disobeys me, disobeys God. He who disobeys me, disobeys God and he who obeys God, obeys me. He who disobeys my command has also disobeyed me."

- He who obeys me obeys the Father, and he who disobeys me disobeys the Father.

- M-P = strictly obliged all members to honour all treaties and pacts which they have signed with the adversary, notwithstanding:
    - irrespective of the potential losses/benefits.
    - usually, partners honour a contract as long as it serves their interests but as soon as it turns against them, they break it.
    - isolate themselves if.

### This Declaration of War

- If the enemy party breaks a treaty, muslims → first choice is peaceful settlement of disputes.
  - A warning should be given regarding the conduct of muslims.
  - But if enemy persistently and actively engaged in conducting hostilities, then muslims can declare war.

### 11. Principles of Warfare as Envisaged by H.M. (P.D.U.M.).

- ① Fear of Allah should always be borne in mind by the army soldiers - so as NOT to transgress limits.

- ④ Parfy - NOT punish

- ③ No harsh Treatment w/ women / children / Elderly → NOT to kill them.

- ④ Defense NOT offense.

- (c) Building of settlements, destruction of crops and trees and killing of animals prohibited.

- ④ Envys should not be killed. Vienna Conventions - diplomatic immunity
  - ④ wounded sick & the treated prior should be treated in a humane manner.

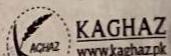
- "Do not kill a wounded person. Return alive a Marine who is still a captive" - H.P.

My Person Peace and Avoid Bloodshed

- If during a war, the enemy disobeys all rules and wants to make peace, neutrals should or are obliged to reciprocate - make peace and avoid any unnecessary bloodshed.

- \* - During truce of Fatah Makkah, when Quraysh gave up their arms; NOT even a single Quraysh was hurt, though pardoned against all of them except for a few.

- \* - Importance of sanctity of life highlighted.



### 3.1 Benevolent Treatment of Prisoners of War:

- H.P. strictly forbade killing of POWs.
- Treatment - respect + dignity.
- No inhumane, cruel or degrading punishment - NO torture.
- \* Ex - The POWs from Battle of Badr were treated warmly - despite the fact that they had treated the Muslims in Madinah with constant oppression.
- Give the choice to earn freedom by paying a certain amount or by teaching children of muslims for a period of time.  
→ elderly were let free.

day / date: 24.

### 3.2 Necessity of War: Objectives of Warfare Altered in Islam:

Allah → Quran + fighting in the way of Allah and the cause of Islam is obligatory - JIHAD.

- ① Fighting Against Aggression.
- ② Assistance of Oppressed.
- ③ Elimination of Oppression.
- ④ To eradicate hindrance in the way of Islam. → abused, misinterpreted

Interpretation imp.

### 3.3 Objectives of War: Military Strategy:

Strategic Decree in Allah → Quran in one hand, sword in the other.

→ Spread faith through fighting for Allah - Jihad → Badr 213 AD 620

### 3.4 Minimum Human Loss:

Bravery, courage, maturity → always at the forefront.

\* Badr → 71 AD and not everyone was seeking refuge behind H.P.

→ property during combat.

### 3.5 Preparation of War:

↑ Manaqib: ↑ war strategy.

Expedition and surveillance of the enemy.

(patrols and patrols)

### 3.6 Battle of Badr:

- After Muslims migrated to Madinah; ↑ hostility on part of Quraish.
- Some arrangement had to be made for the defense of Madinah.
- H.P. → developed a system of "reconnaissance patrols (espionage)" to keep himself informed of enemy's camps.
- When Battle of Badr → strategy
  - ↳ to fight the Quraish outside Madinah → to avoid unnecessary bloodshed.
  - ↳ protect women, elderly
- Badr
  - ↳ H.P. showed acumen by choosing a place for his camp that was close to a spring of fresh water for his army.
  - ↳ raised the morale of his army by telling the Muslims that Allah is for them and Allah will protect and assist them.
- Assigned roles and responsibilities to each group.
- Military Acrement and Insignia of Strategy → Muslim Victorious.

### 3.7 Battle of Trench:

- H.P. informed that Abu Sufyan approaching with a large army towards Madinah.
- H.P. consulted with his companions to devise a war strategy.
- Horat - Suhail Faris (E.A) → on his advice → a trench was dug around the unprotected side of Madinah.
- The Quraish → upon seeing this new technique (defense) → were stupefied.
- Escaped besieged Madinah → siege lifted (month)
  - ↳ H.P. + companions remained patient.
  - ↳ steadfast.
  - ↳ everyone took turns in patrolling and praying.
- One night → storm → enemy lost.

### 3.8 Battle of Khandaq (Trench): After the Alligiance of Hudaibiya

- After migration to Madinah → H.P. → felt need to form and implement a strategy to protect the Muslim community (in Madinah) externally and internally.
- H.P. → Muslim in Madinah signed a charter with Tribe of Madinah "The Charter of Madinah".

Muslim and Jews → Two communities together, every attack, if would NOT interest in each other, access from outside. (external threat) dealt with

H.P. → system

- NOT only external
- also pre-ordained
- post-war arrangement



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## Holy Prophet as an Educator

- Introduction:
- The Holy Prophet Muhammad (P) never received any formal education.
  - Called the "Unlettered Prophet" - unable to read and write.
  - Nevertheless gave knowledge and understanding to his people that was complete, comprehensive and yet succinct.
  - Greatest and noblest educator the world has ever seen.
  - Taught Quranic meaning and wisdom to people in such a profound manner that it overhauled the concept of life among pagans & Arabian Peninsula.
- What he taught → Quran / wisdom
- How he taught → Sunnah / Practical Actions → lasting impression on his companions.
  - Research → on learning, the effect of each contributes;
  - Words spoken = 71.
  - Tone = 38%.
  - Gesture / body language = 55%.
- The First Revelation (Importance of Education and Knowledge in Islam):
- H.P. Caution, first revelation.
  - "Read in the name of thy Lord, who created man from a clot of blood"
  - (Tafsir): → "The Lord who taught man the use of pen"
  - The two items for education → Read → ①  
→ Write → ②.
- Importance of Education (Knowledge in the light of Sunnah):
- "Seek knowledge from cradle to grave"
  - "It is obligatory upon all Muslim to seek knowledge"
  - "Ijazah"
  - "The ink of the scholar is more holy than the blood of the martyr"
  - "One learned man is harder on the dead than a thousand ignorant worshippers".
  - H.P. said that only education can pull a man from darkness into light.
  - ↳ MAT NOT to get entangled in the conflict b/w science and religion.
  - Battle of Badr - POWs if they wanted to be free → teach Muslim children.
- Steps taken by H.P. for promotion of Education:
- Education in Pre-Islamic Arabia:
    - Institutions did not exist → but mainly for political and rhetorical contests.
    - Some elementary schools
    - Qurashi - knew the art of reading and writing.
  - Schools founded:
    - POWs asked to teach Muslim kids
    - 9 Mosque - schools in Madinah → Quba
    - Slave girls → first educated → then set free.
    - Teachers also sent to bedouin tribes.
  - Mosque - The Centre of all educational Activities:
    - worship place + a spot of learning.
- Suffa - The First Islamic University
- Ashab-e-Suffa (80): devoted their lives to the teachings and understanding of Quran and Sunnah.
  - Prophet taught them → all were very poor.
  - First Islamic University.
  - Muaz-bin-Jabal.
- Focus on Productivity / Taqfi
- POWS - Roman POWs
- Courses and Methodology of Study:
- ① First Aim → with Impact knowledge of the Quran.
  - ② Second Aim → build muslims' character based upon Islamic morality:
    - ↳ reading, memory, writing, calligraphy.
    - ↳ physics, medicine, Islamic law.
    - ↳ Physical Education ↳ archery, wrestling.
- Teaching Techniques and Methods:
- Employed by Holy Prophet:
- ① Sectory of Affection:
    - H.P. knew how to teach effectively.

- gave vivid examples to illustrate his guidance;  
\* Ex: A beautiful building - only one brick left → H.P. takes brick → the last brick → The last of the prophet. (20)

#### ④ Ability to Interact on Different Levels.

- proficient in Arabic - eloquent or.
- spoke with tribes with their respective accents.
- eloquent and fluent.

#### ⑤ No Discrimination of any sorts.

- caste, colour, creed issue → H.P. never discriminated.  
"Let the poor and rich be equal before you in the acquisition of knowledge" - H.P.
- Men/women - urge them to seek knowledge  
+ H. Ayisha - a profound scholar - narrated many ahadis.

#### ⑥ Spoke Politely and Clearly.

- Clearly, firmly, politely → profound effect on companions.
- never Aysha (ع·ا·شَى)

"He used to speak so clearly that if somebody wanted to count the number of his words, he could do it"

#### ⑦ Openness - Saying "I don't know".

- H.P. would answer a question + Quran had revealed about it; otherwise he would wait for the revelation pertaining to that matter.

+ - Question about Inheritance by Tabis bin Abdullah - H.P. - I don't know.

#### ⑧ Use of Stories.

- to illustrate one's message through clearly → use of appropriate stories etc.  
H.P. → "I and the person who looks after an orphan and provides for him, will be in paradise like this" raising his middle and index fingers together.
- Also to illustrate the dreadful sight of doomsday - fist grip.

#### ⑨ Hikmah & Wisdom.

- Hikmah is defined as saying the right things, at the right time, to the right audience in the right manner.

#### ⑩ Living by Example.

- used to practice what he preached.

#### ⑪ Explained with Logical Reasoning.

- Answered queries of his companions in a rational, logical and solid manner.

\* - A young man once asked from H.P. the permission to commit a adultery, to this H.P. said  
"Would you like your mother to be in such illicit sexual relation?"  
The Young Man - NO  
H.P. "Others no, do NOT like their mothers and sisters associated with fornication".

#### ⑫ Created Atmosphere for Learning.

- learning to be effective, many things need to be taken care of / training
- H.P. - did NOT deliver a sermon all the time;  
that would have irritated his companions.

#### ⑬ Repeated his words to ensure effective understanding.

- 3 times
- no chance of misinterpretation.

#### ⑭ Never criticised the person but only corrected the behaviour.

#### ⑮ No Student Left Behind.

- weak students - tolerance ↑, greater effort is required ↑.

#### ⑯ Analogies and Stories for better understanding.

- H.P. while explaining the imp. of daily prayers  
"What would you say if there was a rival, in front of a man hours and he talked in it  
five times a day, would he remain deity?"  
"Man becomes by his daily prayers".

#### ⑰ The best teacher is silence - taught us with words gradually.

- the followers noticed how by degrees, his speech rises to climax.
- the pause, rise and fall of his sweet voice made his speech effective.
- He demonstrated the concept of closeness by lifting his middle and index fingers together.
- He remained brief, precise and relevant.
- Persuasive talk.

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# Holy Prophet as a Diplomat

- 1.14 → Holy Prophet as a Diplomat
- **Introduction:**
    - The entire course of history of the world is characterized by wars and agreements.
    - In order to understand the basis upon which the H.P. held agreements with other parties, it is imperative for us to know the spiritual and basic principles dominant in his diplomacy.
    - His basic purpose - further the Divine Message & reason for his Prophethood.
    - Established relations with other parties - method of communication → Envoy, Letter, Personal visits.
    - Alliances established by H.P. - His Role as a Diplomat. (23)
  - ① **Kuff- al- Fudul:**
    - Makkah + various tribes and chiefs created an alliance → H.P. was also included as a party to this alliance.
    - ↳ Respect the principles of justice.
    - ↳ Collectively intervene in conflicts to establish justice → upheld this alliance even after clearly Prophethood b/c he always stood by his word.
    - ↳ Pact → imperative and Most sacred.
  - ② **Muslim Migrants to Abyssinia (615- 617):**
    - Quraish persecuted muslims → H.P. advised muslims (15) to Abyssinia to receive protection under the Christian ruler, the Negus, Ashama bin Abjar.
    - ↳ diplomatic foresight → relations with Negus est. → greatly impressed by H.P. and 151.
  - ③ **Journey to Ta'if (619):**
    - His personal diplomatic effort to pursue the chieftains of Ta'if to convert to Islam → unsuccessful.
  - ④ **Al- Aqaba Pledges (620- 621):**
    - People from Madinah who travel to Makkah for pilgrimage - met H.P. - impressed + returned next year.
    - ↳ i) **First Pledge at Al- Aqaba:**
      - ↳ Men → pledged to carry the duty of fulfilling Islam in Madinah after converting to Islam.
      - ↳ H.P. also went with them as "ambassador" to fulfill Islam.
    - ↳ ii) **Second Pledge at Al- Aqaba:**
      - ↳ 100 men pledged to H.P. → Ensuring good, refraining from evil.
  - ⑤ **Reformation of Madinah:**
    - Two Pagans tribes → Aus (After migration)
    - Three Jewish tribes → Khazraj
    - ↳ Banu Qaynuqa, Nadir.
    - ↳ Constant fighting and hostilities.
    - ↳ Invited H.P. to Madinah → H.P. migrated to Madinah.
    - ↳ H.P. → Arbitrator b/w them → to reduce the prevailing factional discord.
  - ⑥ **Meethaq-e-Madinah and its Impact:**
    - After migration → H.P. set out the establishment of a pact known as Meethaq-e-Madinah.
    - ↳ In a unilateral declaration by the H.P. (Constitution of Madinah):
      - ↳ deals with civil and political relations of citizens among themselves and with outsiders.
      - ↳ The constitution was signed by all parties.
      - ↳ Emergence of a Statesman → A diplomat → H.P.
  - ⑦ **Events at Hudaibiya (628):**
    - H.P. + 1400 companions from Makkah → Madinah travelled with the intention of pilgrimage.
    - Quraish upon hearing this sent a fighting force.
    - H.P. did not want to fight → reached Hudaibiya (a town just outside Makkah).
    - ↳ It was at Hudaibiya that a number of events went to and fro in order to negotiate a settlement with the Quraish.
      - ↳ Humanitarian Affairs envoy sent to Madinah → mentioned that he was killed.
      - ↳ "Pledge under the tree" → H.P. took a pledge on his own hand that they will not go back even if the situation worsens.
  - ⑧ **Treaty of Hudaibiya:**
    - ↳ Mutual Agreement b/w Quraish and Muslims: → Muslims could not perform Umrah that year, they will have to leave new-year.
    - ↳ harsh conditions formulated.
    - ↳ In the LR:
      - ↳ The treaty proved to be beneficial for all parties.
      - ↳ Non-aggression.
      - ↳ Muslims would return any person that went from Makkah to Madinah.

### ⑤ The Practice of sending and Receiving Diplomats.

- diplomatic immunity and privileges
- diplomat → his person is inviolable
- to be treated with utmost respect
- envoy to be protected → no matter how bad the relations between the two countries

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### ⑥ The Law of Treaty.

- government conclusion of treaties, the effect of treaties and the effects of breach of treaties
- binding
- commitment of treaty → if either party continues to violate the provisions of a treaty, like Quraysh

### ⑦ The Law of State Responsibility.

- continually violated the provinces of Sulah-e-Hudayya → FATAH MECRAH.
- this can be seen from Prophet's demand for reparation from the Roman Empire
- for the violation of the person (killing) of our diplomats.

### ⑧ Guesthouse for Envoy.

- giving present to envoy.

► Holy Prophet's letters to spread the mission of

- conclusion.

(Islam) beyond Arabian Peninsula

(Mecca)

► in foreign languages

► (sealed with Prophet's Seal).

↓

① letter to Chosroes → Emperor of Persia.

② letter to Caesar → King of Rome.

↳ personalized  
impact.

## Pillars of Islam

### Prayer

**2.0 Prayer - Salat**

**Introduction**

The basis of Islamic teachings are various obligatory acts of worship - collectively known as "Practices of Islam". (37)

• Ibadat - Five Pillars of Islam.

• Prayer - obligation on all muslims

• Arabic word - Quran - Salat.

• First act of worship established by Islam.

• Faith in Allah → translated - interpretation (Salat).

**Compulsory in All Ages**

→ the entire humanity, from Adam to Muhammad was obliged by Allah to offer prayer (Nawaz).

Adam → Noah → Abraham ..... → Muhammad.

(Establishment + the intro. of prayer)

**Importance of prayer in Quran**

"Establish regular prayer, for prayer is a barrier from the worst of sins and evil deeds"

"Seek patience through prayer"

"Seek assistance through patience and prayer"

**Importance of Prophet's Hadith**

"Salat is the pillar of religion Islam"

"Verily it is prayer which separates man and disbelief to polytheism"

"Foolish is my slave"

**Rules of Performance of Prayer - Salat**

- Must be performed with ease, comfort and calmness.
- no unnecessary movements.
- no unrelated thoughts.
- fixed times.
- place of prayer should be clean.
- Wudu - Ablution ✓.

Effects of prayer:

- 1. purifies
- 2. while dying
- 3. qadr.
- 4. in the Hereafter.

**Timing of Prayer and their significance**

Prayer is a part of everyday life or daily routine of a man - constant reminder of Allah.

- Fajr → start, sleep, difficult to get up.
- Zuhra → busy in work.
- Asr → busy in work.
- Magrib → home / free.
- Isha → free / end.

**Composition of prayers** →

**Adhan** → the call to prayer

Eid prayer → Eid-ul-Adha → sacrifice (following the completion of Hajj) → 10th of Haj

Fitrul → charity (following the completion of Ramadan) → 1st of Shawal.

**Offered prayer - Qaza**

**Combined Prayer - Tarawih**

**Shareefed prayer - Dahr**

**Congregational Prayer - Magrib** → "and bow down your heads with those who bow down (in worship)"

**Friday Prayer** → Quran.

**Private Prayer - Dua** → "With every difficulty, there is relief" - Quran.

→ only Dua can change Allah's decree and man's own destiny.

**Importance:**

- ① Direct Medium to converse with Allah.
- ② Means to ask for help, favours and success.
- ③ Humanity (Humility and Submission).
- ④ The only way known that can change Allah's decree.

**Material and spiritual effects:**

① **Material Aspects:**

- (a) Physical cleanliness → ablution → neat and clean - tidy.
- (b) Taharah (Purification)
- (c) Character formation → Auhlaat

**Spiritual Aspects:**

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## Prayer/Fasting

(a) Purification of soul

(b) Patience and endurance → patience, persistence, endurance, contentment → source of strength in face of difficulties and hardships.

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(c) Sense of duty is fulfilled

(d) Practice of obedience

(e) Fear of God is created → spiritually alive → becomes God-like.

(f) Awareness and consciousness of Divine law.

(g) Dependent only on Allah → 1990's chair "Allah sayda"

(h) Moral impacts:

(i) Punctuality → regular attendance at Masjid.

"Establish regular prayer, for prayer is enjoined on believers at stated times" Quran.

(j) Self-discipline is fulfilled → affects the development of individual personality.

(k) Character Building.

(l) Self-control

(m) Humility

(n) Social Impact:

(o) Masjid and Congregational Prayer.

(p) Mosques as Community Centres.

(q) Mutual Help and Cooperation.

(r) Equality and brotherhood

(s) Transmission of Ibadah

(t) Tolerance

(u) Social Organisation and Social Discipline

(i) Fasting - Sehri

Introduction:

→ Another obligatory act of worship prescribed by Islam on Muslims.

→ one of the four pillars of Islam.

→ 24th → made of 44 days → month of Ramadhan → 9th month - lunar calendar.

→ Sunnah → literally → "to abstain from something, give up"

→ Islamic terminology → mean abstain from food, drink, sex etc. from the break of dawn till sunset during the month of Ramadhan.

\* Imam Ghazali

→ Fasting, Ramadhan → abstain not only from food, water but also control oneself from evil thoughts, evil looking, evil doing and evil talking.

→ Makes man realize the problem of those who are homeless, shelterless, hungry and deprived.

→ The institution of Fasting → in all religions not only Islam.

Importance of Fasting in the light of Quran:

"O you who believe, fasting is prescribed for you, as it was prescribed before you, so you may learn self-restraint."

Importance of Fasting in the light of Hadith:

"If a person does not abstain from telling lies or doing wrong, when he is observing fast, let it be known to him that Allah does not want that he should stop taking his food" - Bukhari.

Ramadhan and Isha'atul Ibadah:

→ Month 'Isha'at'

→ The month of blessing

→ Shortest day

→ Quran revealed in this month.

→ Taq Raat'

→ Surah Qadr

Real Aim / Objectives of Fasting:

(1) Abstinence from living → mere remaining hungry and thirsty is not "ibadat"

(2) Fasting and self-restraint → only deeds deemed virtuous in the eyes of Allah

(3) A - Isha'at

(4) As a shield for protection from sin.

(5) Empathy → feel for poor

(6) Transformation of character



## Fasting/Zakat

### Impact of Fasting on individual and society

#### ① Spiritual Impact

(a) Disciplines and self control - a spiritual exercise.

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(b) Attainment of Piety - Taqwa - nearness to God.

(c) obedience to God against hunger and thirst - even harsh becomes harsh.

(d) Closer to God - abstinence even when he is all alone (why?) → Because he realises that God is close.

(e) Increases spirit of Tawhid - hunger, starvation, thirsty but still thankful.

(f) Shari'a Against Sin - keeps a man away from all kinds of temptations and evils.

(g) Praise and thanksgiving (h) Tarawih +

#### ② Moral Aspects

(a) Building character.

(b) Attainment of Moral uplift: self control and self restraint.

(c) Destroy off pride and Arrogance: even a rich becomes weak because of hunger and thirst.

#### ③ Social Impact

(a) Brotherhood and sympathy - sharing & suffering. + Tarawih.

(b) Social congregation - Ithari and Tarawih together.

(c) Social Unity - Across all geographic boundaries.

(d) Economic Benefits - Rich spend & on poor to earn the pleasure of God.

(e) Equality and brotherhood.

(f) Community welfare - feeding of people during Ithari and Sehri.

People on whom Fasting is NOT obligatory: (and may keep them afterwards once issue resolved)

• children.

• people in journey.

• ill.

• pregnant women.

• aged.

• women - O.M.S.

• Imams.

→ Unintentional fast breakers → Keep me afterwards.

Compensation → Sadaqah - Fasting reading 60 people twice a day is norm.

Kaffarah as a compensation for those who

can't fast.

for every fast broken intentionally, fast for 60 continuous days.

### 22 Zakat - Poor Due/Obligatory Charity

#### 1. Introduction

- one of the five pillars of Islam.

- an obligatory act of worship enjoined upon those who can afford it.

- Zakat can be defined as the portion of the man's wealth that is destined for the poor.

- Numerous places in Quran - Sadaqah and Zakat mentioned together - importance.

Quran - Zakat distinguishes a believer from a non-believer.

- Zakat is derived - "zaka" → increase or to bless?

→ Quran - a sense of purification.

- Zakat - an institution developed and encouraged in all religions - Philanthropy.

+ Hence, Zakat in Islamic terminology means giving to poor by rich from their wealth in order to purify their material and their spiritual wealth and blessings.

#### Importance of Zakat in the light of Holy Quran

"Be it a fast in prayer, practice regular charity"

"And spend in the cause of Allah of the good things which you have earned..."

#### Importance of Zakat in Hadith

"People who pile up wealth are losers in the Hereafter"

→ Hence, Zakat together with prayer is considered to be the "twin foundations of practical faith".

#### Objectives of Zakat (two fold):

##### (a) Primary Object

• Zakat - individually - purifies heart and soul of a person the giver, his heart is purified free of all the lust and greed for material wealth - a special sacrifice.

• Love of this world - root cause of all evils - but destroying that temptation for the love of God, in - Obedience → less of temporal/material love → Virtuous.

(b) Secondary objective: → Free the heart of the poor from "envy" and "jealousy" + those who have all the luxuries on this earth.

→ Help of the poor - the needy and deprived + the society - moral boost.

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## Zakat

### in support of Islam:

- "And strive with your wealth and your lives in the way of Allah"
- Support of Islam during warfare or for public welfare work in an Islamic state/date:
- To spread Islam.

(37)

### Precenditely for Zakat to achieve its Purifying Purpose/Objectives:

- ① Zakat should solely be given with the intention of pleasing Allah - as an act of worship and not for worldly respect.

- ② No return should be expected.

- ③ Income from which Zakat is given should be earned by lawful means.

- ④ Should only be given to those who deserve.

- ⑤ The recipient's self-respect should not be hurt - he shouldn't be degraded or looked down upon.

### Masraf of Zakat (Those Deserving of Zakat):

- As described by Quran;

### ① Fugara (The Debtors):

- they have money but not sufficient to fulfill all needs - they do NOT beg.

### ② Masakin (The poor):

- extremely poor / miserable conditions.

### ③ Andilahsaka (Those who are appointed to collect Zakat):

### ④ Muallafat-ul-Bulub (Recent converts):

### ⑤ Fir-riqah (Family and captives - slaves):

### ⑥ Al-Gharimah (For relieving one from the burden of debt):

### ⑦ Fi-Sabillillah (In the cause of Allah):

### ⑧ Ihsa (Benefit, Sabit (wayfarer):

### people who can NOT be given Zakat:

- One's own parents and close relatives

- Non-muslims

- As a renumeration for a person's services

- Descendants of the M. P.

### Legal Quantities of Zakat:

- The amount and distribution of Zakat - related commandments - were revealed to M. P. in Madinah, 3 A.H.
- Payment of Zakat is obligatory on all assets, like are needed to earn property.
- In text the prescribed rate called "Zakah" provides that such property has remained in his possession for the whole year without any interruption or interruption.
- Payable on cash, jewelry, Gold, Silver, Crops, Animals, Minerals, Agricultural land + craft goods.

### Zakat and Hajj - ul-Isra'

- While praying, fasting and pilgrimage are acts of worship performed to fulfill the right of Allah on man, Zakat is a means to fulfill man's right over his fellow being.
- Zakat - benefits humanity + society by along with the individual:
  - ↳ Welfare of the fellow beings.
  - Caliph Umar was against those who refused to pay Zakat.
  - M. Umar → at night → look for poor ✓.

### Impact of Zakat on Human life and society:

#### Individual:

##### ① Participation of Heart:

##### ② Purification of wealth:

##### ③ Observe lessons learned:

##### ④ Compassion:

##### ⑤ Brotherhood and Equality:

##### ⑥ Way to Inequality:

##### ⑦ Removes Greed, Lust and Love of Materialism:

in a believer's heart.

##### ⑧ Nearest to God:

##### ⑨ Alleviation of Poverty:

##### ⑩ Human Spirit:

#### Social:

##### ① Al-Iflaqah:

##### ② Balance of Islamic Economic System:

##### ③ Social Justice:

##### ④ Prevent Inequalities by using all the five hands:

##### ⑤ Circulation of Money:

##### ⑥ Equality and Brotherhood:

##### ⑦ Unity - Karamatul-Ummah:

##### ⑧ Establishment of a self-governing society:

##### ⑨ Co-operation:

##### ⑩ Protection and Fostering of Religion (Islam):



## Zakat/Hajj

### Management of Zakat - Need for a collective system of Zakat

- Islam - promotes collectivism not negative individualism - congregational prayer > than single alone salat.
- Centralized collection by an effective leader / in name of the state - day / date:
- Effective collection, management and distribution of Zakat ✓ - systematic manner (Innovative)
- M. Abu Rabi' declared that he would fight against those who refuse to pay Zakat.
- Well organized & disciplined society.
- A social order with maximum degree of cohesion and collaboration.
- It is incumbent upon the state to collect and distribute Zakat → state responsibility.
- No waiver to this obligation, not even by the state.
- Bait-ul-Naib → Public Treasury a MUST ✓ - like a bank of Hippo.
- Planned collection → Not Zakat & public Zakat → centralized authority to collect Zakat in a transparent manner.
- Strategy - giving reward to the poor & punishment to the rich.
- Strengthen public treasury.
- Distribution - transparent.

### Hajj (Pilgrimage)

#### Introduction:

- Hajj → the last act of worship prescribed by Islam upon its believers.
- greatest of all acts of worship.
- culmination of worship.
- Hajj - literal meaning → "will and desire to visit"
- Hajj - Islamic terminology → pilgrimage made to Makkah.
- Shows global unity, equality, compassion, obedience, sacrifice and discipline.
- performed once a year in the month of Hajj → Makkah & Kaabah.

#### Importance of Hajj in the light of Quran:

- "Pilgrimage is a duty men owe to Allah those who can afford the journey"

#### Importance of Hajj in the light of Traditions:

- "The best Ibadat for you in the cause of Allah is your Hajj" - Bukhari.

Requirement for Hajj (Conditions) - once in a lifetime is compulsory;

① Adult Muslims

② Those who do have sufficient means to do so.

③ Physically fit - A strenuous journey.

④ If danger to life exists in travelling - work in surrounding areas.

→ terminally ill.

#### Background and Importance of the Kaaba/Kabah

- It has been said to be built by angels first some 2000 years ago before Adam.
- Built again by Idris (Adam's son).
- Destroyed by flood during the time of Noah.
- Re-built by Ibrahim and his son Ismail.
- Qur'aan & H.P.

The House of Allah

The Holy Kaaba → Allah's arch directly above Kaabah.

→ Fountainhead of guidance.

The best place to worship.

It is towards Kaabah that all muslims align their faces to when they pray.

Centre point of unity for all muslims.

depict Unity of Allah - one House.

A holy place for muslims → 200 million of hearts.

The Kaabah-al-Awwal → The Black Stone → Eastern corner.

Importance of Hajj as declared by ~~Imam Ali~~ who said that Hajj is the greatest of all worship - Ibadat enjoyed by Islam.

#### Aims and objectives of Hajj

① It removes complete Purification from all sins.

- from wealth off every man's wealth, his family, property etc.

② It develops the idea of Universal brotherhood.



# Hajj

- ① It gives opportunity for mutual help.

- Procedure of Hajj

- The Comprehensive Character of the Pilgrimage:

day / date:

Pilgrimage (Hajj) →  
A prayer & constant remembrance of Allah.  
Zakat → poor due → charity & annual sacrifice → feeding of the poor.  
Fasting → no sexual activity, bad mouth, etc.  
Two-fold sacrifice → wealth / financial.  
physical → Ishaq → travelling etc.  
Renunciation of Satan → stoning of the devil.  
Humility and Humility → stay at Mina and Mardan-e-Asraar.  
Love of Allah & importation of Man.

Hajj and Umrah (Minor pilgrimage):

Impact of Hajj on Individual and Social life:

→ Individual:

- ① Rites of Hajj centre on complete submission and devotion to Allah.

↳ giving up material life for good days, spiritual clarity.

- ② Spirit & sacrifice

↳ wealth

↳ home

↳ physical effort. } all comforts of life.

- ③ Shari'ah and reaffirmation of one's faith in Islam.

best worship → the Holy Kaaba → the site.

- two pieces of white clothes.

- bare shoulder.

- use a dagger in front of Allah → servitude.

- ④ Discipline and self-control:

- ⑤ Talibayat → individual & collective

- constant remembrance of Allah.

- ⑥ Patience and willingness to face hardship in the cause of Allah.

- Sa'i → running 7 times between Safa and Marwa, to

experience the hardship of trials experienced by the mother

of H-Ismael.

- ⑦ Arafat - renunciation of evil:

- casting problems on Satan.

- remind that Satan is evil and must be restrained from.

- ⑧ Ka'ba - remembrance of Allah:

- review one's covenant of submission.

- ⑨ Ibadat towards virtue and purity:

- Continuous

spirit ✓

body ✓

heart ✓

soul ✓

→ Social:

- ① Hajj - A collective ibadat.

↳ religious

→ congregation biggest in the world.

→ altogether, alike, blessings

and frugality.

- ② Universal Assembly of Muslims

→ Strength and Unity.

- ③ A display of Brotherhood and Equality

→ all in Kaaba - same clothes

→ same prayer.

→ staying of the same place.

→ all equal, no rich or poor etc.

- ④ Unity among Muslims & Discipline

→ the entire process of Hajj is one

not displaying the unity of Muslim

Umrah.

- ⑤ Mardon-e-Arafat: Story

→ discipline and organization

→ importance of Umrah

- ⑥ Deliberation over problems

→ faced by Muslims - Umrah

- ⑦ Interactions with - Muslims

→ throughout the world

- ⑧ Eid-ul-Azha → sacrifice

→ zakat.

## Religion/Deen in Human Life

### Q24. Religion/Deen in Human Life.

#### Introduction: Definition of Religion

- religion → Latin "religio" → treat with care or "to bind"
- difficult to give a precise def. why? Because diff people associate diff meanings to it and relate diff functions and purposes to it.
- A vital role in human life → guiding all conduct of men. → comprehensive → public ← eco ← ← soc ← ← pol ← ← legal ←
- Islam → divine religion → divine origin → addresses all people, universal, of all ages, irrespective of race and colour.

#### Definitions According to:

① Sir E. B. Taylor; "Religion means belief in spiritual beings"

② W. K. Clifford; "Morality touched with emotion"

③ Dr. Muhammad Ali Khan Tabil; Broadly speaking, religious life may be divided into three main periods;

    ■ Period of Faith → Perfect submission.

    ■ Religious life → acceptance of God's commands as irrevocable and without any

    ■ demanding any rationalistic meaning and purpose of command.

    ■ Period of Thought → Metaphysics → a rationalistic understanding of God's commands

    ■ synthesis of God and the world.

    ■ Period of Discourse → Metaphysics → replaced by Psychology.

    ■ ambition develops to capture more to come in direct contact with the source of commands.

[⇒ Religion → a complex of doctrines, dogmas, creeds, moral practices]

guidance	object	complete	Divine	sum total of all beliefs and practices
in spiritual and heavenly bodies	code of life	origin		

#### Necessity of Religion

① To solve for Unrestched Mysterious of Universe, Life, Death etc.

② Meaning to Life and Man's Mental Satisfaction

③ Moral and Ethical Development of a Society

④ Establishes communication b/w the Creator and the Created

⑤ Dignity and Equality of Mankind → IMA

⑥ Brotherhood, Coexistence, cooperation, Tolerance and → World Peace.

⑦ Purification of Soul and

    ■ Motivation to Seek Knowledge.

⑧ To establish a coverage b/w Man and environment.

#### Definition of Religion According to Quran

→ The sum total of religion in Quran is Deen.

→ defined as a system based on belief in worship of Allah as means of establishing a link b/w the Creator and the created.

→ obedience to Allah → path → towards Allah.

→ Deen → a set of principles revealed by Allah, through Prophets, by means of Books, Prophets, Prophets to follow and achieve good and to avoid the evil consequences.

#### Acceptance of Deen in Human Life:

→ "Religion is a natural outcome of man's intellect and biological characteristics."

→ Man, unable to explain source of the concepts of life, death, eternity, and infinity.

→ Man, hence has two choices:

① The way of Natural Sciences → to give up all human understanding totally and instead rely on human experiences and knowledge → external experiences.

but that is of limited use → rational → human capacity is limited.

② The way of Religion → leads a man by inner, intangible experience. to the

acceptance of a "unitary explanation of life" → man's existence

→ God who is in control of everything and

it is in man's control to explore and substantiate his existence

scientific methods.

\* Unlike an ~~irreligious~~ irreligious man, a man who believes in a religion is able to maintain a balance b/w hope and fear.



### Importance of Deen in Human Life:

- Man's nature is such that he is always inclined towards a greater power → God.
- Deen → not a culture, a social construct and definitely NOT temporary → day / date:
- Man  $\xrightarrow{\text{Religion}}$  Nature:

(41)

- ① Regulates Human Life → so that he becomes useful to the society, inculcates certain essential and permanent moral values like justice, honesty, brotherhood, tolerance, equal sacrifice and other virtues.
- ② Absence of Religion:
  - a man is reduced to animal → animalistic tendencies → at ethics and morality. More recommendations → man's liberty to follow these or not.
- ③ Order in Society is Maintained → no confusion / chaos → laws backed up by Allah
- ④ Helps to strengthen human relationships → Ihsan, qul, ibaad.
- ⑤ A Social necessity → for fair play, justice and discipline in a society.
- ⑥ Gives power to combat the Adversaries of Life → A religious man → NEVER hopeless and desperate → faith in Allah → assurance.
  - \* Quran "Surely those who are close to Allah have no fear and nor shall they grieve"
- ⑦ Bridges the Ideological vacuum → Man's tendency towards idol worship, religion fills this ideological vacuum.
- ⑧ Fights Against Discrimination
  - Superstitions, beliefs, irrational ideas.
- ⑨ Encourages Acquiring Education
  - education → broadens man's horizon and makes him closer to God.
- ⑩ Establishes Peace and Security (Tranquility) in Society.
- ⑪ As a Solution to Social Problems → Poverty, Inequality
- ⑫ As a Means of Keeping People away from bad influences.

### # 2 - Difference between Deen and Religion:

#### Introduction:

- Deen → Not just a religion but it is a Deen - essentially meaning that it encompasses the regulation of all aspects of human life;  
i.e. Private + Public
  - (i) Religious + Social + Eco + Art + Legal
  - (ii) Man's relation with God + Man's relation with fellow individuals.
  - (iii) Spiritual + material life.

#### What is Religion?

- Religion → Deen → usually in a narrow sense → scope limited to a set of dogmas, rituals and practices (beliefs).  
Individual life → Religion → dogmas, rituals, social customs.

#### What is Deen?

- Deen → embraces all aspects of life.  
Deen (entire code of life) → Individual life → Religion → dogmas, rituals, customs (private)  
\* Quran "deen" ✓  
\* madhab ✗  
Collective life. → Secularism → social, pol and eco sys (public)  
Personal laws.

→ The Last Revelation "This day I have perfected your Deen for you, completed my favour upon you and chosen for you Islam as your Deen."

### Comparison b/w Deen and Religion:

#### Deen vs Religion:

- |                           |     |   |
|---------------------------|-----|---|
| ① Self Salvation          | v-s | ① Welfare of Society on Divine Principles |
| ② Subjective reality.     | v-s | ② Objective reality.                      |
| ③ Man's relation with God | v-s | Man's relation with God                   |
| ④ Self-Made               | v-s | as well as<br>Man's relation with Man     |
|                           |     | Divine Origin.                            |

② Objective reality.  
Man's relation with God  
as well as  
Man's relation with Man  
Divine Origin.

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- ① Religions are not pure, many times adulterations made by people.  
 ② Subjective and Relative.  
 ③ Every civilization, every age had its own religion.  
 ④ Several religious ideologies can co-exist at a time in the world or in a particular region of the world.  
 Eg → Capitalism and Communism.  
 → Democracy and Monarchy.  
 ↓  
 Can NOT exist, both at the same time at the same place.
- ⑤ Deen → pure, Absolute and Divine.  
 day / date: Deenitive.  
 ⑥ objective and Absolute.  
 ⑦ Deen (wall), from Adam to Muhammad (gate) → Islam.
- ⑧ There can only be a single Deen.
- ⑨ Madhab → denounces everything new and declares all innovation as sin.
- ⑩ Madhab treats the world of matter with contempt and calls upon man to renounce it.  
 Reward only in the afterlife.
- ⑪ Islam as a Deen and a Religion → critical differences.  
 "Since the Nizam in India is allowed to prostrate in prayer, he foolishly thinks it implies his freedom."  
 → Allahu Akbar → Muhammad Iqbal.  
 \* When Deen is subjugated, it is reduced to mere religion.  
 \* State Religion → Islam → Deen.  
 ↳ Indian subcontinent → 19th C. Islam was reduced to a mere religious and the dominant system was that of British.  
 → Muslims were able to practice Islam and abide by Islamic law but the state law was British as proclaimed by the British crown.

## 2.2 Shari'ah

### Introduction

- Shari'ah → the word → derived from the root word meaning "path" or "road" along which muslims are enjoined to travel to achieve success in this life and the next.
- Islamic Laws → The Divine Laws → Shari'ah → given by Allah → "guidelines".
- complete code of life covering all aspects.
- Allah's will → translated into Shari'ah → Words of Quran → Sunnah of H.P.
- a muslim can lead a life that is based on good "maruf" and NOT on evil "munkar".
- Quran → "for each of you, we have determined a shari'ah - a way of life, a course of action"  
 ↳ (Totality of Allah's commandments).
- Shari'ah → a living law.  
 → a dynamic law.

Shari'ah → put life → individual life. → Material life → <sup>eco</sup>  
 ↳ public life. → collective life. → spiritual life → <sup>political</sup>  
 ↳ social. → legal.

### Characteristics of Shari'ah

- ① Perfection and Comprehensive → an all inclusive legislation.
- ② Spiritual loftiness → always towards "good".
- ③ Stability and Development.



## Sources of Islamic Law

### Shariah

Sources of Islamic Shariah (Divine Law).

Primary sources → The Holy Quran  
The Sunnah of the H.P (PBUH).

day / date: 43

Secondary sources → Ijma (consensus)  
Qiyas (Analogy)  
Ijtehad (Independent reasoning/effort/struggle).

① The Holy Quran as a Source of Shariah.

(Introduction)

The Holy Quran → Preserved foundation of Islam  
word of Allah  
anic origin → Holy scripture  
revelation → 28 years  
A Miracle:  
Last Book to the last prophet.

Purpose → guidance.  
Material & spiritual life  
Ind & coll.  
Pub & public  
Cater to all people.  
complete and perfect knowledge.

beyond human intelligence to produce anything even closer to Quran → complete and comprehensive  
yet so succinct.

Quran → itself → mentions → if all the people join → joint effort → will not be able to produce anything closer to Quran.

Quran

① but we have made Quran a light, where with we guide such of our servants as we will  
② "nothing we have omitted from the book"

Allah → promised its preservation ✓  
why Quran foundation of all knowledge?

Unique characteristics:

① Divine origin / law → Allah author → who can guide the creation better from the Creator?  
② Complete and Comprehensive → "nothing we have left from the book".  
③ No discrepancies and inconsistencies to be found anywhere → flaws in ideology, language,  
④ Easily Understandable → "and we have made Quran very easy to understand".  
⑤ Universality → not for a specific tribe / people → All humanity.  
⑥ Preserved and Unchanged.  
⑦ Permanence.

How Quran guides in broader social context?

↳ It has directives, instructions, guidelines and warnings for everyone, entire mankind.  
It deals with the matters of  
↳ Individual life  
↳ Collective community / society.  
↳ Private life  
↳ Public life  
↳ Material well-being  
↳ Spiritual progress  
↳ Economic order and objectives  
↳ Political Theory  
↳ Judicial, Administrative and Governance structure  
↳ Institutions  
↳ Marriage  
↳ family  
↳ Divorce  
↳ National law  
↳ International law.

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## Hadith and Sunnah as a Source of Shariah

Hadith and Sunnah as a source of Shariah

day / date:

**Introduction:**

- The word "hadith" is derived from the word "hadatha" which means "tiding" or "information"
- Islamic terminology - narrating what H.P said or approved of.
- The hadith consists of three elements:
  - ① The sayings of the H.P (qawl)
  - ② His Actions (fi'l)
  - ③ His silent approval (tajir).
- Hadith and Sunnah - closely related but distinct concepts.
- Hadith = sayings of the H.P
- Sunnah = actions of the H.P.

H.P taught in the following manners:

- ① Oral teachings
- ② Practical demonstration
- ③ via letters he wrote to kings and rulers.
- ④ Silent Approval.

\* Hadith and Sunnah = complement Quran.

**Hadith and Sunnah as a source of Shariah**

**Prophet ﷺ**

- the last prophet.
- founder of Islam. → The first legislator of Islamic Jurisprudence.
- Quran revealed.
- best interpreter of Quran.
- judge from 2 main factors:
  - ✓
  - Importance of human beings in Quran
- seal of the Prophet.
- Hadith and Sunnah never contradict/ conflict with each other, in fact complement each other.
  - an extension and explanation of the Holy Quran.

Q: → "Those who have obeyed the messenger has obeyed Allah and those who have disobeyed the messenger have disobeyed me."

Q: → "So take what the messenger allows to you and deny yourselves that which he forbids from you."

**Need and Necessity of Hadith**

① Explanation and Extension of Quran + Quran = precise and brief

- 99 main guiding principles
- these principles are further explained by H.P
- Quran put into practice by H.P
- showed how the words of Allah can be put to use/action.

② Long drawn issues later arose in Islam → Muslim empire spreading, expanding, in territory, new problems arose that were not sufficiently dealt with in Quran.

- Quranic guidance limited.
- Sunnah = paramount importance - Primary source of info.
- H.P appointed Abu Bakr bin Jabil → governor of Medina.

Asked him what would he do if he encountered a problem?  
i) Quran ii) Sunnah iii) His own judgement in the light of the two.

**Type of Hadith:**

- ① Authentic/Sahih Hadith
- ② Approved/Hasan Hadith
- ③ Weak/Darief Hadith
- ④ Fabricated/Hadis

**Structure of Hadith**

- ① Sharif - the chain of narrators / narrators - must be unbroken, each known & their piety
- ② Matn - the original text.

Both are equally important and indispensable for a Hadith to be authentic.

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## Ijma as a Source of Shariah

- (3) Ijma as a source of Shariah
- Introduction:
- Ijma = 3rd source of Islamic law = a secondary source.
  - The word "ijma" → "consensus" or "united in opinion" or "unanimous agreement".
  - Islamic formulation → it means consensus of the opinion of Muslim ummah through Muslim scholars on an issue pertaining to religious life in the light of Quran and Sunnah.
  - Quran and Sunnah silent → Ijma ✓.
- Ijma - Its foundation:
- Ijma - draws its foundations from Quran and Sunnah hence held to be of decisive authority.
  - origins to the principle of "mutual consultation" → Shura.
  - The Muslim Shura.
  - Laws down laws with certainty.
- Ijma as a source in light of sayings of the Holy Prophet:
- The Holy Prophet himself also supported the principle or notion of Ijma when he said that if nothing comes to you from Quran and Sunnah, then look at what people unanimously agree upon.
  - "My ummat will never be united in error"
  - H.P. made it clear that the council of righteous men must make / take a consensus oriented decision and that the opinion of a single individual shall not prevail.
- Ijma - During the lifetime of Holy Prophet:
- appointed Ma'ruq bin Tabbal → Governor of Yemen. asked him what would he do when encountered on issue? He said - Quran, Sunnah or by my own best judgement in the light of the two. H.P. approved.
  - wartime periods → H.P. used to consult his Companions to reach a mutual agreement → consensus. Ghazwa-e-Badr → H.P. inside Madinah but consensus outside Madinah ✓.
  - Ghazwa-e-Khardaq → Salman Farisi → trench ✓.
- Ijma after the death of H.P.
- ①. The institution of Caliphate → Khilafat - immediately after the death of H.P., need arose to choose a head of the Islamic state.  
↳ H.A. Bakr selected after all companions mutually agreed.
  - ②. Compilation of Quran → done on the direct suggestion of H.Umar and by the Ijma of the Companions.
  - ③. 2nd Azaan for the Friday Prayer → H.Umar advised → Ijma of the Companions.
- Ijma - Its types:
- ① Ijma of the Companions of the Prophet → universally accepted, binding and unchangeable.
  - ② Ijma of the Tabi'een
  - ③ Ijma of the Tabi'een
- Necessity of Ijma:
- Quran and Sunnah limited, specially after the demise of the prophet → Muslim empire grewward expanded, new problems arose, no definite answers. Hence all learned scholars → deliberation → consensus → Ijma.
- Rules of Ijma:
- ① Binding upon Muslim society since its foundation → Quran and Sunnah
  - ② Ijma cannot supersede Quran and Sunnah
  - ③ An ijma (new) may replace an old ijma
  - ④ If an ijma made by Companions of H.P. + successor > Ijma of today.
- Conclusion:

## Qiyas as a Source of Islamic Law

### 3) Qiyas as a source of Islamic law.

#### Introduction

- Secondary source = 4th source of Islamic law.
- Qiyas = Meant by the root word → "Measuring" or "equality" or "comparing" day / date:
- \* - Qiyas can be described as the knowledge which is derived from the principles laid down in Quran and Sunnah by use of "analogical deduction".

- ↳ process of deduction by which the law of a text, is applied to those which, though NOT covered by the language of that text, are governed by the reason of that text.
- using the law that already existed applying it to a similar situation.
- based on the likeness of two situations → analogical deduction.

#### Qiyas and IJMA'

- Imam Abu Hanifa - the first one to make proper use of this method to formulate new law.
- His followers called the followers of "Ijma" or "Raj'i".

#### Necessity

- Death & H.P → new issues emerged → Companions looked for similar situations → death and how H.P dealt with them → by using analogical deduction → Qiyas.

- Quran → prohibits wine because of its intoxicating effect.
- ↳ Qiyas → all intoxicants → including cocaine etc. prohibited.
- Qiyas → used in everyday issues.

#### Status of Qiyas

- Qiyas → used in those cases where Quran, Sunnah, Ijma silent.  
→ must NOT be against the principles established in Quran / Sunnah.
- Diff between Ijma and Qiyas:
  - Ijma = consensus of a majority of / unity
  - Qiyas → can be done individually → case by case differs

#### Requirements / 4th source / Analogical deduction

- ① Asli → the basic / fundamental teaching.
  - ② Far → the new matter in question.
  - ③ Ila → the link / link that connects the two.
  - Ability of the legal experts to find a justifiable link between Asli and Far in Ila to pass a hukm.
- Combining all three, you get
- ④ Hukm → rule / judgement to be passed out.

#### Limitations:

- Qiyas → usually practiced at an individual level, personal judgment / opinion / bias may creep in → tendency present because no two people are same, possible that conflicting hukms are passed → conflict → As a result, Qiyas NOT considered as a reliable source of Islamic law.

#### Conclusion:

Ijma as a source of Islamic law.

## Ijtihad as a Source of Islamic Law

(1) Ijtihad as a Source of Islamic Law

- **Introduction:**
  - Ijtihad basically means the process or making use of one's faculty of independent reasoning in the light of Quran and Sunnah in order to solve the problems that have not been addressed in the form of two sources.
  - Although Quran and Sunnah are primary no question regarding their validity, but it is also true that in the complex, dynamic and ever-changing society that we live in, Muslim intellectual thought and his ability to comprehend and realize in way of finding solutions is indispensable.
  - Muslims are free in time and space to strive and struggle and endeavour to find solutions using their independent judgement.
  - Ijtihad - literal meaning - "to strive" or "to struggle".
  - Ijtihad is basically an exercise - the output/result of which may be <sup>right</sup> or <sub>wrong</sub>.
- **Defining Ijtihad:**
  - Shatibi writes:
    - "A process in which one exerts one's efforts to one's full capacity in order to acquire exact or probable knowledge or reach judgement in a given case".
- **Importance and Need of Ijtihad:**
  - Islam - A progressive religion
  - Islam - progressing to fit in the modern world that is characterised by a various set of complex problems, answers of which are NOT clear in Quran and Sunnah.
  - Islam - NOT a religion of archaic times - solves all problems of the modern world.
  - Ijtihad is what gives Islam its freshness, modern outlook, dynamism and its ever changing character. → Adaptation and flexibility and change.
- **Ijtihad in the light of Holy Quran:**
  - "and to those who exert, we show our path..."
  - "Their affairs are conducted by mutual consent".
- **Ijtihad and K.F.**
  - Muas bin Tabbab - One of 4 men
  - K.F told Amr bin Aas - that if by exerting Ijtihad, he took a correct decision, he will get the reward of 10 good deeds; if a wrong decision, reward = 1 good deed.
- **Ijtihad and the Caliphs' companions:**
  - Regarding Ijtihad - the most outstanding contribution - Made by Hurrat Umar (R.A);
- **Regarding the interpretation of the word "Taqwa" in Quran:**
  - Quran - Taqwa = cut of his hand.
  - H-Umar - excluded man from the definition of Taqwa = thief who stole because necessity, hunger, starvation etc.
- **Regarding the punishment of the thief:**
  - H-Umar - acquitted a man who had stolen from Baitul Maal.
- **Definition of a Muftid:**
  - The work of the Muftid is to interpret it to ascertain the authenticity of sources and then;
    - (i) discover new laws via interpretation.
    - (ii) extend those laws to new cases of similar nature.
- **Qualifications of a Muftid:**
  - Muftid = considerable responsibility because he establishes new laws for others to follow.
  - Qualifications include:
    - (1) Proficient in Arabic language. → so that he can know the subtleties of Quran and Sunnah.
    - (2) Command over Quran and Sunnah.
    - (3) Learned in Religion as well as worldly (secular) education.
    - (4) Learned enough to distinguish an authentic hadith from a non-authentic one.
    - (5) Fair and upright + free of "tagwa".
    - (6) Sahib-ur- Ray - should have the courage of conviction, to accept when he is wrong.
    - (7) Must know the objectives of Shariah and its sources etc.
    - (8) He must practice what he preaches.
    - (9) Reference of Each Ayat and Sunnah.
    - (10) Holistic Approach.
- **Reasons why do we have**
- **Scope of Ijtihad:** → Ijtihad can only be performed to matters relating to human activities / actions → it can or can not relate with one's belief, conviction and faith.

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## Have the doors to ijihad been closed?

- Doors of Ijihad closed - why?
- One of the greatest mistakes that the muslims have made in the contemporary world is that they have closed the doors of ijihad.
    - ↳ They have limited the legal interpretation of Quran and Sunnah data to four prominent scholars: Malik, Hanafi, Hanbal, Shafi.
    - ↳ This has caused or resulted in a number of problems -
    - ① Muslims have become complacent & no religious and material/sector.
    - ② Islam - the outreach of Islam has become archaic.
    - ③ Islam no longer seen as fit for the modern world.
    - ④ Muslim considered outdated and a primitive.
    - ⑤ Lack of intellectual progress or chronic intellectual stagnation.
    - ⑥ Muslim Prejudices.
    - ⑦ Exploitation of Religion
    - ⑧ No or little room for liberal thought.
  - Why?
    - ① The motivation of the Abbasids was political.  
Abbasid Dynasty → the Abbasids in order to strictly maintain their control / rule, they outlawed all other sects - political motivation → religious austerity.  
→ doors of ijihad closed.
    - ② The sudden rise of rationalism created fear among the orthodox circles - if rational and reason is allowed in Islam → it will destabilize it & spread misleading.
    - ③ The rise of mysticism preached renunciation and asceticism.
    - ④ The sack of Baghdad, destruction of the Muslim intellectual centre.
  - How can ijihad be renewed?
    - ① Liberation of religious establishments from the influence of political regimes.
      - ↳ corrupt political regimes → corrupt religious institutions.
      - ↳ religious institutions - independent and autonomous.
    - ② Freedom of thought and Denunciation of political influence.  
Ridaiqui - ijihad can not be performed in the true sense if scholars are not free to present their ideas and others not free to criticize them.
    - ③ Reforming Muslim Educational system - essential.  
The east - taught by western
    - ④ Promotion of self-dependent comprehensive education, Modern philosophy, logic.
      - ↳ to establish a firm base for interpretation.
    - ⑤ Islamic schools and seminaries need reworking.
      - ↳ secular education
      - ↳ focus on dissemination of Islamic literature & f.c.
    - ⑥ Ijihad necessitates a corrective education.
      - ↳ Muslim ummah & Councils.
    - ⑦ Shaking up aspects of modern society for members of each church
      - ↳ economic
      - ↳ banking
      - ↳ non-muslims
      - ↳ Christians
  - ~~1. Contemporary issues subjected to ijihad:~~
    - 1. Medical → Autopsy.
      - ↳ organization
      - ↳ Test-tube baby.
    - 2. Economic → Insurance.
      - ↳ Islamic banking
      - ↳ Mortgage
      - ↳ Leasing.
    - 3. Cultural system → Co-education.
      - ↳ Photography
    - 4. Social system → Role of women.
      - ↳ Issue of sectarianism.
    - 5. Political system → democracy?
      - ↳ government?
    - 6. Legal system → khula in Pak.

# Jihad

# 25 Jihad

## Introduction:

- Jihad → arabic word → derived from "Jahd" → exertion, endeavour, struggle, effort. day / date: (49)
- Religious terminology → it means exertion and effort against one's evil inclinations or struggle for the sake of Islam and Muslim Ummah.
- Mental effort: when the rank of Islam is under threat.
- Physical effort: to promote Islam.
- Aim → to please Allah.

## Why Jihad is NOT part of the obligatory acts of worship of Islam / Islamic / The Five Pillars of Islam?

- It is a collective action (not individual) → Ibadah is usually individual in nature.
- Ibadah → to be practised irrespective of the conditions i.e. unconditional while Jihad is conditional, i.e. in certain circumstances.

## Relation of Ibadah with Jihad:

All five pillars → observance considered as a Jihad;

- Shahadaat → jihad of oneself → salvation of soul → giving up your desire for Allah.
- Prayer → praying with utmost respect and concentration → especially getting up for Fajr or when sick is Jihad.
- Fasting → giving up food + water → effort and struggle to attain Allah's pleasure → Jihad.
- Zakat → giving up wealth → Jihad.
- Hajj → best form of Jihad since it requires a sacrifice of both physical, mental and financial resources.

\* Hence, Jihad is a multi-dimensional "concept".

## Kinds of Jihad

- Jihad bil Nabri:**
  - Holy Prophet → Greater Jihad.
    - fighting against one's own self, the inner battle that prevents a man from leading a virtuous life.
    - fighting with Shaitaan in us.
    - controlling one's evil desire → Maruf & Munkar.
    - Upon returning from the earlier wars, the prophet told his companions that they had returned from a "lesser" Jihad to a greater jihad.
  - Jihad bil Uibab (by tongue):
    - Real → not used to hurt anyone.
    - Always speaking truth.
    - Inviting others to Islam.

HP: "On the day of judgement, many people will go to hell because of their tongue and hands."
  - Jihad bil Qaim (by pen):**
    - HP: "The ink of a scholar is more sacred than the blood of a martyr".
    - Real → the first revelation → Surah Iqrah.
    - By penning down your knowledge to counter western propaganda against Islam → Jihad
    - compilation of Hadis → to spread Islam → literature
  - Jihad bil Amal (by action):**
    - Hajj, Zakaat, Fasting
    - under hard / difficult circumstances = Jihad.
  - Jihad bil Maal (by wealth):**
    - Spending in the cause of Allah
    - Zakaat, Sadqat, Waqaf etc.
    - Waqaf → money collected to raise arms against enemy, Jihad.
  - Jihad bil Ilm (by education):**
    - preaching Quran / Sunnah

- Jihad bil Sout (by sword):**
  - physical Jihad
  - war and fighting

Q1: and fight in the cause of Allah with those who fight against you but do not transgress

  - Lesser Jihad.
  - requires muslim to sacrifice their lives in the cause of Allah.
  - Shahid ul Ghazi → elevated status in the society → if alive or if dead.

Q2: certain conditions → NOT voluntary, muslim never the initiator etc.

## Territorial Expansion and Trade

- Terrorism, Extremism and Tchad

  - currently, muslims all around the world - especially Pakistan face a menace - the menace of terrorism.
  - The west and all other secular states have attributed and linked the rise of terrorism and extremism - all the farad (evil) to Islam by exploiting the term of Tchad or especially the Tchad of sword - Tchad bil Saif.
  - They say that Islam propagates killing of non-muslims.
  - Post 9/11 → distorted image of Islam presented to the outer world.
  - religious indoctrination of the wrong kind.
  - Utmost exploiting Islam for the wrong reason.
  - But they fail to realize that in Islam, the concept of Tchad is so broad and the idea they present is a total travesty.
  - Various diff b/w what Islam calls Tchad and what the west call Tchad as well as what the terrorist

claim to be Jihad

Jihad by says -Mina Jihad

- Jihad bil Salt - Minor Jihad

  - ✓ only under circumstances it is allowed
  - ✓ fighting for Allah's pleasure ONLY.
  - ✓ Should be stopped the moment the enemy drops arms
  - ✓ No killing of innocent, children, women, elderly etc..
  - ✓ self-defense
  - ✓ help of the oppressed
  - ✓ protecting the sanctity of Islam
  - ✓ NOT to acquire territory
  - ✓ NOT to capture religion
  - ✓ NOT to instigate negativity
  - ✓ fighting only in the battlefield with the counter.

✓ no plundering

✓ for spiritual salvation

MUST be preceded by an invitation to Islam, as long as it is down by H.P.

## Governance in Islam

- Public Administration and Governance in Islam.
- Introduction
  - Public Administration - any kind
    - public adm → any kind of adm in the public sphere of the or for the public interest.
    - Scope of PA → formulation, planning, implementation, execution, monitoring, acc etc.
    - Islamic concept of PA
      - Islamic philosophy of PA → probity, justice, equality, transparency, acc.
      - No to secularism → adm done acc to the principles of religion Islam.
  - Islamic state.
    - The purpose of IS public adm → "to enforce and execute the diktat of God"
    - Quran and Sunnah → guidance for gov and adm.
  - Governance?
    - responsible conduct of public affairs and management of public resources.
  - Tawheed - The Unity of God.
    - Haqq-e-Allah
    - Haqq-e-At-Israa'
    - "Hizb"
    - Man's fundamental obligation → establish a "peaceful" society.
  - Islamically or Islamic Principles of G&G
    - \* Quran "Those who are given authority in land, establish Salat, Zakaat and enjoin what is good and forbid what is wrong (Hukm)
    - ① Amanah; Authority is Trust of God for Man to fulfil.
      - Man → Viceroy of God on Earth
      - has been endowed with the capacity and ability to rule
      - given authority as a "trust" - Amanah → a contract b/w Man and God.
      - God → Man
        - Li Amanah → authority delegated → Right in a society.
        - temporality
      - hence, ex: "just" or "order".
      - Amanah → Man
        - People / family
        - Society
        - State
      - Man → struggles b/w fulfilling this Amanah b/c shaitan hinders his efforts
    - ② Khilafat; Role of Leadership in Governance.
      - Khilafat → viceroyalty of God on Earth
      - Khalifa or Khaleefat → Caliph (Caliphate).
        - (Islamic unit of spiritual successionhip)
        - (political-religious Muslim state governed by a caliph)
      - Institutionalization of principles rather than personalities.
      - Hadith → describes what to follow after Prophethood.
      - Prophethood → Khalifa → corrupt Monarchy.
      - Khilafat ← oppressive despotism.
    - \* Incident of Harat Umar and Harat Salmani
      - Q "Am I a King or a Khalifa?"
      - S "If you have levied from the lands of the Muslim one dirham, or more or less, and applied it unlawfully, then you are a King NOT a Khalifa"
      - U → cried.
    - ③ Shura: A cornerstone of Islamic System of G&G.
      - ↳ Consultation → Quran emphasis on it.

\* women equal partners in consultation.  
non-muslims (as long as they enjoy the trust of the people in the society) have the right to participate.

\* participation ~~must~~ by all members of the society.

→ Shura and Democracy.

→ Quran + Islam → either "Tyranny of Majority" or unanimous decision.

Quran "Consult them in affairs (of moment)"

H.Umar → "There is NO Shura without consultation".

H.P → "My mother shall never agree upon an error".

#### ④ Adalah → Justice.

Justice → Islam → placing things in their rightful place.

→ Islam + West → Governance → justice.

Social + Economic justice.

Quran "God commands justice and fair dealing".

Equality in Justice → Justice to all <sup>rich</sup> <sub>poor</sub> <sub>weak</sub> <sub>strong</sub> <sub>other</sub>.

Equality in Justice.

"All men are created equal".

"All are offspring of Adam and Eve".

"No claim right of superiority".

"Human Rights and Dignity → UNIVERSAL".

Quran "Let not the hatred of people divert you away from justice".

"Be just, for truth is closer to righteously".

#### ⑤ Amanah and Adalah demand Accountability and Transparency.

H.Abbubakr's Inaugural address upon Assuming office;

\* Oby me as long as I obey Allah and Prophet, if I disobey him, you owe me no obedience.

\* Loyalty is to tell the truth to the leader and to hide it is treason.

\* If I do well, help me, if I do wrong, set me right.

#### ⑥ Hisbah → Accountability.

Man → leader → gg → Act →   
Polity.

#### ⑦ Transparency.

- govt → should disclose all but what's confidential by necessity.

- an "open" system of government.

- minimization of corruption.

#### ⑧ Rule of Law

- no one above law.

- H.P → H.Fatima → "Every Fatima, daughter of Muhammad, had committed a theft".

"I swear by God; I would have cut her hand off".

#### ⑨ Maslahah: Public Welfare

#### ⑩ Efficient and Eff Adm.

Conclusion