

The Social Laws in the Holy Quran and Their Influence on the Life of the American Muslim Community: A Short Survey



This thesis has been submitted to the Department of Islamic Studies, University of Dhaka for favor of an M. Phil degree

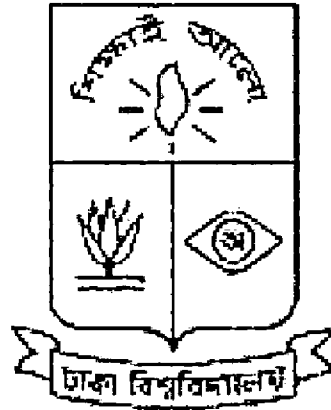
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Declaration

This is a pleasure for me to certify that Md. Salim Ullah Khan has written the thesis on "The Social Laws in the Holy Quran and Their Influence on the Life of the American Muslim Community: A Short Survey" under my direct supervision.

DATE: JULY 2010


14/06/11
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Dedication

**Only for the pleasure of Allah (SWT) who is our creator and
Rabbol A'lamin**

On

Courtesy of the departures souls of Md.Bazlor Rahman Khan (Father), Pir A.B.M. Samsol Hoda, Spiritual teacher and Former editor of “Monthly Hoda” Pir Abdur Razzaq, Nagais Darber Sharif, Pir Mawlobi Mohabbat Ali, (Father in law), Pir Zatrapur Darber Sharif, Mawlobi Hafiz Ahmad, Shahid Abu Yusuf Khan (Rah.) (Brother), Md. Akmat Ali Master, Md. Said Ali , Md. Safiqul Aziz Mukul, Mir Hossain Md. Murad Hossain, Md. Hafizuddin Master, and Zaitunnesa for amnesty and reprieve of all past Muslims.


Md. Salim Ullah Khan

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Abbreviation

SWT=Subhanahu Wa T'ala.

SM/SWM =Sallallahu Alaihi Wa Sallam.

PUH= Peach Be Upon Him.

RA=Radiallahu Ta'la unho/unha.

R=Rahmatullah Alaihi.

AD=after Death.

BC= Before Christ.

Hi= Hijri.

i.e. = Which is to say.

M. Phil=Masters of Philosophy.

By the name of Allah most gracious most Merciful

Abstract

The rules and regulations of Islam are very effective, useful and essential not only for Muslims but also for all mankind universally for all living being in the universe. Everyone practices Islam namely or not namely. The laws of Islam, a religion of peace, are absolutely applicable and acceptable to everyone's personal life, family life, social life, national life and international life. Islam is a religion of dynamic, peace and discipline. It is a complete code of life and not only for Muslim community but also its door is open to all of present and future human generation. Every living being, matter and particle of this universe even atom and molecular used to obey some divine rules and regulations for its own existence. Such as, the earth moves round the sun, changing of day and night, ebb and flow, etc are also to obey the divine rules and regulations. This harmonized disciplined life-cycle indicates a peaceful environment prevailing among them. This is called a peaceful condition and co-existence that is actual picture and figure of the Islamic Society. Law of equality that means all are equal in the eye of Allah except the Allah-fearing person. Law is divided mainly into two divisions. The first, man made and brain made law. The second Divine law, Man made or brain made law is not rid of defect and default and rather is transitory and it is applicable to for one age but not for other. Over all, man made law is always changeable where as the divine law is everlasting as enunciate in the revealed books or scriptures. So much so, the main orders and commands of the revealed books were not changed, like marriage with mother and telling a lie and so on and so forth. The last and final reveled scripture the Holy Quran is the holders of universal

and as like as international law. There is no problem in the world not at present not would be in the future which can not be solved through Islam. Each and every problem should be and must be solved through Islam. The Muslim community in America is the combination of Muslims, migrated Muslims and converted Muslims. The social rules and regulations of Islam effect effectively in all the stages of the life of Muslim community in America. Many person being charmed by the beauties of Islam are accepting the shelter of Islam. According to "The World Almanac statistical reports, the number of Muslims in USA approximately 7 to 8 million and more than 2000 mosques and Islamic Centers have existed in USA. As regards my thesis concern I would like to say that my thesis entitled " The Social Laws in The Holy Qur'an and Their Influence on The Life of The American Muslim Community: A Short Survey" consist of three chapters named: First chapter: The Holy Quran and Its Social Laws. Second chapter: Americas: In Early Pre-History, Pre-Islam, Influence of Islam on America and Its Muslim Community. Third chapter: An Introduction to the United States of America and Its Muslim Communities Activities: A Short Survey. Conclusion and at length Bibliography.


Md. Salim Ullah Khan

Acknowledgements

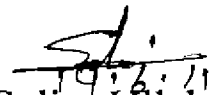
الحمد لله رب العالمين All Praises, appreciation, gratefulness and thankfulness are to Allah's innumerable favors and bounties, that only He knows the amount of Allah's bounties include creating the tools that help the creation worship Him, the physical bodies with which they are able to implement His commands, the sustenance that He provides them in this life and the comfortable life He has granted them, without anything or anyone compelling Him to do so Allah alone, He is the only Lord of the Worlds, (human kind, jinn and all that exists; whether seen or unseen) Master of the Day of Judgment, God of the first and the last, Sustainer of heaven and earth, and peace and blessings be upon His trustworthy Prophet, the Teacher of mankind, sent as a Mercy to the worlds.

Peaces are upon The Prophet Muhammad (SM), the seal of the prophets and messengers and his all followers who is a mercy for all creation, "Indeed, in this (Al-Quran) is notification for a worshipping people. And we have not sent you, (O Muhammad), except as a mercy to the worlds."¹

I wish to extend my utmost gratitude to my supervisor, Professor Dr. A.R.M. Ali Haidar for having initiated me in this program. I also express my sincere thanks to him and his family for constant encouragement and guidance throughout this work. My sincere thanks also go to Mother Mrs., Champa Begum, Mother in law- Mrs. Manik Jan Begum, Mawlana Obidullah, Hafiz Mafizol Islam Former Head of kangsonagar Tahfizol Quran Madrasa. Dr. Abu Saleh Patowary My teacher (Former head of the department of Tafsir Al-Quran, Comilla Sonakanda Darul Huda Post Graduate Madrasa, Now Mufassir-i-Quran, Islamic Foundation, Dhaka. Commentator BTV. Professor

¹. Al-Quran: 21:106-107

Md. Siddiqur Rahman, Former Principal, Sonakanda Darul Huda Post Graduate Madrasa, Md. Mahmudur Rahman. Acting Principal, Sonakanda Darul Huda Post Graduate Madrasa, Advocate Abdul Matin Khasro, Member of Parliament, Comilla-5, Bangladesh and Former Minister of the Ministry of Law, justice and Parliament affairs. A.B.Golam Mustafa Member of Parliament, Comilla-4, Md. Firoz Mia. Throughout this research I received help from innumerable people. It is not possible to introduce all of them in this small page. I sincerely express my gratitude to all of them for their kind and generous co-operation. During my research work I used extensively the Library of Dhaka University, Public Library, and Dhaka. Thanks are due to all the members of these organizations for tolerating me beyond their official duties. I am most grateful to all my friends and relatives for their co-operation and encouragement. I am also thankful to my wife Yasmin Akter, Daughters Aeysa, Amena, Khadiza for their spontaneous inspiration and co-operation throughout this research. They suffered most during the whole period of this work which could never be compensated.



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Preface

The rules and regulations of Islam are very effective and beautiful not for only Muslims but also for all mankind and for all living being in the universe. Everyone practices Islam namely or not namely. The laws of Islam, a religion of peace, are absolutely applicable and acceptable to everyone's personal life, family life, social life, national life and international life.

Islam is a religion of dynamic, peace and discipline. It is a complete code of life and not only for Muslim community but also its door is open to all of present and future human generation. Every living being, matter and particle of this universe even atom and molecular used to obey some divine rules and regulations for its own existence. Such as, the earth moves round the sun, changing of day and night, ebb and flow, etc are also to obey the divine rules and regulations. This harmonized disciplined life-cycle indicates a peaceful environment prevailing among them. This is called a peaceful condition and co-existence that is actual picture and figure of the Islamic Society.

The society itself has a special character, individuality, and reality. Montesquieu, the French philosopher of the eighteenth century A.D is the first man who discuss the laws which control and govern human groups and societies. Raymond Aron says about Montesquieu speech that his purpose was to make history intelligible. He sought to understand historical truth. But historical truth appeared to him in the form of an almost limitless diversity of morals, customs, ideas, laws, and institutions. His inquiry's point of departure was precisely this seemingly incoherent diversity. The goal of the inquiry should have been the replacement of this incoherent diversity by a conceptual order. One might say that Montesquieu, exactly like Max Weber, wanted to

proceed from the meaningless fact to an intelligible order. This attitude is precisely the one peculiar to the sociologist. The Holy Quran explains that nations and societies qua nations and societies (not just individuals living in societies) have common laws and principles that govern their rise and fall in accordance with certain historical process. The concept of a common fate and collective destiny implies the existence of certain definite laws governing the society. Islam can be described as a spiritual, social, and educational project at the grandest of scales. The project is spiritual because the Qur'an describes the mission of the Prophet Muhammad as calling humanity to the one true transcendent God, purifying them and leading them from darkness to light.² It is social because along with a relationship with the one true transcendent God, the social obligation to help one another is the corner stone of Islam.³ It is educational because teaching the book and the wisdom is also part of the Prophet's mission⁴ and because knowledge is given such importance in the Qur'an.⁵ The project is at the grandest of scales because the Prophet is "mercy to all peoples"⁶ and "seal or last of the prophets"⁷ that is, the project is directed to all of humanity for all times till the Day of Judgment.

The social obligation that Islam places on believers requires not only helping one another with material assistance when needed but also with psychological assistance, e.g. by honoring weaker and poorer members of the society such as the orphans and by saying a kind word.⁸ Furthermore, the Qur'an expects

². Al-Quran-33:46, 57:9, 62:2

³. Al-Quran-2:177, 2:261-274, 98:5

⁴. Al-Quran-2:129, 151, 3:164, 62:2

⁵. Al-Quran- 2:30-33, 20:114, 39:9, 96:3-5

⁶. Al-Quran- 21:107

⁷. Al-Quran- 33:40

⁸. Al-Quran- 2:263, 89:17

believers not only to perform such acts of charity themselves but also to exhort others to do the same.⁹

In other words, the Qur'an expects believers to involve one another in collective efforts to alleviate want and suffering in the society. This value attached to collectivity leads to the recognition of the value of political, legal, and economic instruments for the pursuit of the social project. Various aspects of human individual and collective life, including political, legal, and economic aspects, are closely linked together and a balanced approach to them is considered a key to the success of the social project. Yet Islam's focus on the social project is not dependent on control of legal, political and economic instruments; for, such a control is not guaranteed to Muslims. For most of his life the Prophet Muhammad did not have such control in his society to any adequate degree and yet the social project was always at work.

Now once again Muslims are without any significant control over political, legal or economic instruments, not only in non-Muslim countries but also in Muslim countries, where tyrannical dictators are almost at war with them. Yet the social project continues and is becoming more and more the focus of Islamic groups. Under the dictatorial regimes, who have almost abandoned their basic responsibilities in favor of the priorities determined by their need to stay in power, the infrastructure of many Muslim countries is in decay and bureaucracy is corrupt and ossified, incapable of providing significant services. Under such conditions, the Islamic groups have been obliged to step in and provide support and assistance wherever it is needed. This group champions the rights of the socially marginalized, vehemently denounces the

⁹. Al-Quran- 69:34, 89:15-18, 90:13-17, 107:3

excesses of the ruling class and global imperialism, and has built a vast network of social projects. For the progress of Islam and Muslims it is of vital importance that such focus on social services is increased by Islamic groups both in scope and professionalism. Although Muslims might have come to North America even before Columbus¹⁰ the continent has not been very hospitable to them.¹¹

Probably the first significant Muslim immigration to Americas and the United States of America beginning from 650 CE, made their way to the continent for settlement, during which time they erected mosques and schools, Research conducted in the West during the twentieth century has proven the existence of Muslims on the American mainland approximately seven centuries before Christopher Columbus. Similarly, archeological excavations, linguistic, and philological analyses of languages and settlement names in the region, the fact that coins, household tools and other utensils were discovered there that were similar to those of the Abbasids in the eighth and ninth centuries are all justifications of the theory that Muslims, beginning from 650 CE, made their way to the continent for settlement, during which time they erected mosques and schools, leaving a prolonged impact on the natives, i.e. American Indians. The Islamic sources carry no information as regards Muslim settlement in America, although research undertaken by Professor Barry Fell of Harvard University confirms that Muslims reached the continent at the time of Uthman, the third Caliph, concomitantly indicating the

¹⁰. It is reported that among the belongings of Columbus was a book by the Arab geographer al-Idrisi which mentions that eight Arabs sailed from Lisbon and landed in South America, long before 1492

¹¹. This has changed in recent decades, although some of the earlier lack of hospitality seems to have returned once again in the form of racial and ethnic profiling of Muslims, especially in the USA

significant possibility that some of the Companions could have arrived there as well.

Many Western researchers acknowledge the famous map of Piri Reis as proof of Muslim presence in America long before the endeavors of Columbus, as it minutely comprises the map of America, as well as extremely accurate measurements of the distance between America and Africa. “Before embarking on his first voyage to America, Italian navigator Christopher Columbus had read the book of Roger Bacon of Oxford University, which comprised information, compiled from a variety of Arabic resources, about geographical regions on the other side of the Atlantic; hence Columbus’ previous knowledge of the islands in the Atlantic Ocean and other places.”¹²

Professor Barry Fell, retired lecturer from Harvard University and also a member of the American Academy of Science and Arts, the Royal Society, the Epigraphy Society and the Society of Scientific and Archeological Discoveries, is adamant about the arrival of Islam in America in the 650s, 2 predicating this argument upon the Cufic calligraphy belonging to that era found in various diggings across America. If the words of Professor Fell have truth-value, then the Muslims had arrived in America during the era of Uthman, or at least that of Ali, the fourth caliph. Such information, however, is not found in Muslim sources. Muslim immigration to North America occurred when some Andalusian Muslims came here to escape persecution following the fall of Granada in 1492. But in 1543 Charles V, king of Spain ordered their expulsion.

¹². According to Salvatore Michael Trento, former director of the Center for Archeological Research in Middletown, New York.

Later, there was another migration of Muslims to North America, albeit a forced one. Enslaved Africans brought to North America included Muslims, but their miserable statuses as slaves made it difficult for them to survive as Muslims. Next signs of Muslim immigration appear in the later part of the nineteenth century. Estimates of Muslim population are easier for Canada than the USA. It is estimated that in 1901 there were about 300 Muslims in Canada and the number increased to about 1500 by 1911. This growth was arrested by the First World War when Muslims were considered enemy aliens. Still there was some organized Muslim activity by 1938 when the first Canadian mosque was built in Edmonton. In the USA such activity naturally started earlier. Albanian Muslims built a mosque in 1915 in Maine, while Polish-speaking Tatars built one in 1928 in Brooklyn, which still remains in use.

I would like to mean by “American Muslim Community” as USA (United States of America) Muslim community. Islam is one of the fastest-growing religions in the United States today. According to one recent survey, there are 1,209 mosques in America, well over half founded in the last 20 years. Between 17 and 30 percent of American Muslims are converts to the faith. At the center of both traditional American life and the lives of the generally more recent Muslim immigrants is the family. Organized Muslim activity in the 1960’s and 1970’s focused largely on establishing prayer facilities in universities or in mosques and Islamic centers. In addition to providing facilities for daily and/or weekly Friday prayers, these organizations provided some religious education to children during the weekends and some social services such as financial help or counseling. Indeed, providing social services and education is part of the declared objective of many of these

mosques and centers. For example, the Islamic Centre of Quebec, established in 1965 as the first mosque or center in Quebec, is “dedicated to meeting the spiritual, social and educational needs of Muslims in Quebec”. By the 1980’s full-time schools began to be established,

Many specialized social services organizations also began to be established. In 1999 Islamic Social Services Association (ISSA) of the USA and Canada was founded that was subsequently split into two separate non-profit corporations, one for the USA and one for Canada. ISSA describes its mission as linking “Muslim social service providers in the United States and Canada” and supporting them “through education, training and services”. “ISSA offers training to Muslim communities enabling them to meet a range of social service needs. These trainings are taught from an Islamic perspective” and concern pre- and post-marital counseling, Islamic parenting, spiritual counseling, hospice and palliative care, imam training, domestic abuse, substance abuse, grief counseling, fundraising etc.

Islam encourages Muslims to extend social projects to include non-Muslims. The Qur’an states: “God does not forbid you, with regard to those who do not fight you for your Faith nor drive you out of your homes, from dealing kindly and justly with them: for God loves those who are just”. Some of the very early Muslims used to distribute part of their zakat al fitr (the charity paid at the end of the fasting month of Ramadan) to Christian monks, based on their understanding of this verse. Caliph ‘Umar instructed the Muslim administrator in Basrah to “seek out any People of the Book (Jews and Christians) in your area who have grown old and weak, and are unable to earn money, and establish stipends for them from the treasury to provide for their needs.”The Qur’an commands Muslims to collaborate among themselves and

with non-Muslims for just ends: "Collaborate in virtue and righteousness and do not collaborate in sin and transgression"¹³ The context shows that the command is not restricted to collaboration among Muslims only. The channels of communication thus opened could be further used in the interest of a just world order. In addition, Muslims and non-Muslims can collaborate to tackle such problems as homelessness, poverty, and drug abuse. At the very least they can learn from one another. Some non-Muslim groups have much longer experience for social work in America and so Muslims can learn from them. Likewise, as many clergymen and chaplains have noted, Muslims have been remarkably successful in programs of drug and prison rehabilitation, and so non-Muslims can learn from them.

The United state of America (USA) is the 32nd largest Muslim country by Muslim Population in the world. At present there are 6 to 7 million Muslim in USA, increasing the figure by immigration and conversion day by day. Among theme 24% of Native American Muslim, 26% Pakistani, Bangladeshi and Indian origin, 26% Arabian and 24% from other countries of the world.¹⁴ In 1990s there were only 2500 Muslim soldiers in military now there are 15 to 20 thousand Muslim soldiers in USA military, An Imam also appointed for their oaths. There are two congressman are Muslim.¹⁵

The Muslim community in America is the combination of Native Muslims, migrated Muslims and converted Muslims. The social rules and regulations of Islam effect effectively in all the stages of the life of Muslim community in America. Many person being charmed by the beauties of Islam are accepting

¹³. Al-Qur'an- 5:2

¹⁴. Anwar Hosain Manju, *Muslim in USA and The theories of Patter King*; The daily Naya Digantha, 18 March, 2011, Dhaka

¹⁵. Ibid.

the shelter of Islam. According to The World Almanac statistical reports, the number of Muslims in USA approximately 6 to 7 million. Now near more than 2500 mosques and Islamic Centers have existed in USA.¹⁶

As regards my thesis concern I would like to say that my thesis Entitled "The Social Laws In The Holy Quran And Their Influence on The Life of The American Muslim Community: A Short Survey" consist three chapters named: Chapter-1 "The Holy Quran And Its Social Laws" Chapter-2 Americas: In Early Pre-History, Pre-Islam, Influence of Islam on America and Its Muslim Community and Chapter-3-An Introduction To The United States of America and Its Muslim Communities Activities: A Short Survey. It has a Conclusion and a length Bibliography also.


-Md. Salim Ullah Khan

Chapter-1

The Holy Quran and Its Social Laws

*Chapter-1***THE HOLY QURAN**

The Qur'an English pronunciation: kɒ'rɑ:n Arabic. القرآن al-Qur'an, literally "the recitation" is the main religious text of Islam, also some times transliterated Quran, Kuran, Koran, Qur'an, Coran or al-Qur'ān. It is widely regarded as the greatest piece of literature in the Arabic language.

The text of the Qur'an consists of 114 chapters of varying lengths, each known as a sura. Chapters are classed as Meccan or Medinan, depending on when (before or after Hijra) the verses were revealed. Chapter titles are derived from a name or quality discussed in the text, or from the first letters or words of the sura. Prophet Muhammad (sm) on God's command gave the chapters their names. Generally, longer chapters appear earlier in the Qur'an, while the shorter ones appear later.

The Qur'an is verbal divine guidance and moral direction for mankind and the final revelation of God (Allah).¹ (الله) *Allah* is the standard Arabic word for God.² The term is best known in the West for its use by Muslims as a reference to God in the context of Islam.

The Qur'an was revealed from God to Muhammad through the angel Gabriel from 610 to 632 CE, the year of his death.³ Muhammad (SM) recited the Qur'an to his followers, numbering tens of thousands, who recited after him, until they had memorized it. He also dictated it to his scribes.

¹. Al-Qur'an 2:23–24, 33:40 Nasr, Seyyed Hussein "Qur'an". *Encyclopedia Britannica Online* - 2007. Watton, Victor, *A student's approach to world religions: Islam*, Hodder & Stoughton, 1993, p. 1

². "Allah." *Encyclopædia Britannica*. 2007

³. Al-Qur'an 17:106, Mary Pat Fisher, *Living Religions: An Encyclopedia of the World's Faiths*, 1997, p. 338

The Angel Gabriel visited the Muhammad (sm) many times over a period of twenty-three years. Gabriel taught Muhammad (sm) the verses and he instructed his scribes to record them. All the revealed verses are compiled in the Qur'an.

Muhammad (SM) was a messenger of Allah. He was born in Mecca, in A.D. 570.⁴ Last of the prophets sent by Allah to guide all human beings and jinn (a creation created by from fire like human beings from mud and angels from light.) to the right path. One day, while reflecting in a cave on Mount Hira (either 609 or 610 A.D.), the angel Gabriel (as) appeared before him.⁵ He was receiving visions from Allah. The Prophet's sayings and actions are recorded separately in collections known as Hadith.

The two basic source of Islam the *Quran* and the *Sunnah* include beside many detail rules general principles which ultimately govern all matters related to the various aspects of life religious, social, economics, political etc. none of these general principles are subjects to historical change. But conditions do change. The means of deriving rules for new problems in new situations are provided for within Islam in IJTIHAD. Ijtihad is the disciplined use of independent individual reasoning to draw the necessary conclusions in accordance with the essence and spirit of Islam and adherence to immutable general principles. Thus though faith and diligence of qualified scholars.⁶

Prophet Muhammad (sm) is the model of Qur'anic behavior for all Muslims. They mention his name by adding "peace be upon him," a phrase used with the name of all the prophets. Muslims try to follow the Qur'an and the Prophet's example in every detail.

⁴. Zoba, Wendy Murray. "Islamic Fundamentalists" Christianity Today Magazine. April 3, 2000, Vol. 44, No. 4, Page 40

⁵. Ibid.

⁶. Marwan Ibrahim Al-Kaysi, *Morals and Manners in Islam (A guide to Islamic Adab)*, The Islamic foundation-UK, 1986, p.15

Prophet Muhammad (sm) in the light of the Qur'an worked to create a community, *Ummah*, based on shared religious beliefs, ceremonies, ethics and laws a community which would transcend the traditional social structure based on families, clans, and tribes and would unite disparate groups into a new Arabian society. Numerous rituals and social laws were set. These included the five pillars of faith, *Shahadah*, *Salat*, *Saum*, *Zakat*, and *Hajj*. *Shahadah* means belief in angels, God's Books, God's Messengers, the life hereafter, al-Qadr (the measurement of good and evil), *Salat* means praying, *Saum* means fasting, *Zakat* means poor taxes and *Hajj* means pilgrimage to Makkah , and the limits set by God of permissible and forbidden things, human affairs, laws, Islamic moral teachings, and so on are all based on the foundation of worship of God, and the source of all these teachings is Prophet Muhammad (pbuh).Allah (swt) says: *(Whoever obeys the Prophet obeys God)*⁷

The Qur'an Addresses Each Level of Mankind in Every Age. One billion people from a vast range of races, nationalities and cultures across the globe from the southern Philippines to Nigeria - are united by their common Islamic faith. About 18% live in the Arab world; the world's largest Muslim community is in Indonesia; substantial parts of Asia and most of Africa are Muslim, while significant minorities are to be found in the Soviet Union, China, North and South America, and Europe.

Islam is superior to any other in that it guarantees happiness in man's life. Islam is a belief system with moral and practical laws that have their source in the Qur'an. Allah (swt) says, "*Indeed this Qur'an guides to the path which is clearer and straighter than any other*"⁸ He also says, "*We have revealed to you the book which clarifies every matter*"⁹

⁷. Al-Qur'an-4: 80

⁸. Al-Qur'an-17:9

⁹. Al-Quran- 16:89

These references exemplify the numerous Qur'anic verses (ayah) which mention the principles of religious belief, moral virtues and a general legal system governing all aspects of human behavioral consideration of the following topics will enable one to understand that the Qur'an provides a comprehensive programmed of activity for man's life.

The Muslim population of the world is around one billion. 30% of Muslims live in the Indian subcontinent, 20% in Sub-Saharan Africa, 17% in Southeast Asia, 18% in the Arab World, 10% in the Soviet Union and China. Turkey, Iran and Afghanistan comprise 10% of the non-Arab Middle East. Although there are Muslim minorities in almost every area, including Latin America and Australia, they are most numerous in the Soviet Union, India, and central Africa. There are 5 million Muslims in the United States. *O mankind! We created you from a single soul, male and female, and made you into nations and tribes, so that you may come to know one another. Truly, the most honored of you in God's sight is the greatest of you in piety. God is All-Knowing, All-Aware.*¹⁰

Prophet Muhammad (sm) is reported to have told: "The son of Adam has basic rights for three things a house to live in, a piece of cloth to cover his body, a loaf of bread and water".

Islam has set the basis of the Islamic society and set its code of ethics that grants people a secure, happy and warm life. The word Islam in itself means peace attained through submission to the divine will. There is no contradiction between the seeking happiness and the quest for virtue.

The norms that have characterized belief and action in Islam have their initial inspiration in two main sources, one is scriptural, embodying the message revealed by Allah to Prophet Mohammad (pbuh), and recorded in the Qur'an. The second is Prophet Mohammad's life (Sunnah). So a true Muslim can't take the Qur'an as the only source for Islam and ignore

¹⁰. Al-Quran-49:13

the Sunnah, or take the Sunnah and ignore the Qur'an. in one of the surrah's of the Qur'an entitled al-Furqan (surrah no. 25), revelation – addressed to al humankind – becomes the point of reference for distinguishing right from wrong: The Quran says:” *Blessed be he who sent criterion (of right and wring, i.e. this Qur’an) to his servant (Mohammad) that he may be a Warner to mankind. He to whom belongs the dominion of the heavens and the earth, and who has begotten no son and for whom there is no partner in the dominion. He has created everything, and has measured it exactly according to its due measurement.*”¹¹

The manners of Islam are not merely rules of courtesy various occasions, but cover the whole range of human relations from the simplest actions to the most elaborate of social occasion. The true purpose of Western etiquette (even after it had been extended beyond royal circles to ordinary people) seems to have been the protection of the upper class.¹² Prophet Mohammad (pbuh) has been described in the Qur'an as 'a fine example' and one who possess 'high moral excellence', and Allah has urged us to follow his manners, Allah says in the Qur'an:”in the messenger of god (Muhammad) you have a good example to follow for him who hopes for (the meeting with) god and the lass day and remembers god much.”Qur'an (33:21) also Allah says: "...you (o Muhammad) are on an exalted standard of character.” Qur'an (68:4)the second source of knowledge in Islam is the hadith (sayings of prophet Mohammad ‘pbuh’, the written record or text of the sunnah) are to be relied upon on the authority of god's saying in the qur'an: *“by the star when it goes down. Your companion*

¹¹. Al-Qur'an -25:1-2

¹². Ester.B.Aresty, *Encyclopedia Americana*, Danbury; American Corporation,1979.Vol. 10.p. 635

*(Muhammad) is neither astray nor being misled. Nor does he speak from out of (his own) desire. It is no less than inspiration sent down to him.*¹³

One of the primary purposes of society is the formation of an organized group of individuals, who can support each other in various ways. It is in those difficult times that you realize the importance of being a part of society. It is the members of your social group who come forward to render all the help you need. The support given by society can be of the physical, emotional, financial or medical form. A society is characterized by social networks. They form an integral part of society. Social networks are defined as the maps of relationships between people. Relationships give rise to social interactions between people of a society.

The Holy Quran explains that nations and societies (not just individuals living in societies) have common laws and principles that govern their rise and fall in accordance with certain historical process. The concept of a common fate and collective destiny implies the existence of certain definite laws governing the society. About the tribe of Bani Israel, the Quran says: وَقَضَيْنَا إِلَىٰ بَنِي إِسْرَائِيلَ فِي الْكِتَابِ لَتُفْسِدُنَّ فِي الْأَرْضِ مَرَّتَيْنِ وَلَتَعْلُنَّ عُلُوًّا فإِذَا جَاءَ وَعْدُ أُولَاهُمَا بَعَثْنَا عَلَيْكُمْ عِبَادًا لَنَا أُولَىٰ بَأْسٍ شَدِيدٍ فَجَاسُوا خِلَالَ الدِّيَارِ وَكَانَ وَعْدًا كَبِيرًا مَّقْعُولًا ثُمَّ رَدَدْنَا لَكُمُ الْكَرَّةَ عَلَيْهِمْ وَأَمْدَدْنَاكُم بِأَمْوَالِكُمْ وَأَنْبِيَاءٍ وَجَعَلْنَاكُمْ أَكْثَرَ نَفِيرًا-إِنْ أَحْسَنْتُمْ أَحْسَنْتُمْ وَإِنْ أَسَأْتُمْ فَلَهَا فإِذَا جَاءَ وَعْدُ الْآخِرَةِ لِيُسُوءُوا وُجُوهَكُمْ وَلِيَدْخُلُوا الْمَسْجِدَ كَمَا دَخَلُوهُ أَوَّلَ مَرَّةٍ وَلِيُتَبِّرُوا مَا عَلَوْا تَتْبِيرًا-عَسَىٰ رَبُّكُمْ أَنْ يَرْحَمَكُم وَإِنْ عُدتُّمْ عُدْنَا وَجَعَلْنَا جَهَنَّمَ لِلْكَافِرِينَ حَصِيرًا

“And We decreed for the Children of Israel in the scriptures: You verily will work corruption in the earth twice, and you will become great tyrants. So when the time for the first of the two came We roused against you slaves of Ours of great might who ravaged [your] country, and it was a threat performed.’ [After you had regretted your sins and became pious again] Then we gave once again your turn against them, and We aided you with wealth and children and made you more in soldiery. [saying] If

¹³. Al-Qur’an-53:1-4

ye do well, ye do well for your own souls, and if ye do evil, it is for them. (I.e. Our laws and customs are fixed and constant, it is by this covenant that people are bestowed with power, might, honour and constancy or subjected to humiliation and abjectness). So when the time for the second [of the judgments] came, because of your acts of tyranny and despotism, We aroused against you others [of Our slaves] to ravage you, and to enter the temple even as they entered it the first time, and to lay waste all that they conquered with an utter wasting. It may be that your Lord will have mercy on you [if ye mend your ways], but if you repeat [the crime] We shall repeat [the punishment], and We have appointed hell a dungeon for the disbelievers".¹⁴

Men and Women depend on each other in Society. Both of them are supplement to each other. The traditional Muslim Society which is over-impressed by its historical decline, had developed a general preference for circumspection and cautiousness over the demands of positive pursuits. It has become unduly conservative for fear that freedom of thought would lead astray and divide the community; and that freedom of women would degenerate into licentious promiscuity - so much that the basic religious rights and duties of women have been forsaken and the fundamentals of equality and fairness in the structure of Muslim Society, as enshrined in the Sharia, have been completely overlooked. Based on Quranic verses and Islamic traditions, classical Sharia distinguishes between Muslims, followers of other Abrahamic monotheistic religions, and pagans or people belonging to other polytheistic religions.

Sharia شريعة ("way" or "path") is the sacred laws of Islam means God's law,¹⁵ Sharia is derived from two primary sources of Islamic law; namely, the divine revelations set forth in the Qur'an, and the example set by the

¹⁴. Al-Qur'an-17:4-8

¹⁵. Otto, Jan Michiel, *Sharia and National Law in Muslim Countries: Tensions and Opportunities for Dutch and EU Foreign Policy*; Amsterdam University Press, 2008, p 7

Islamic Prophet Muhammad (SM) in the Sunnah. Fiqh jurisprudence interprets and extends the application of Sharia to questions not directly addressed in the primary sources by including secondary sources. These secondary sources usually include the consensus of the religious scholars embodied in ijma, and analogy from the Qur'an and Sunnah through qiyas. Shia jurists replace qiyas analogy with 'aql, reasoning.

Schools of Sharia (Jurisprudence) are 1. Hanafi, 2.Hanbali, 3.Ja'fari jurisprudence, 4.Maliki, 5.Shafi'i, Sharia law can be organized in different ways. It divided into five main branches: 1. Ibadah (ritual worship) 2.Mu'amalat (transactions and contracts) 3.Adab (morals and manners), 4.I'tiqadat (beliefs) 5.'Uqubat (punishments)"Reliance of the Traveler", an English translation of a fourteenth century CE reference on the Shafi'i school of fiqh written by Ahmad ibn Naqib al-Misri, organizes Sharia law into the following topics:

1. Purification 2.Prayer 3.The Funeral Prayer 4.The Poor Tax 5.Fasting 6.The Pilgrimage 7.Trade 8.Inheritance 9.Marriage 10.Divorce 11.Justice Specific Issues of Sharia are 1.Diyya - Compensation for crimes, 2.Islamic inheritance jurisprudence, 3. Qisas - Retaliatory crimes 4.Tazir - Less severe crimes (thus, "crimes against individuals", not by order of Allah. Fear of Sharia by non-Muslims is rooted in the belief that it will impose upon them "no music, no art, and no rights for women".¹⁶

Non-Muslims were allowed to engage in certain practices (such as the consumption of alcohol and pork) that were usually forbidden by Islamic law. Zoroastrian "self-marriages" that were considered incestuous under Sharia, were also tolerated. Ibn Qayyim (1292–1350) opined that non-Muslims were entitled to such practices since they could not be presented to Sharia courts and the religious minorities in question held it

¹⁶. Bob Smietana. *Anti-Muslim crusaders make millions spreading fear*, The Tennessean - October 24, 2010

permissible. This ruling was based on the precedent that the prophet Muhammad did not forbid such self-marriages among Zoroastrians despite coming into contact with Zoroastrians and knowing about this practice. Religious minorities were also free to do whatever they wished in their own homes, provided they did not publicly engage in illicit sexual activity in ways that could threaten public morals.¹⁷

THE SOCIAL LAWS IN THE HOLY QURAN

Fundamental Laws in the Holy Qur'an for Mankind: Since Allah is the absolute and sole master of men and the universe, He is the Sovereign Lord, the Sustainer, and Nourishes, the Merciful, whose mercy enshrines all beings; and since He has given each man human dignity and honor, and breathed into him of His own spirit, it follows that, united in Him and through Him, and apart from their other human attributes, men are substantially the same and no tangible and actual distinction can be made among them, on account of their accidental differences such as nationality, color or race. Every human being is thereby related to all others and all become one community of brotherhood in their honorable and pleasant servitude to the most compassionate Lord of the Universe. In such a heavenly atmosphere the Islamic confession of the oneness of Allah stands dominant and central, and necessarily entails the concept of the oneness of humanity and the brotherhood of mankind.

Although an Islamic state may be set up in any part of the earth, Islam does not seek to restrict human rights or privileges to the geographical limits of its own state. Islam has laid down some universal fundamental rights for humanity as a whole, which are to be observed and respected under all circumstances whether such a person is resident within the territory of the Islamic state or outside it, whether he is at peace with the

¹⁷. Sherman A. Jackson, *Islam and the Black American: looking toward the third resurrection*; Oxford University Press, (2005), p. 145

state or at war. The Qur'an very clearly states: O believers, be you securers of justice, witnesses for Allah. Let not detestation for a people move you not to be equitable; be equitable – that is nearer to the Allah-fearing. (5:8) Human blood is sacred in any case and cannot be spilled without justification. And if anyone violates this sanctity of human blood by killing a soul without justification, the Qur'an equates it to the killing of entire mankind. Whoso slays a soul not to retaliate for a soul slain, nor for corruption done in the land, should be as if he had slain mankind altogether. (5:32) It is not permissible to oppress women, children, old people, the sick or the wounded. Women's honor and chastity are to be respected under all circumstances. The hungry person must be fed, the naked clothed, and the wounded or diseased treated medically, irrespective of whether they belong to the Islamic community or are from among its enemies.

When we speak of human rights in Islam we really mean that these rights have been granted by Allah; they have not been granted by any king or by any legislative assembly. The rights granted by the kings or legislative assemblies can also be withdrawn in the same manner in which they are conferred. The same in the case with the rights accepted and recognized by the dictators. They can confer them when they please and withdraw them when they wish; and they can openly violate them when they like. But since in Islam human rights have been conferred by Allah, no one on earth has the right or authority to make any amendment or change in the rights given by Him. No one has the right to abrogate them or withdraw them. Nor are these basic human rights which are conferred on paper for the sake of show and exhibition and denied in actual life when the show is over. Nor are they like philosophical concepts which have no sanctions behind them.

The charter and the proclamations and the resolutions of the United Nations cannot be compared with the rights sanctioned by Allah, because the former is not applicable on anybody while the latter is applicable on every believer. They are a part of the Islamic faith. Every Muslim, or administrators who claim to be Muslim, will have to accept, recognize and enforce them. If they fail to enforce them, and start denying the rights that have been guaranteed by Allah, or make amendments and changes in them, or practically violate them while paying lip service to them, the verdict of the Qur'an for such government is clear and unequivocal: Those who do not judge by what Allah has sent down are the disbelievers. (5:44) Muslim Society, Social lives original and development, the feature and figure of social life. Family the social laws in the holy Quran are shortly as bellow. a) The Relationship and Responsibilities between child and parents are sacred duties. As Allah Says regarding this matter in the holy Qur'an: "Your Rabb has decreed to you that: You shall worship none but Him, and you shall be kind to your parents; if one or both of them live to their old age in your lifetime, you shall not say to them any word of contempt nor repel them and you shall address them in kind words".¹⁸ b) Relationship and Responsibilities between husband and wife (Duties of husband to wife and duties of wife to husband).(Al-Quran, 4:34) c) Duty to Neighbor. d) Duty and rights of relatives. Human brotherhood, Equality of gender issue, Islamic attitude towards manners and customs of non-Muslims, Status of women in Islam, Human rights in Islam, Jihad aspects, Trade and Business laws (Al-Qur'an, 2:198, 275, 282; 4:29; 24:37; 62:11), Political laws, Material's laws, Lactation (Al-Qur'an, 46:15), giving name, Circumcision, Aqiqah, Birth control (Al-Qur'an, 17:31).

¹⁸. Al-Qur'an-17:23

Fundamental Rights in an Islamic State

1. The Security of Life and Property: In the address which the Prophet (SM.) delivered on the occasion of the Farewell Hajj, he said: "Your lives and properties are forbidden to one another until you meet your Lord on the Day of Resurrection." The Prophet (SM.) has also said about the dhimmis (non-Muslim citizens of the Muslim state): "One who kills a man under covenant (i.e. dhimmi) will not even smell the fragrance of Paradise."

2. The Protection of Honor: The Qur'an states: You who believe, i) do not let one make fun of another, I) do not defame one another, iii) do not insult by using nicknames, iv) do not backbite or speak ill of one another (Al-Quran, 49:11-12)

3. Sanctity and Security of Private Life: The Qur'an has laid down the injunctions: i) Do not spy on one another. (49:12),ii) Do not enter any houses unless you are sure of the occupant's consent. (24:27)

4. The Security of Personal Freedom: Islam has laid down the principle that no citizen can be imprisoned unless his guilt has been proven in an open court. To arrest a man only on the basis of suspicion and to throw him into a prison without proper court proceedings and without providing him a reasonable opportunity to produce his defense is not permissible in Islam.

5. The Right to Protest against Tyranny: Among the rights that Islam has conferred on human beings is the right to protest against a government's tyranny. Referring to this, the Qur'an says: Allah does not love evil talk in public unless it is by someone who has been injured thereby. (4:148) In Islam, as has been argued earlier, all power and authority belongs to Allah, and with man there is only delegated power which becomes a trust; everyone who becomes a recipient of such a

power has to stand in awful reverence before his people towards whom and for whose sake he will be called upon to use these powers. This was acknowledged by Abu Bakr, who said in his very first address as Caliph: "Cooperate with me when I am right, but correct me when I commit error; obey me so long as I follow the commandments of Allah and His Prophet (SM.); but turn away from me when I deviate."

6. Freedom of Expression: Islam gives the right of freedom of thought and expression to all citizens of the Islamic state on the condition that it should be used for the propagation of virtue and truth and not for spreading evil and wickedness. The Islamic concept of freedom is much superior to the concept prevalent in the West. Under no circumstances would Islam allow evil and wickedness to be propagated. It also does not give anybody the right to use abusive or offensive language in the name of criticism. It was the practice of the Muslims to enquire from the Prophet (SM.) whether a divine injunction had been revealed to him on any given matter. If he said that he had received no divine injunction, the Muslims freely expressed their opinions on the matter.

7. Freedom of Association: Islam has also given people the right to freedom of association and formation of parties or organizations. This right is also subject to certain general rules.

8: Freedom of Conscience and Conviction: Islam has laid down the injunction: There should be no coercion in the matter of faith. (2:256) On the contrary, totalitarian societies totally deprive the individuals of their freedom. Indeed, this undue exaltation of the state authority, curiously enough, postulates a sort of servitude, of slavishness on the part of man. At one time, slavery meant total control over man – now that type of slavery has been legally abolished, but in its place, totalitarian societies impose a similar sort of control over individuals.

9. Protection of Religious Sentiments: Along with the freedom of conviction and freedom of conscience, Islam has given the right to the individual that his religious sentiments will be given due respect and nothing will be said or done which may encroach upon his right.

10. Protection from Arbitrary Imprisonment: Islam also recognizes the right of the individuals not to be arrested or imprisoned for the offenses of others. The Qur'an states clearly: No bearer of burdens shall be made to bear the burden of another. (35:18)

11. The Right to Basic Necessities of Life: Islam has recognized the right of the needy people for help and assistance to be provided to them: And in their wealth there is acknowledged right for the needy and destitute. (51:19)

Socio-religious laws: To build a healthy world society Socio-religious laws are very important facts for human being. These laws make a man perfect from in personal life to unending life. For knowing those laws we can search the Holy Quran.

For Salat (Prayer) (Al-Qur'an, 2:1-5, 43-46, 110, 117, 238-39, 277), Saum (Fasting) (Al-Qur'an, 2:183-87), Zakat (The Alms, charity) (Al-Qur'an, 2:3, 43, 83, 110, 177, 277; 30:39), Hajj (Pilgrims to Makka) (Al-Qur'an, 2:158-59, 189, 196, 197-203; 3:96-97), Marriage laws, Dower (Al-Qur'an, 2:236-37; 4:4, 19-21; 46:24-25), Polygamy laws etc.

Criminal laws: Every man should learn about their punishment in the world and in eternal life on the good judgment of Allah. Basically best judgment makes a society best. So it should to all to establish all divine laws from in personal life to state life.

Fore Hudod, Tajir, Zinaet, Thief etc Quran shows these verses- (Al-Qur'an, 4:29; 5:38-39), Interest (Al-Qur'an, 2:275-89; 3:130-31; 4:160-62), Wine (Al-Qur'an, 2:219; 5:90-91), Black magic (Al-Qur'an, 2:12; 10:74; 113:4), Lottery, Intoxication, Murder (Al-Qur'an, 2:178-79; 4:29-

30; 5:32-33; 17:33), Adultery (Al-Qur'an, 4:15-18, 25; 15:32; 24:01-20, 33; 25:63-77; 33:30), Women's hijab (Veil) (Al-Qur'an, 24:27-31, 58-61; 7:26-27; 33:59), Heritage laws (Al-Qur'an, 2:180; 4:7, 11-12, 32), Permission to enter other house (Al-Qur'an, 24:00), Clothing (Al-Qur'an, 7:26-27, 31-32), Halah-Haram (Al-Qur'an, 2:168-73; 5:01-05; 6:118-121), Women's personal laws (Al-Qur'an, 2: 222, 228; 33:32-34; 66:05, 10), Gonimat (Al-Qur'an, 8:01), Zanazah (Prayer for salvation of a departed soul before burial of the body (Al-Qur'an, 9:73-85), Alams sadaqat (Al-Qur'an, 2:215, 270-74, 254; 9:60, 91; 58:12-13), Prohibition of so much laughing (Al-Qur'an, 30:36-37; 53:43), Divorce (Al-Qur'an, 2:227, 229-32; 4:128-30), Rule of adopting cleanliness (Al-Qur'an, 74:04-05), Qasm (Al-Qur'an, 30:06), Oath (Al-Qur'an, 2:224-25, 24:53; 58:14-19; 68:10), Prohibition of taking Kafir as a friend (Al-Qur'an, 3:28, 118-19; 4:139, 145; 5:51), Vow (Promise to offer a particular sacrifice to a deity on fulfillment of a prayer), Transaction (Al-Qur'an, 2:83; 4:36; 16:90; 24:58-61), Weight (Al-Qur'an, 7:85; 11:84-85; 17:35; 55:07-09), Promise (Al-Qur'an, 3:77; 16:94-95; 17:34; 33:15), Rules of spend of wealth (Al-Qur'an, 2:215, 245, 261-65; 17:26-29), Forbidden to call anyone in deformed name (Al-Qur'an, 49:11), Widow's law (Al-Qur'an, 2:234-35, 240), Hunting (Al-Qur'an, 5:1-5), Asceticism (Al-Qur'an, 57:27), Reconciliation (Al-Qur'an, 4:60-65). The aforesaid all the laws are the Qur'anic laws. The Social Laws in the Holy Quran in Details: The Social Laws in the Holy Quran in Details are as below-

BASIC HUMAN RIGHTS THE WEST AND ISLAM

Before I discuss the human rights in Islam I would like to explain a few points about two major approaches to the question of human rights: the Western and Islamic. This will enable us to study the issue in its proper

perspective and avoid some of the confusion which normally befalls such a discussion.

The Western Approach: The people in the West have the habit of attributing every good thing to them and try to prove that it is because of them that the world got this blessing; otherwise the world was steeped in ignorance and completely unaware of all these benefits. Now let us look at the question of human rights. It is very loudly and vociferously claimed that the world got the concept of basic human rights from the Magna Carta of Britain; though the Magna Carta itself came into existence six hundred years after the advent of Islam. But the truth of the matter is that until the seventeenth century no one even knew that the Magna Carta contained the principles of Trial by Jury; Habeas Corpus, and the Control of Parliament on the Right of Taxation. If the people who had drafted the Magna Carta were living today they would have been greatly surprised if they were told that their document also contained all these ideals and principles. They had no such intention, nor were they conscious of all these concepts which are now being attributed to them. As far as my knowledge goes the Westerners had no concept of human rights and civic rights before the seventeenth century. Even after the seventeenth century the philosophers and the thinkers on jurisprudence though presented these ideas, the practical proof and demonstration of these concepts can only be found at the end of the eighteenth century in the proclamations and constitutions of America and France. After this there appeared a reference to the basic human rights in the constitutions of different countries. But more often the rights which were given on paper were not actually given to the people in real life. In the middle of the present century, the United Nations, which can now be more aptly and truly described as the Divided Nations, made a Universal Declaration of Human Rights, and passed a resolution against genocide and framed regulations to check it. But as you

all know there is not a single resolution or regulation of the United Nations which can be enforced. They are just an expression of a pious hope. They have no sanctions behind them, no force, physical or moral to enforce them. Despite all the high-sounding ambitious resolutions of the United Nations, human rights have been violated and trampled upon at different places, and the United Nations has been a helpless spectator. She is not in a position to exercise an effective check on the violation of human rights. Even the heinous crime of genocide is being perpetrated despite all proclamations of the United Nations. Right in the neighboring country of Pakistan, genocide of the Muslims has been taking place for the last twenty- eight years, but the United Nations does not have the power and strength to take any steps against India. No action has even been taken against any country guilty of this most serious and revolting crime.

The Islamic Approach: The second point which I would like to clarify at the very outset is that when we speak of human rights in Islam we really mean that these rights have been granted by Allah; they have not been granted by any king or by any legislative assembly. The rights granted by the kings or the legislative assemblies, can also be withdrawn in the same manner in which they are conferred. The same is the case with the rights accepted and recognized by the dictators. They can confer them when they please and withdraw them when they wish; and they can openly violate them when they like. But since in Islam human rights have been conferred by Allah, no legislative assembly in the world, or any government on earth has the right or authority to make any amendment or change in the rights conferred by Allah. No one has the right to abrogate them or withdraw them. Nor are they the basic human rights which are conferred on paper for the sake of show and exhibition and denied in

actual life when the show is over. Nor are they like philosophical concepts which have no sanctions behind them.

The charter and the proclamations and the resolutions of the United Nations cannot be compared with the rights sanctioned by Allah; because the former is not applicable to anybody while the latter is applicable to every believer. They are a part and parcel of the Islamic Faith. Every Muslim or administrators who claim themselves to be Muslims will have to accept, recognize and enforce them. If they fail to enforce them, and start denying the rights that have been guaranteed by Allah or make amendments and changes in them, or practically violate them while paying lip-service to them, the verdict of the Holy Qur'an for such governments is clear and unequivocal:

Those who do not judge by what Allah has sent down are the disbelievers (kafirun). (5:44). The following verse also proclaims: "They are the wrong-doers (zalimun)" (5:45), while a third verse in the same chapter says: "They are the evil-livers (fasiqun)" (5:47). In other words this means that if the temporal authorities regard their own words and decisions to be right and those given by Allah as wrong they are disbelievers. If on the other hand they regard Allah's commands as right but wittingly reject them and enforce their own decisions against Allah's, then they are the mischief-makers and the wrong-doers. Fasiq, the law-breaker, is the one who disregards the bond of allegiance, and zalim is he who works against the truth. Thus all those temporal authorities who claim to be Muslims and yet violate the rights sanctioned by Allah belong to one of these two categories, either they are the disbelievers or are the wrong-doers and mischief-makers. The rights which have been sanctioned by Allah are permanent, perpetual and eternal. They are not subject to any alterations or modifications, and there is no scope for any change or abrogation.

Human Rights in the Holy Quran:-These are the rights which every human being, on account of his belonging to the human race, is entitled to without any discrimination of sex, color, race, religion, abode (land) and nationality. An Islamic State guarantees these rights to every individual living in its territory. And if the state fails to provide such a surety, the individuals can acquire those rights through the court of law. The prominent rights are as follows:

1. Every human child is equally worthy of respect, thus on account of one's genesis there can be no discrimination; there is no difference between one man and the other: وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ "We have honored the humanity as a whole" has been ordained by Allah."¹⁹

2. In the Islamic Social Order, criterion of determining status of its people shall be their personal deeds and merit. وَلِكُلِّ دَرَجَاتٍ مَّمَّا عَمِلُوا "And to all are (assigned) degrees according to their deeds."²⁰

3 . No human being can be subservient to another. Nobody can have the right to rule other people (3:79) مَا كَانَ لِبَشَرٍ أَنْ يُؤْتِيَهُ اللَّهُ الْكِتَابَ وَالْحُكْمَ وَالنُّبُوَّةَ ثُمَّ يَقُولَ لِلنَّاسِ كُونُوا عِبَادًا لِي مِنْ دُونِ اللَّهِ وَلَكِنْ كُونُوا رَبَّانِيِّينَ بِمَا كُنْتُمْ تُعَلِّمُونَ الْكِتَابَ وَبِمَا كُنْتُمْ تَدْرُسُونَ "No human has the right, even though Allah Almighty may have given him a 'code of laws' or the power to enforce it or even Nabuwwah that he should say unto mankind: 'Be subservient to me instead of Allah'. (Subservience can only be to the Divine Injunctions.)"²¹

Its details have already been given under the heading 'State Affairs'). It is apparent that when nobody can be subservient to another, how he can be a slave to others. The Quran closed the door of slavery for good.

4. None shall seize the labor of another person by force; every worker shall get the full recompense of his labor; وَوَقَيْتُ كُلِّ نَفْسٍ مَّا عَمِلَتْ "To every person shall be paid in full (the fruits) of his deeds".

¹⁹. Al-Quran-17:70

²⁰. Al-Quran-: 46:19

²¹. Al-Quran-3:78

Recompense does not mean wages. The concept of wages is a product of the capitalist system; the Quran has cut at its very roots. Compensation means the fulfillment of needs. Anything surplus to ones needs shall be willingly handed over to others (with complete promptness of his heart). Take for example a peasant who puts in labor for one full year and produces one hundred mounds of wheat; that wheat certainly belongs to him, none can seize it forcibly; but on the basis of his Eemaan (conviction) he shall give to others all that is surplus to his needs. This shall happen in the social order of the Mu'mineen (the believers). (See details under the heading 'Economics') 5. Everyone shall be treated justly: (16:90) *إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ* "Indeed Allah Almighty commands justice and benevolence." (Details of what is meant by justice have been given under the heading 'Justice') So much so that justice shall be meted out even to the enemy: (5:8) *وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ عَلَىٰ أَلَّا تَعْدِلُوا أَعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَىٰ* "Let not the enmity of others to you, make you deviate from the path of Justice".²² Always do justice (with friends as well as foes). This shall bring you nearer to that mode of life, which Allah Almighty desires, for you.

6. Not only justice, if someone lags behind in spite of his best efforts, his deficiency has to be made good by others to restore the disturbed balance in society. That is called 'Ihsaan'. That is why it is said: (70:24-25) *وَالَّذِينَ فِي أَمْوَالِهِمْ حَقٌّ مَّعْلُومٌ ۖ لِّلسَّائِلِ وَالْمَحْرُومِ* "Those who are indigents or are incapacitated, have a recognized right in the wealth of society".

7. The right of sustenance: To provide means of sustenance to every individual is the responsibility of the system raised on Divine Injunctions: (6:151). Such system shall proclaim: *إِمْلَاقٌ نَّحْنُ نُرْزُقُكُمْ وَإِيَّاهُمْ* "We are responsible for your needs as well as the needs of your offspring's".²³

²². Al-Quran-5:8

²³. Al-Quran-6:152

8. Security and safety of life. (Details already described in the chapter on protection of life). (See 6:152)
9. Protection of Wealth. Everything that a person has gained and has been lawfully acknowledged as his property shall be protected. (Details already given in the chapter on Protection of Property). See (4:29)
10. Protection of dwellings. To expel people from their places of residence has been declared a crime (2:85)
11. Protections of chastity. Details have been given in the chapter on 'Zina' (Adultery).
12. Protection of aesthetics. It means the right to satisfy one's taste for the beauties of this life remaining within the limits of the law. The Holy Quran lays down in a challenging manner: (7:32) *قُلْ مَنْ حَرَّمَ زِينَةَ اللَّهِ الَّتِي أَخْرَجَ (7:32) "Say to them, O Rasool: who dares forbidding the adornments and elegance of life (beautiful gifts of Allah) which He has produced for His obedient people (the humans) and the agreeable and wholesome things (which He has provided) for their sustenance"²⁴ (See also 7:26 and 18:31)*

The Holy Quran has presented 'life of Paradise' as the ideal life. This also includes the beautiful gifts of life. The details are as under: *وَجَزَاهُمْ بِمَا صَبَرُوا جَنَّةً وَحَرِيرًا مُتَّكِنِينَ فِيهَا عَلَى الْأَرَائِكِ لَا يَرَوْنَ فِيهَا شَمْسًا وَلَا زَمَهْرِيرًا. وَذَانِيَةً عَلَيْهِمْ ظِلَالُهَا وَذُلَّتْ أَطْوْفُهَا تَدْلِيلًا. وَيُطَافُ عَلَيْهِمْ بِأَنْبِيَاءٍ مِّنْ فَضَّةٍ وَأَكْوَابٍ كَانَتْ قَوَارِيرًا. قَوَارِيرًا مِّنْ فِضَّةٍ قَدَّرُوهَا تَقْدِيرًا "This life of Paradise is the result of their perseverance and constancy. Therein they lead a life of tranquility and authority; in Gardens 'ever succulent'; atmosphere of ardors and emancipation. They shall be reclining therein on raised thrones (of authority and discretion). They will find therein neither the sun's (excessive heat), nor excessive cold of the winter an everlasting spring thick shady trees stooping over them with fruit-laden branches; no means of sustenance or comfort shall*

²⁴. Al-Quran-7:32

*be beyond their reach they shall get them without soul-exhausting efforts; food will be served to them in utensils of silver and drinks in beakers (as) of glass i.e. bright as glass but made of silver. Those utensils would have been made according to the most proportionate measures."*²⁵ Let it be clearly understood that in an Islamic Order, the above mentioned things shall be available to all, and not to any one particular rank or class. In the life of paradise there shall be no separate ranks of the rich and the poor.

13. Right of the freedom of religion: There is the freedom to adopt or forsake whatever religion one likes (2:256) *"لا إكراه في الدين"* *"There is no compulsion in following the way of life based on the Quranic fundamentals"*. (Details already given, under the heading 'STATE AFFAIRS' sub-heading 'Position of non-Muslims in an Islamic State' and the protection of their places of worship.) In Surah Hajj (22nd Chapter of the Quran) it is said:

ولولا دفع الله الناس بعضهم ببعض لهدمت صوامع وبيع وصلوات ومساجد يذكر فيها اسم الله كثيرا *"Had Allah Almighty not restrained one set of people through another, (and given a free hand to the transgressors to do what they willed), there would surely have been pulled down monasteries, churches, synagogues and mosques in which the name of Allah Almighty is remembered much."*²⁶ Be it clear that according to the Holy Quran there is no punishment for 'Murtad' (i.e. one who abandons Islam for any other religion -- an apostate). When freedom of religion is the basic principle, then why should there be a punishment for change of religion

14. Right of redress of grievances to the oppressed. 4:148 - *لا يحب الله الجهر -* *"Allah Almighty loves not, public exposure of the evil, except by a person who has been wronged."*²⁷

²⁵. Al-Quran-76:12-16

²⁶. Al-Qur'an-22:40

²⁷. Al-Qur'an-4:148

15. The right of a person not to bear the burden of another: *وَلَا تُكْسِبُ كُلُّ نَفْسٍ إِلَّا عَلَيْهِمْ وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ* "Every soul draws the meed of his own acts on none but himself: NO bearer of burden can bear the burden of another." ²⁸This is the basic principle. In addition to it there are certain rights which do not come under 'Laws'. These were described under different headings. These rights mean that any law which deprives people of these rights shall be repugnant to the Quran; also that if any society does not fulfill these rights; it can be sued in the court of law.

INJUNCTIONS FOR SOCIAL LIVING AND FAMILY LIFE

Injunctions for Social Living: Social injunctions are not generally included in the category of laws; But if any social evil becomes rampant in society, an Islamic Government can make them statutory. Some social injunctions are described as under:-

1. Moderation in expenses: i) "Eat and drink but waste not by excess." (7:31) ii) Do not spend without reason (need). Those who do so are the brethren of Satan. (17:26-27)

2. get-up: a) Use of things that produce beauty and elegance is lawful. None can proclaim them as unlawful. Details have already been given under the heading 'Lawful and Unlawful'. 7:32

b) Apparels provide cover for body as well as elegance for a person. (7:26)

3. Physical and mental capabilities: Knowledge (mental capability) and physical strength, are both necessary. When Taloot was made commander of Israelites, they had objected to it for his not being a wealthy person and asked: "What are his qualifications for which he has been made a commander" The reply was as follows: (2:247) "Allah Almighty has

²⁸. Al-Qur'an-6:164

chosen him above you and has gifted him abundantly with knowledge and bodily prowess". That is why he is chosen as your commander.

4. Conversation: a) Always converse in clear, straightforward and decisive language, which contains no ambiguity: (33:70) b) Use language, which is recognized by society and commonly used. (4:5) "*Speak to them in words that are commonly recognized and used.*" Also adopt an elegant manner for speech: (2:83) "*And speak to men in a charming way.*" c) (22:30) "*And shun the words that are deceitful and showy*".

d) (6:153) "*When you say something, say with justice and equity, even if it goes against your relatives.*" "*Do not shout, a shrieking voice is disliked by others*". "*Speak softly, for the harshest of sounds, without doubt, is the braying of any ass.*"²⁹

5. Absurd and immodest talk: Avoid all absurdities. One of the qualities of the believers has been stated as (23:3) "They avoid vain talk". The word "Laghw" means vain as well as meaningless. In Surah Al-An'aam (6th Chapter of the Quran) it is said: (6:151) this includes all sorts of immodesties even an immodest talk as it arouses lewd passions.

6. Walking: i) Do not walk in haughtiness, be moderate (31:18-19) also (17:37) "Do not be haughty while walking, adopt moderation in your gait."

ii) When you go out, do not allow your gaze to become bold and daring. This has been ordained both for men as well as women. For men: (24:30) and for women: (24:31)

7. Thoughtfulness to ponder and to comprehend.

i) Do not follow a thing without an inquiry into it. (17:36)

"Remember! Pursue not that of which you have no knowledge (which you have not inquired personally). Personal inquiry means that you gain

²⁹. Al-Qur'an-31:19

knowledge of it through your senses of hearing and sight and on this basis, decide by your own intellect. If any link of this manner is broken, your inquiry shall remain incomplete. Look! How great is your responsibility in this matter, because Allah Almighty has given you 'will' and the faculty of 'choice'; you are not an inanimate machine. For the use of this faculty, He has provided you means of investigation. One who does not make use of them, shirks his own responsibility. This is an important injunction which if acted upon properly, turns all conspiracies and the intrigues into a complete failure and a peaceful atmosphere prevails in society." ii) Always ponder over things: see, hear, comprehend and then make decisions intellectually. For those who do not do so, it is said: (7:179)

"Many are (amongst) the people (both) civilised and uncivilised whom We have made for hell. "They have mind wherewith they understand not, eyes wherewith they see not, and ears wherewith they hear not; they are like cattle, nay more astray, (because cattle, at least, follow their natural instincts). These people are heedless of warning" ³⁰

iii) When you hear a good thing, act upon it; and when you hear an absurd one keep yourself away from it. (2:285) "We hear and we obey", has been called the believers' way. And also (28:55) "And when they hear vain talk, they turn away therefore".

8. Spying. وَلَا تَجَسَّسُوا وَلَا يَغْتَب بَّعْضُكُم بَعْضًا "Do not spy on other people's affairs that concern you not". (49:12)

9. Knowledge.

- i) A learned person and an illiterate one cannot be at par: (39:9) "Say: Are those who know and those who do not know, equal to each other"
- ii) Never think that you have reached the final stage of knowledge and

³⁰. Al- Quran-7:179

nobody knows more than yourself. Remember! *"And above everyone endowed with knowledge is another endowed with more knowledge."*³¹

Nor say that my cup of knowledge is full and I do not want to know any more. Such mentality has been attributed to the non-believers.

"They say: our hearts do not need any outside information nor is there room in them for anything more to enter".³²

Not to speak of others, in this respect even the Nabie was asked to keep praying. (20:114) *"O My sustainer! Advance me in knowledge."*

10. Social relations: When you meet each other, offer good wishes and blessings for safety. Thus it is said: وَإِذَا حُيِّئْتُمْ بِثَلْبِغَةٍ فَاخْسِنُوا مِنْهَا أَوْ رُدُّوهَا إِنَّ أَلْتَّ كَانَتْ عَلَىٰ كُلِّ شَيْءٍ حَسِيبًا *"One who conveys to you a message of safety and security and also when a courteous greeting is offered to you, meet it with a greeting still more courteous or (at least) of equal courtesy."*³³

When you enter your own house or the house of somebody else, compliment the inmates. (24:61) "As has been said earlier (24:27) enter not houses other than your own until you have sought permission; and then greet the inmates and wish them a life of blessing, purity and pleasure from the grace of the Almighty Allah."

11. Good behavior.

i) Extend kind and good behavior to your parents kinsfolk, orphans, neighbors, friends, travelers and those serving under you: (4:36)

The words in this verse do not mean slave men and women only but also include those serving under you. I) do not expect a return for your good behaviors, not even thanks. Tell them: (76:9) "No reward do we desire from you, nor thanks". (Because it has been prescribed by the Divine Law; and thus the question of thankfulness does not arise).

³¹. Al-Quarn-12:76

³². Al- Quarn-2:88

³³. Al-Quarn-4:86

12. **Co-Operation (Mutual Assistance)** *وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ* "Co-operate with one another in good and virtuous matters consistent with the Divine Laws and do not co-operate in evil and bad matters."(5:2)³⁴

13. **Mutual Contacts:** *"Do not behave bitterly when you meet each other".* (31:18)

14. Promise (Commitments)

Always fulfill your promise (and commitments); (17:34) *وَأَوْفُوا بِالْعَهْدِ إِنَّ* *"Fulfil your commitments; remember! You will be questioned about them."*

15. **Visiting Other People's Homes:** Do not go to other people's home without permission. The Holy Quran has given detailed instructions in this respect: (24:27-29)

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتًا غَيْرَ بُيُوتِكُمْ حَتَّىٰ تَسْتَأْذِنُوا وَتُسَلِّمُوا عَلَىٰ أَهْلِهَا ذَلِكُمْ خَيْرٌ لَّكُمْ لَعَلَّكُمْ تُذَكَّرُونَ- فَإِن لَّمْ تَجِدُوا فِيهَا أَحَدًا فَلَا تَدْخُلُوهَا حَتَّىٰ يُؤْذَنَ لَكُمْ وَإِن قِيلَ لَكُمْ ارْجِعُوا فَارْجِعُوا هُوَ أَزْكَىٰ لَكُمْ وَاللَّهُ بِمَا تَعْمَلُونَ عَلِيم- لَيْسَ عَلَيْكُمْ جُنَاحٌ أَن تَدْخُلُوا بُيُوتًا غَيْرَ مَسْكُونَةٍ فِيهَا مَتَاعٌ لَّكُمْ - وَاللَّهُ يَعْلَمُ مَا تُبْدُونَ وَمَا تَكْتُمُونَ"

"O you who believe! Enter not houses other than your own until you have sought permission and when you go in, extend your salutations to the inmates, wishing their safety and security. Observing these social etiquettes is best for you so that your society always manifests the finest. If you find no one in the house, enter not. In any case never enter until you have sought permission; if you are asked to go back, go back without feeling any displeasure. Keeping up such manners will keep improving your associations. Allah Almighty knows all that you do. There is, however, no restraint on you to enter houses not used for living, those which serve some (other) use for you (and if these are common godowns,

³⁴. Al-Quran-5:2

enter not with bad intention). Always keep in mind that Allah Almighty has knowledge of what you reveal and what you conceal." ³⁵

16. Etiquettes of assembly.

a) Observe assembly etiquettes while sitting in and leaving.

يَأْتِيهَا الَّذِينَ آمَنُوا إِذَا قِيلَ لَكُمْ تَفَسَّحُوا فِي الْمَجَالِسِ فَافْسَحُوا يَفْسَحِ اللَّهُ لَكُمْ وَإِذَا قِيلَ انشُرُوا فَانشُرُوا
يَرْفَعِ اللَّهُ الَّذِينَ آمَنُوا مِنْكُمْ وَالَّذِينَ أُوتُوا الْعِلْمَ دَرَجَاتٍ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ

"O you who believe! These hypocrites when they come to your assemblies sit close to each other for the sake of whispering together. Thus if you are asked to make room in the assemblies (spread out), do make room, (so that the hypocrites shall also have to spread out and you will not have to suspect that they are conspiring against you. This ought to be a routine in the assemblies). Thus Allah Almighty shall make way for broadmindedness amongst you. And when you are told to rise up, do so. (These are small matters but their effects are far-reaching; and if you obey these injunctions), Allah Almighty will raise those of you to suitable ranks (and degrees) who believe in such things wholeheartedly and are acquainted with the wisdom and purpose hidden in it. Remember! Allah's Law of Requitat is well-acquainted with what you do." ³⁶

b) When you are invited for a meal, do not go there before time and do not indulge in unnecessary talk, such things may cause inconvenience to the host: (33:53) يَأْتِيهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتَ النَّبِيِّ إِلَّا أَنْ يُؤْتَنَ لَكُمْ إِلَى طَعَامٍ غَيْرٍ نَظِيرِينَ إِنَاءً وَلَكِنْ إِذَا دُعِيتُمْ فَادْخُلُوا فَإِذَا طَعِمْتُمْ فَانْتَشِرُوا وَلَا مُسْتَأْنِسِينَ لِحَدِيثٍ إِنَّ ذَلِكُمْ كَانَ يُؤْذَى النَّبِيَّ فَيَسْتَخِى مِنْكُمْ وَاللَّهُ لَا يَسْتَخِى مِنْ أَحَدٍ

"O you who believe! Do not go to the house of the Nabie, until he invites you to a meal (and then) not (so early) as to wait for its preparation; and when you have taken your meal, disperse without seeking familiar talk. Such behavior causes annoyance

³⁵. Al-Quran-24:27-29

³⁶. Al-Qur'an-58:11

to the Nabie: he will feel shy in asking you to depart, but Allah Almighty is not hesitant to tell you the right course."³⁷

Just imagine! The society in which the Quran was revealed to the Nabie, its level of civilization was so low that they had to be taught etiquettes even in small matters of everyday occurrence. But after a few year's training by the Nabie they were in a position of bringing about improvement not only in the Roman and Persian civilisations but also taught ways of living to European nations.

17. Jealousy: - Do not be jealous of others. This attitude has been condemned, when it was said: (4:54) "They feel jealous of what Allah Almighty has bestowed on others out of His bounties."

18. Backbiting (Slandering): "*Do not slander each other*".³⁸

19. Nicknaming Others: Do not call others by nicknames, nor stigmatise them. لا يَسْخَرُ قَوْمٌ مِّنْ قَوْمٍ عَسَىٰ أَن يَكُونُوا خَيْرًا مِّنْهُمْ وَلَا نِسَاءٌ مِّنْ نِّسَاءٍ عَسَىٰ أَن يَكُنَّ خَيْرًا مِّنْهُنَّ وَلَا تَلْمِزُوا أَنفُسَكُمْ وَلَا تَنَابَزُوا بِالْألقَابِ

*"Do not defame each other; nor be sarcastic to each other; nor call each other by (offensive) nicknames. When after having professed Eemaan (belief) in Allah, you are determined to become the bearers of graceful manners, then why each other nickname"*³⁹

20. Envy: "*Do not envy mankind for what Allah Almighty has given them of His bounty.*"⁴⁰

21. Jesting: Do not laugh at others: (49:11) "O you who believe! Let not one party among you laugh at others, may be they are better than those of your lot; nor let some women laugh at others, it may be that the latter are better than the former. Neither men nor women should do it."

³⁷. Al-Quran-33:53

³⁸. Al-Quran-49:12

³⁹. Al-Quran-49:11

⁴⁰. Al-Quran-4:54

22. Public Exposure of Others: Unless you have been subjected to an excess, do not publicly expose others. (4:148) *"Allah Almighty love not that evil should be made public, except when injustice has been done to somebody."*⁴¹

23. Mistrust: Avoid suspicion and mistrust. (49:12) "O you who believe! Avoid suspicion as far as possible; because some suspicion becomes sin." When differences arise between you, some evil-mongers taking advantage of it, begin to create suspicion among you. Be careful about it. Always have a favorable opinion about others and avoid suspicion; some suspicions reach the degree of crime and sin.

24. Ridiculing of Divine System: Deen (the Divine System) is a very important as well as sensitive matter. Those who do not take it seriously forsake their company: Friendly relations with the non-believers aside, وَقَدْ نَزَّلَ عَلَيْكُمْ فِي الْكِتَابِ أَنْ إِذَا سَمِعْتُمْ آيَاتِ اللَّهِ يُكْفَرُ بِهَا وَيُسْتَهْزَأُ بِهَا فَلَا تَقْعُدُوا مَعَهُمْ حَتَّىٰ يَخُوضُوا فِي حَدِيثٍ غَيْرِهِ إِنَّكُمْ إِذَا مِثْلَهُمْ إِذَا مِثْلَهُمْ إِنَّ اللَّهَ جَامِعُ الْمُنَافِقِينَ وَالْكَافِرِينَ فِي جَهَنَّمَ جَمِيعًا *"Allah Almighty has ordained in the Book that when you hear the signs of Allah Almighty (verses of the Quran) held in defiance and ridicule you are not to sit in their company, unless they stop doing this and turn to a different subject. If you join them in such a congregation you would become the like of them, although there is nothing common between them and you."*⁴² Forsake the company of such people. تَرِ الَّذِينَ اتَّخَذُوا دِينَهُمْ لَعِبًا وَلَهْوًا وَغَرْتَهُمْ الْحَيَاةُ الدُّنْيَا وَذَكَرَ بِهِ أَنْ يُبَسَّلَ نَفْسٌ بِمَا كَسَبَتْ لَيْسَ لَهَا مِنْ دُونِ اللَّهِ وَلِيٌّ وَلَا شَفِيعٌ وَإِنْ تَعْدِلْ كُلُّ عَدْلٍ لَا يُؤْخَذُ مِنْهَا أُولَئِكَ الَّذِينَ أُبْسِلُوا بِمَا كَسَبُوا لَهُمْ شَرَابٌ مِّنْ حَمِيمٍ وَعَذَابٌ أَلِيمٌ بِمَا كَانُوا يَكْفُرُونَ *"Leave such people alone who, not to speak of the Divine System, do not give any importance to the Divine code of their own life which they have adopted and consider it as mere play and amusement."*⁴³

⁴¹. Al-Quran- 4:148

⁴². Al-Qur'an-4:140

⁴³. Al-Qur'an-6:70

25. Crooked Reasoning: Do not indulge in absurd reasoning. Present your case with clear arguments, reasons, wisdom and exhortation. (16:125)

أَدْعُ إِلَى سَبِيلِ رَبِّكَ بِالْحُكْمِ وَالْمَوْعِظَةِ الْحَسَنَةِ وَجَادِلْهُمْ بِالَّتِي هِيَ أَحْسَنُ إِنَّ رَبَّكَ هُوَ أَعْلَمُ بِمَنْ ضَلَّ عَنْ سَبِيلِهِ وَهُوَ أَعْلَمُ بِالْمُهْتَدِينَ *"Invite people to the way of your Sustainer with wisdom and exhortation; talk to them in an elegant manner, keeping before yourselves the aims and objects of the Divine Laws and of the moral values."*⁴⁴

26. Anger (Rage): Do not get into fits of extreme anger (3:133) "to control oneself when enraged" has been described by the Holy Quran as a virtue of the believers.

27. Forgiveness: If anybody acts wrongfully in ignorance but regrets afterwards, if you think that if forgiven he shall mend himself, forgive him. Allah Almighty is most forgiving and merciful. (6:54)

28. Self-Correction (Mending One's Ways)

a) You should try correcting others, but give preference to your own correction. The Jews were admonished :(2:44) *"Do you enjoin right conduct on others and forget to practice it yourselves"*

b) Your own correction includes correction of your own families as well. (66:6) *"O you who believe! Save yourselves and your families from the fire (of hell)"*⁴⁵.

29. Do not bully people with your virtues: Do not try to impress and bully people on account of self-proclaimed virtues. Do not ascribe purity to yourselves. (53:32) "Do not keep calling yourself virtuous. He only knows best who it is who guards against evil." Incompatibility of words and thought (something in the mind and another thing on the tongue), is

⁴⁴. Al-Quran-16:125

⁴⁵. Al-Quran-66:6

the worst habit. The state of hypocrites is described as follows: " *They say with their mouths what is not in their hearts.* " ⁴⁶

General injunctions for family life: The injunctions for family life are given in more details than any other subject in the Holy Quran. In the social life of man 'home' is of utmost gravity. What is it that we call Society the doors of different homes open daily and the individual dwellers get dispersed in different directions; that are what makes a society? In the evening the same people, return to their respective homes. These very homes keep developing the future community. The upbringing of children depends upon their internal atmosphere. The fate of the future of nation is thus directly connected with the way children are brought up. Thus a good home presents an example for the good society. That is why the Holy Quran has accorded such great importance to family life and has provided detailed injunctions to make it exemplary: and this aspect takes precedence in our order of priority too in connection with Quranic injunctions.

(1) The status of man and woman: Basically, according to the Holy Quran, there is no difference or distinction between one child and another by virtue of his birth: (17:70) "We have made every human being equally worthy of respect" is the ground rule. It is apparent that both men and women are included in "humanity" and both of them are equally worthy of respect. In pre-Islamic Arabia, a girl was considered inferior to a boy, and sadness, depression and anger of spirits prevailed on the birth of a girl. The Holy Quran has forcefully condemned this mentality and has described it as follows: (16:58-59) "When news is brought to one of them of the (birth) of a female (child), his face darkens and he is filled with inward grief. The birth of a girl is considered such a disgraceful event that he hides himself with shame from the people because of the bad news

⁴⁶. Al-Quran-3:167

announced to him. He begins to think whether he should keep her alive with disgrace or bury her in the dust, in order to save himself from this ignominy. Ah! What an evil (choice) he decides on her." The result of this degraded status of girls in the Arab society of that era, was that they were kept devoid of literacy and art. They were considered foolish and ignorant. There was no value of their opinions and they were considered unworthy of consultation in settling affairs. It is apparent that when they are kept in this position in successive generations, their intellect would gradually degenerate. These were the women whom the Quran describes as: ⁴⁷" One brought up among ornaments and unable to give a clear account in a dispute". This was the abatement in a woman, on the basis of which the Quran had advised that when a woman has to appear before a court of law, a second woman shall stand by her side to remind her if she forgets or is confused. (See under the heading "Evidence"). "If one of them gets confused or forgets, the other may remind her."⁴⁸

The Quran raised woman from this level and with proper education and upbringing brought her to the level of man in all walks of life. Men were instructed not to look down on women because: (3:194) the one of you is from the other". However, in relation to certain natural functions, like 'childbirth' and the nurturing and upbringing of children, there is their own distinct 'division of labor'. From this point of view, in the 'allocation' of labor, men are superior to women in some affairs, and women are superior to men in others. This is what is meant by: (4:32; 34) "*Allah Almighty has made some of them excel others*". In order to fulfill their natural obligations, a woman's major part of life is spent in the giving birth to and in upbringing of children. During this period she is not capable of earning her own livelihood. Thus (as is stressed by the Quran)

⁴⁷. Al-Qur'an-43:18

⁴⁸. Al-Qur'an-2:282

in a family life, man is responsible for fulfilling the needs of the woman: (4:34) "*Men are the maintainers of women*". This has been made clear so that men may not think that women consume their earnings, while sitting at home, with no effort on their part. Thus taking them as 'needy', men may consider them despicable and abject. The Quran has explained to man that family life is a mutual affair; in it the duties performed by woman are not within your reach; as such it is your duty to provide for her and the children. This does not mean that the Quran considers woman a disabled person entirely dependent on man. What has been said relates only to distribution of work in family life; otherwise a woman can also earn her livelihood and be its owner. It is said in Surah An-Nisa: (4:32) "Men shall have what they earn and women shall have what they earn."

Since in family life the fulfillment of the needs of the wife and children is the responsibility of man, in the inheritance of the property of parents a daughter's share is half that of a son. (Details will be found in the chapter of Inheritance). Besides the difference described above, the status of men and women is equal in all affairs of daily life; equal to the extent that the Quran has used the word *Zauj* for them. If two parts of a certain object are such that one remains incomplete without the other, each one of these two parts is called *Zauj* i.e. one serves as a means to complement the other, e.g. the two wheels of a cart: if one is missing, or is weak, or comparatively smaller, the other shall become useless. That is the relationship between a wife and her husband and their positions in the vehicle of life. As far as belonging to different sexes is concerned, there is no special competency that men possess and women do not. Observe how the Holy Quran has described their qualities as parallel to one another when it is said; (33:35) "It is a fact that as men can bow down to the Divine Laws so can women; as men can be the believers in truth, so can women; as men are capable of attesting and verifying their 'belief' by

their personal acts, so are women; as men possess the capability of not losing heart in the event of trials, so are women; as men can go on submitting to the feelings of their responsibilities, so do women possess this capability; as men are equipped with the quality of self-sacrifice, so are women; as men can keep complete control over themselves, so can women; as men possess the capability of keeping themselves subservient to the Divine Laws, so do women. As men and women both possess all the above qualities, the fruits of their deeds should also be similar for each other. For the same reason Allah Almighty has prepared protection and reward for both." It can thus be seen from the above that there is no aspect of life in which men are competent but the women are not. The Quran says: *وَمَنْ يَعْمَلْ مِنَ الصَّالِحَاتِ مِنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَأُولَٰئِكَ يَدْخُلُونَ الْجَنَّةَ وَلَا يُظْلَمُونَ نَقِيرًا* "If having professed Eemaan, any does deeds of righteousness (constructive and positive), whether male or female, both shall get the life of paradise and not the least injustice will be done in their recompense."⁴⁹ At another place the Quran states: (3:194; 16:97) "Never shall We deprive any of you of the fruits of your efforts whether male or female. You are the individuals belonging to the same kind: so why should there be any distinction or classification between you"⁵⁰ To enjoin what is lawful according to the Divine Laws and prohibit what is unlawful is the basic duty (function) of an Islamic State; and men and women both can take part in the performance of this duty: "The believing men and women, are friends and associates (companions) of one another on account of their sharing the motto of life, they enjoin what is just and forbid what is evil; they establish the System of 'Salaat' and provide means of nourishment to humanity, and obey Allah Almighty and His Rasool (the Divine Order). These are the people who shall benefit from

⁴⁹. Al-Qur'an-4:124

⁵⁰. Al-Quran-3:194 ; 16:97

the means of nourishment provided by Allah Almighty and the whole world shall witness the power and wisdom of the Divine Laws."⁵¹ Thus a woman cannot be declared ineligible for taking part in state affairs merely on account of her being a woman. It is apparent from the principles laid down in the Quran that any law that discriminates between men and women only on the basis of sex is repugnant to the Quran (Except in those matters where the Quran has specifically said so, e.g., share in inheritance).

(2): Relations between Husband and Wife:

1. Nikaah - (marriage contract): Nikaah is a mutual contract between a man and a woman. It appears in Surah An-Nisa: (4:21) *"Your wives have taken a firm covenant from you"*. By virtue of this contract a man and a woman pledge to accept the rights and obligations laid down by the Quran in respect of their being husband and wife in order to lead a life of companionship.

2. Age for Nikaah: According to the Holy Quran, the age for Nikaah is the age of puberty. The Quran has specifically mentioned: (4:6) *"You should, as their guardians, keep monitoring the orphans till they reach the age of Nikaah."*⁵² However, the Quran has not determined as to what can be the age of puberty besides other factors, as it differs in different climatic conditions. At yet another place it is stated as age of adolescence: (6:153): (17:34) *"until they reach the age of adolescence."* What this age is has been explained by the Quran at another place while pointing towards the different stages of human life. It is said: (40:67) *"Then He brings you forth as an infant, then lets you reach the age of adolescence, then lets you become old."* Keeping the above verses in view, the matter becomes quite clear. In Surah An-Nisa (4:6) was said

⁵¹. Al-Qur'an-9:71

⁵². Al-Quran-4:6

i.e., till they reach the age of Nikaah (adolescence) and in Surah An'aam has been said (6:153) ' till they reach the age of adolescence and in (40:67) this age has been interpreted as an age (6:153) between childhood and old-age i.e. the adolescence; it thus becomes evident that according to Quran, the age of Nikaah is the age of puberty (adolescence). Thus the Quran has laid down the age of marriage as the age of puberty both for the boy and the girl.

Therefore the question of marriages of immature people (before they reach adolescence) does not arise. It is up to the Islamic Government to determine this age (according to its environmental circumstances).

3. Mutual consent: Just as the age of puberty of both boy and girl is essential for the contract of marriage, likewise their mutual consent is also mandatory: without it the contract of marriage cannot take place. About men it is said: (4:13) "*Marry the woman of your liking.*" About women it is said: "*It is not lawful for you to bring women into your wedlock forcibly (without their consent).*"⁵³ Since the Nikaah cannot be solemnized in childhood, the question of appointing a guardian does not arise. However if the woman so desires she can appoint an attorney in order to settle affairs on her behalf. The statement in Surah Baqarah, (2:237) "In whose hands is the marriage tie", means the attorney appointed by the woman, or the court itself having the power of dissolution of marriage.

4. Ceremony for Nikaah (Marriage): The Quran has not laid down any specific ceremony for marriage. There is not even a mention of any special person who solemnizes Nikaah. Since this is a contract, whatever laws are laid down by the government for the ratification of contracts, this contract should also be ratified (confirmed) according to the prevalent laws. It is essential for the government to make definite laws

⁵³. Al-Quran-4:19

for the purpose. Moreover, it is equally important to proclaim the solemnization of Nikaah. A marriage kept secret is not tenderized by the Quran. (5:5)

5. Forbidden for marriage (muharramaat): The Holy Quran has declared in detail those men and women who cannot marry each other. The list is as follows:

a) Marriage between a Muslim man or woman (monotheists) and polytheist man or woman is unlawful. It is said: *وَلَا تَنْكِحُوا الْمُشْرِكَاتِ حَتَّىٰ يُؤْمِنُوا وَلَعَبْدٌ مُّؤْمِنٌ خَيْرٌ مِّنْ مُّشْرِكَةٍ وَلَوْ أَعْجَبَتْكُمْ وَلَا تُنْكِحُوا الْمُشْرِكِينَ حَتَّىٰ يُؤْمِنُوا وَلَعَبْدٌ مُّؤْمِنٌ خَيْرٌ مِّنْ مُّشْرِكٍ وَلَوْ أَعْجَبَكُمْ أُولَٰئِكَ يَدْعُونَ إِلَى النَّارِ وَاللَّهُ يَدْعُو إِلَى الْجَنَّةِ وَالْمَغْفِرَةِ بِإِذْنِهِ وَيُبَيِّنُ آيَاتِهِ لِلنَّاسِ لَعَلَّهُمْ يَتَذَكَّرُونَ*

*"Do not marry unbelieving woman (idolaters) until they profess Eemaan. A captive Muslim man is better than a free Mushrik man regardless of how pleasing he may appear; it is because marriage between persons of different ideologies makes family life a veritable hell. This is why Allah's Law prevents you from such a union. On the other hand, marriage between spouses with a similar ideology creates a paradisiacal family life. Divine Law wants to bestow on you the contentments of paradisiac life and protects you from various pitfalls. Allah Almighty explains to mankind His Laws clearly so that they may see the truth laid open before them."*⁵⁴ At another place it is said: (5:5) "Chaste Mu'min women", which means that it is necessary for the woman to be a Muslimah.

b) Muslim men can marry women from amongst the people of the Book :(5:5) "Chaste women from amongst the people of the Book are also made lawful to you" under conditions laid down for marrying the Muslim women. But a Muslim woman cannot marry a non-Muslim man (5:5). It clarifies the issue that Muslim men can marry woman from the people of

⁵⁴. Al-Quran-2:221

the Book but Muslim women cannot marry their men. It therefore implies that:

i) Muslim men can marry Muslim women or women from people of the Book, and ii) Muslim women can marry only Muslim men. Remember that marriage between a Muslim man and a woman from the people of Book is only permitted; it is not an injunction. An Islamic State can suspend this permission for a period for the sake of social exigencies or those pertaining to 'Deen'. However, it cannot repeal this injunction (it can only suspend it for a period); for example, the prohibition of selling meat for two days every week as it is practiced in Pakistan these days.

c) According to verses (4:20-24) the following women are declared unlawful for marriage (with Muslim men): *"Mothers (real or foster, those who have suckled you), daughters, sisters, father's sisters, mother's sisters, brother's daughters; sister's daughters, women who have suckled you and girls with whom you have shared the suck, (your foster sisters); your wives mothers; your step daughters under your guardianship, born of your wives to whom you have gone in _ no prohibition if you have not gone in: (those who have been) wives of your sons proceeding from your loins; and two sisters in wedlock at one and the same times, except for what is past; for Allah Almighty is oft-forgiving, most merciful."* The word *Muhsanah* means pious and chaste women, it also means 'married women'. The latter meaning is applicable here].

The Holy Quran has not given the details of (breast feeding) itself i.e. as to how the condition of suckling is fulfilled; neither has it laid down how the condition of being a foster sister (sharing one mother's milk with you) is satisfied. Its details shall be ascertained by the Islamic State. Remember that only that woman shall be unlawful to you who have suckled you or the girl who has shared the suck. It has been said above that those women who are already married are also unlawful, yet the

Quran did make an exception in it. The women who had migrated from Makkah and their husbands were present (it is apparent that those husbands were non-Muslims, otherwise they could also have migrated) were also permitted for marriage (6:10); an Islamic State can issue special orders in the light of this exception, if such circumstances re-occur in any country.

Note: *Adopted relations do not become real: thus it is said: (33:4) "Nor has He made your adopted sons as real sons". (It shall be applicable to all adopted sons as real sons). (It shall be applicable to all adopted relations). It shows that the Quran gives no legal status to adopted relations.* In Surah An-Noor, a verse says: *الزَّانِي لَا يَنْكِحُ إِلَّا زَانِيَةً أَوْ مُشْرِكَةً وَالزَّانِيَةَ لَا يَنْكِحُهَا إِلَّا زَانٍ أَوْ مُشْرِكٌ وَحُرِّمَ ذَلِكَ عَلَى الْمُؤْمِنِينَ* "A man guilty of adultery or fornication marries only a woman similarly guilty or a Mushirkah woman; and a woman guilty of adultery or fornication can be married only by a man similarly guilty or by a Mushrik man, that is unlawful for Mu'mineen."⁵⁵ But we do not consider this purport as true. The ensuing results from this are apparent. In our view, the word Nikaah in this verse has been used for cohabitation which is its basic meaning. Thus the verses mean as follows if any of the believing man or a believing woman is determined to remain chaste, adultery or fornication cannot occur. It can occur only by their mutual consent. [The question of Zina bil jabr (rape) is different]; only those people commit this crime who do not believe in the Divine Laws; believers cannot act as such. Thus this verse emphasizes and vividly explains the abomination of the act of fornication. That is why we have not given it in the list of "Muharramaat" (persons between whom marriage is unlawful). As stated before, in the early days of Islam there were such women in Makkah as had embraced Islam themselves but their husbands did not and they had migrated to Madina

⁵⁵. Al-Qur'an-(24:3)

leaving their husbands; believing men should marry them (60:10). From this it can be deduced that by abandoning Islam, the marriage automatically gets dissolved. But its legal decision lies with the Islamic Government.

6. Polygamy: The Quran has prescribed monogamy (one wife at a time), as a matter of rule. In case of constancy becoming extremely difficult with the wife, (details shall be discussed under the heading 'Divorce'), a second wife is allowed in her place: *"And if you decide to take a wife in the place of another..."*⁵⁶ Let it be made clear immediately that it does not mean that you are free to divorce your wife any time you like and bring another one in her place. The conditions under which divorce can be resorted to are being described in a separate chapter. Monogamy; is the principle laid down by the Quran. But if any particular circumstances crop up in society (for example on account of war) when the number of widows and young girls increases and there is no satisfactory remedy for it is in view, the Islamic Government can allow a man to marry more than one woman (up to four) making an exception in the 'one wife' rule. But there are two essential conditions under which it can be allowed: firstly, that the man doing so can do justice with his wives; and secondly, that he is capable of supporting this large family. If any of these two conditions cannot be fulfilled, the second marriage is not allowed. Surah An-Nisa states: (4:3) "If ever such circumstances occur (for example on account of a war) that in the society men are lost (perished) and widows and orphans (boys and girls) increase, especially women without husbands (4:127) and an equitable and just solution cannot otherwise be found; under such circumstances it is allowed, for the sake of protection of these widows and orphans, that you can marry out of these women whom you like [those who are willing to marry you (4:19)]. For this purpose exception is

⁵⁶. Al-Quran-4:20

given in the principle of 'one wife at a time'. In such an event, as the circumstances require and as the society decides, two or three, or four wives at a time, can be taken in marriage. But if you feel that in so doing you shall not be able to keep the scales of justice balanced amongst the different family members, then one man and one wife shall remain the law or the female slaves that you already possess (have brought in your Nikaah). After the advent of Islam, the custom of acquiring captives was abolished. In respect of possessing female captives, the words "you already possess", are to be taken special note of. Limiting to one wife is a much better course to avoid injustice in the family and to avoid additional encumbrance due to abundance of progeny.

This is the only verse in the Quran that allows polygamy and, as can be observed, it is conditional: "if you fear that you shall not be able to deal justly with the orphans, then only one wife is allowed". Without the occurrence of this condition, polygamy is disallowed. Let it be made clear that the word is not limited to mean only orphan boys and girls; the unmarried girls and women are also included in it. (See *Lughatul-Quran*). In the Quran itself you find the word (4:127) i.e. orphan (widow) women. As regards the condition of maintaining 'justice' it is not possible in this respect. Here justice means that you do not become so deeply inclined towards one wife that the other is left unattended to and uncared for! (4:129) "Remember that under the circumstances explained in verse (4:3), when you marry more than one wife you shall have to deal with them justly. As far as love and affection is concerned, it is impossible to deal with different wives equally. You will not be able to do so, no matter how much you desire it, because such things are related to emotions and equality in sentiments is just not possible. Here the 'justice' which is aimed at and which is possible, is that you do not become so much devoted to one wife that the other remains totally neglected.

However, in social matters deal with them on the basis of equality. This shall meet the demand of justice according to the Divine Law; and by so doing you shall be protected against the pernicious effects of emotional imbalance. The Divine Law in this manner makes room for your protection and nourishment. "Remember that when a nation feels the urgency to solve the problem of widows and orphans, the women also shall take equal part in this decision; men alone shall not decide it. It shows that even under the extraordinary circumstances the consent of the first wife shall be mandatory; otherwise the home shall turn into a hell. Except under the circumstances described above a second wife is not allowed.

7. Female captives: During the period when the Quran was revealed, the slaves (captives), both men and women, were part of the Arab society. The Quran closed the door of slavery, and captive women who were part of the household, were either made a part of the respective families (were taken into wed-lock) or were gradually freed. The words whenever they occur in the Quran, mean 'those captive women who were present in those days.' Now the question of slave women does not arise.

8. Facilitations for marriage: The society ought to provide facilities to those who possess competence for marriage. The Quran addresses the Islamic society by saying: (24:32) *"Make proper arrangement for the marriage of those men or women who have not got the adequate facilities for marriage."* But to get married is not an injunction; it is not necessary that men or women "must" get married. Those who wish to lead an unmarried life and for whom the means to get married are not available, should control their passions (abstain): (24:33) *"Those who prefer a celibate life or have not the wherewithal for marriage, should exercise self-control."* During a state of extreme hunger, the Holy Quran has

allowed the eating of unlawful things (according to need), but has not allowed fornication or adultery to satisfy one's sexual passions. Obviously man does not possess control over hunger, but on the other hand sexual urges are purely thought-motivated. Therefore the question of sexual constraint (helplessness) does not arise. An Islamic Society creates an environment in which sexual stimulations are least liable to occur.

9. Sexual intercourse: Sexual intercourse is prohibited under the following conditions:

a) **During menstruation;** b) While fasting, however, it is permitted during nights, in the month of Ramadaan (before the start and after termination of the "fast"); c) While one is "in retreat" (I'tikaaf) in the mosques. (During the month of Ramadaan).

10. Object of sexual intercourse: The Quran says: (2:223) *"Your wives are as a tilth unto you, so approach your tilths when you so desire."* This brings forth an important fact: one goes to the tilth in order to sow the seeds, therefore the object of sexual intercourse ought to be the augmentation of human race, not pleasure alone. This augmentation ought to be thoughtfully planned; it should not only meet personal requirements but also collective social exigencies. 'Approach the tilth' means, that you have sexual intercourse when you desire to have a child. This system (of controlled mating) prevails in nature. At yet another place the words (4:24) have been used for it; which means that the object of marriage is fortification of your procreative energies within the bounds of wedlock and not the mere satisfaction of your lust (not to let your semen flow out purposelessly).

11. The object of matrimonial life: The object of matrimonial life is that a husband and a wife cultivate love and companionship, so as to make life tranquil at home (life of peace and solace); thus it is said: (30:21) *"Among His signs is that He created for you mates from among yourselves, that*

you may dwell in tranquility with them and as such He has created such a deep relationship between yourselves, as a means of actualization of potentialities for both of you. Verily in that are signs for those who reflect."⁵⁷ As to how much concord is present in the relationship between husband and wife, the Quran has beautifully described a metaphor, when it is said: (2:187) *"They are apparel for you, and you are apparel for them."*⁵⁸ As far as the mutual rights and obligations are concerned, the Quran has condensed it in one comprehensive sentence when it said: (2:228) *"The obligations of women shall be equal to their rights, one obligation against each right*."* It has been described earlier that in view of the duties incumbent upon women, on account of their biological structure, the responsibility of earning sustenance for them rests upon men (4:34).

The relationships also expand through marriages Relationships of marriage (in-laws) come into existence in addition to the relationship of lineage: (25:54) *"In it are included both relationships of lineage and of in-laws."*

12. Dower: a) In Surah An-Nisa, after giving the details of those between whom marriage is unlawful, it is said: (4:24); (5:5) *"Except such women, others are lawful provided you seek (them in marriage) with gifts from your property."* The term "Mahr" (dower) is used for these gifts in Fiqh (jurisprudence). The word "Mahr" does not occur in the Quran, instead the words "Ajoor" or "Saduqaah" have been used. The Quran has explained it further that (Mahr) is not a compensation for anything. This is a gift, without the concept of remuneration or reward. The Quran has also used the word "Nihlah" for it: (4:4) *"And give the women (on*

⁵⁷. Al-Quran-30:21

⁵⁸. Al-Quran-2:187

marriage) their dower as free gift". In giving a "gift" is no concept of gain or compensation.

b) No amount for 'dower' has been stipulated by the Quran. Anything decided by mutual consent is "Mahr" but because its payment is essential, it has also been termed a 'duty' (Divine Command) (2:236-237), therefore it ought to be proportionate to one's economic status. In this connection guidance is also available in (2:236). It might expand to a heap of gold (4:20), in this verse Qintaar means a heap of gold. c) The payment of dower ought to be made soon after Nikaah at the time of marriage. But it is evident from the verse 236 of Surah Al-Baqarah that an (Occasion may arise when the amount of dower could not be fixed at the time of marriage, In this verse it has been explained) (2:236) "There is no blame on you if you divorce women before consummation or the fixation of their dower." It means that if for some reason the amount of dower could not be fixed at the time of marriage, it can be determined later on. d) Dower is the property of the woman; no one has the right to deprive her of this amount. However, a woman can remit a part thereof if she so desires. (4:4) "Pay the dower of your wives without any notion of a reward, like the honeybee giving her honey (there is no concept of reward in it). Since dower is a gift and not an exchange, woman cheerfully remits a part of it; you can by all means use it for yourself." A little later in the same Surah has been said that the amount of dower can be altered by mutual consent. In the words of the Quran: (4:24) *"But if you agree mutually to vary the dower after it has been prescribed, there is no blame on you."*⁵⁹ e) After marriage if divorce occurs before consummation, then: i) If dower has not been fixed, then the man ought to pay something according to his economic status. Surah Al-Baqarah says: [(2:236; 33:49)] *"There is no blame on you if you divorce women before*

⁵⁹. Al-Quran: 4:24

*consummation or the fixing of their 'dower', but bestow on them (a suitable gift), the wealthy according to his means: and the poor according to his means (so that the loss she has thus suffered may be made good to a certain extent); gift of reasonable amount is due from those who wish to do the right thing.*⁶⁰

ii) If dower was fixed, half of it shall have to be paid; but if the woman or her agent so agrees, or if the court of law thinks it necessary under certain circumstances, it can also be remitted fully: (2:237) *"And if you divorce them before consummation, and the dower had been fixed, half of the dower (is due to them) unless they forgo it willingly; or it is remitted by him in whose hands is the marriage tie. And to forgo what is due to you is more near to Taqv. a (adherence to Allah's Law). And forget not that you have to act with grace towards one another. Surly Allah Almighty sees all what you do."* Verse (2:237) should be kept in mind: *"In whose hands is the marriage tie". It is often deduced from this that the marriage tie is in the hands of the husband, keeping in mind the common concept that only the man has a right to divorce. But in our viewpoint this deduction is not correct. We shall elaborate on that later. According to the Holy Quran the right to divorce belongs equally to the man as well as to the woman. Here the meaning of the words can mean the woman's agent in the court of law, or the court of law itself. (See also chapter on 'Talaaq'-Divorce)*⁶¹.

f) If a woman is guilty of immodesty, something can be deducted from her dower: (4:19) *"O you who believe! (As has been said in 4:3, that a man should exercise his choice in marrying a woman likewise the consent of woman is also necessary for marriage). You are forbidden to become masters of women forcibly (against their will, nor is it justifiable for you*

⁶⁰. Al-Quran: 2:236

⁶¹. Al-Quran-2:237

to keep them against their will with the intent of bargaining to recover a part of what you have paid them; this is not permitted except where they have been guilty of open immodesty". (In such a case the court can allow you a part of it) It is apparent that a case like this can only be decided by the law-court.

g) If a woman demands divorce (and the court of law agrees), she shall have to pay something for it (2:229); it may not necessarily be out of the dower money. (This is only for reference sake; details shall come under the heading 'Divorce'). Note: (Dowry __ the paraphernalia of a bride __ is merely a custom which has not been ordained by the Quran. It is extremely unfair on the part of man to demand 'Jahez' (dowry). The Quran has ordained man to give something; not to take anything from the woman. (This is a Hindu custom which Muslims have appropriated!).

13. Maintenance. a) As has been stated earlier, the provision of sustenance of the wife is the responsibility of her husband (4:34). Therefore as long as she remains in his wedlock, he shall be responsible. This includes the place of residence as well.

b) During the waiting period of a divorced woman i.e. during Iddat, the above stated responsibility shall lie on the husband [(2:241); (65:1); (65:6-7)] except when she is guilty of immodesty (65:1). (Details shall be found under the heading "Iddat" waiting period of a divorced woman).

c) As regards a widow, the responsibility for her maintenance still lies on the man for a period of one year. Therefore he ought to leave a will for her; but this responsibility remains no more if and when she leaves the home of the deceased husband of her own free will. (Details shall be given under the heading 'Inheritance').

14. Strained relations: I) as described earlier, the object of marriage is to lead a life full of love and tranquillity; thus a careful selection of partners is an utmost necessity. Yet circumstances may arise when mutual

relations become strained. In some events unpleasantness may be temporary, owing to tempers being volatile; for example, a person, while angry, begins to talk absurdly or on account of ignorance, calls his wife "mother", or anything like that; this is termed "Zihaar" in technical terms; and when the rage cools down he feels ashamed. The Quran says that such foolish talk an oaths should not be taken seriously. (2:225) "Allah Almighty will not call you to account for absurd oaths, but you will be accountable for such oaths that are taken with the intention of your hearts. (Also 5:89) By calling your wife 'mother', she does not actually become your mother: (33:4) "Nor has He made your wives, when you express so by 'Zihaar', your mothers". Such foolish behavior makes family atmosphere venomous. The Quran, therefore, considers it necessary to penalize such behavior. In such cases before the resumption of sexual relations, the Quran ordains (a) freeing a slave (this relates to the period when slaves were present); (b) if slaves are not found, fasting for two months; (c) if one lacks endurance (for fasting for two months), then feeding sixty indigents. In Surah 'Mujaadilah' it is said: (58:3-4) "But those who call their wives mothers (or something like that), then wish to go back on the words they had uttered, (it is ordained that such a one should free a slave, before they copulate. To this you are exhorted; and Allah Almighty is well acquainted with (all) that you do. And if anyone who has not the means, he should fast for two months consecutively, before he copulates. But if one is unable to do even that, he should feed sixty indigent ones: this is to ensure that you do profess (Eemaan), a firm belief in the Divine System which has been established by the Rasool." It is essential for a believer to keep himself bound by the limits laid down by Allah. (In case one makes a mistake, its compensation lies in the steps described above). But the people who reject these limits are non-believers and there is a tormenting chastisement for them.

ii) The above relates to absurd oaths while in a state of anger. But if someone willfully takes an oath, not to go to his wife (the term EELA is used for it in Arabic). Such a state cannot be allowed to continue indefinitely. The Quran has ordained that such a person should decide within four months whether he wants to keep his wife in wedlock or not: (2:226-227) "For those who take an oath of abstention from their wives, a waiting period of four months is ordained (because a woman cannot be left in this condition for an unlimited period). If then they return (to their ordinary life), they are allowed, because a room has been left for forgiveness and protection in such falterings [(95:89); (33:4); (58:3)]; i.e. like penalty for breaking an oath. But if their intention is firm for divorce, they should proceed in accordance with the Divine Law, which is from Allah Almighty Who is All-Hearing, All-Knowing. He knows that separation is the better course in such cases." An Islamic state can formulate necessary laws for those who do not want to keep their wives with them or for those whose whereabouts become unknown. The aim is to provide protection to the rights of a woman and not to leave her entirely at the mercy of her husband.

15. Divorce: 'Nikaah' is a contract between a sensible and mature man and woman to lead a married life. The Quran provides such instructions under which this contract is fulfilled with beauty and proportion, because the social life of a nation depends on agreeable and favourable environments within the home itself. This forms the basis for the proper up-bringing of a nation. But if in spite of all that, occasion arises when it becomes impossible for them to live together; the Quran allows separation, after the dissolution of the contract of marriage. This act is called Divorce. (Keep in mind this meaning of the word divorce). The case of marriage was left to the mutual consent of both parties on account of its being a personal affair, but the dissolution of marriage remains no

more a personal affair because it affects the opposite party as well as their off springs in most cases. Thus it becomes a collective society affair, for which instructions have been laid down by the Quran. There is one thing in this case which is important and which needs clarification: whereas mutual discretion of both parties was essential for marriage, as such the dissolution of marriage cannot take place by the consent of one party alone. The husband cannot be allowed to declare "Divorce, Divorce, Divorce" of his own free will whenever he so likes and turn his wife out from the house; while on the other hand the other party (wife) be made so helpless that she is compelled to bear many hardships in order to be able to get rid of this commitment. The Quran has ordained equal rights and obligations for a husband and a wife; their position is equal in this respect also. Let us look at the instructions it gives to society. It says: (4:35) "If you fear a breach between them (the couple), the concerned authority should constitute a board of arbitration consisting of two members, one from his family and the other from hers. Thus if the husband and the wife make up their minds for reconciliation, the two arbiters should attempt to bring them close to each other. The Divine Law shall bring about reconciliation because the law is based on Allah's Knowledge, Who is acquainted with all things." The term includes both man and woman. The complainant may be the man or the woman; in both cases it is the duty of society to appoint an arbitration board. If the woman feels an excess or disinclination from her husband, even then they try to patch up their differences amongst themselves or ask for a board of arbitration to be appointed. Thus it said: (4:128) "And if a woman fears ill-usage from her husband or desertion, no blame is on them if they effect a reconciliation between them for amicable settlement is always good", (or otherwise ask for the appointment of a board of arbitration).

In Surah 'Al-Mujaadilah' (58th Chapter of the Quran) it is said: (58:1) "Allah Almighty has indeed heard the woman who was disputing with you concerning her husband, and complaining to Allah Almighty (about the maltreatment she was receiving at the hands of her husband) and Allah Almighty was hearing the contentions of both of you. Surely Allah Almighty hears and sees (all things)." This also makes it clear that a woman can take her case to a court of law and has full right to apply for divorce; however, the first priority of the court of arbitration shall be to bring about reconciliation between them.

Remember, the Quran has used the term "Talaaq" (Divorce) both in respect of the husband and the wife. The term "Khul'ah" (divorce obtained by a wife against a ransom by herself or through an attorney) is nowhere to be found in the Quran. Moreover, when it is said that a husband has delegated his right of divorce to his wife this is not correct; according to the Holy Quran because husband and wife have equal rights of divorce. Delegating the right of divorce by husband ("Tafweez" in juristic terminology) makes no sense. If reconciliation cannot be brought about, the court which has convened the board of arbitration shall declare dissolution of marriage. This shall be known as Divorce. It is said in Surah At-Talaaq (65th Chapter of the Quran): (65:1) "O Rasoole! When you pronounce decisions on divorce cases, tell the people concerned that after this (the divorce) the issue of 'counting period' (Iddat) is a matter of great importance and must be completed."

The Rasoole has been addressed in the verse (65:1) by the words: "When you divorce women". Here the word used is "Tallaqtum" which is plural. Thus the matter does not concern the divorce of any wife of the Rasoole himself. Such a question never arose. As a matter of fact it is the status of the Rasoole as a judge that is being addressed. Thus the word "Tallaqtum" means: "When you decide the divorce cases of women". It

makes clear that divorce is not an individual affair allowing a man to divorce his wife any time he likes. Such decisions shall only be announced by duly authorized courts. The court first appoints a board of arbitration and if reconciliation fails, then it decrees the divorce.

Because the calculation of the period of Iddat depends upon the number of menstrual periods, the execution of divorce ought to take place after the last menstrual period is over. In the above said verse (65:1) after the words come the words meaning 'to count (accurately)'. The court shall make this point clear in its decision.

If the court finds that the husband does not want a reconciliation, it shall grant a divorce, without taking anything back (of the dower money) from the wife. It is thus said in Surah An-Nisa (4th Chapter of the Quran): (4:20-21) "If you intend to take another woman in place of your present wife (it does, in no way, mean that the desire to bring in a new wife can become a reason for divorce it only means that if, according to the conditions laid down which were mentioned earlier the matter reaches the stage of divorce) and you have given the latter a whole treasure (heap of gold) as dower, you should not take back even a portion of it. (However, if the demand for a divorce was initiated by the wife (2:229) or the wife is guilty of immodesty (4:19), a part can be retrieved from her. In case no such conditions prevail, then you should not slander her or accuse her of open wrong in order to compel her to surrender a part of her dower. How can you do such a thing when your wives have taken a solemn covenant from you, and you also have enjoyed marital relations with each other?"

But if the woman is guilty of a shameful act which leads to adultery or fornication, then: (4:19) "It is not lawful for you to try to detain them forcibly so that you may fraudulently take away part of the dower that you have given them, except when they have been guilty of open

immodesty." Or if she herself is unwilling to live with her husband, the court can order some compensation to be paid to the husband. (2:229) "(In case of dissolution of marriage), it is not lawful for you (men) to take back any of your gifts (from your wives), except when a situation arises that this money is blocking the way to the finalization of divorce; and on the other hand on account of strained relations, in case of the continuation of their marital relationship both parties fear that they would not be able to safeguard the limits ordained by Allah Almighty (in faithfully discharging their obligations) and the society's judicial system also reaches the same conclusion, there is no blame on either of them if she gives something for her freedom from the bonds of marriage." Such conditions may arise that a woman gets married with ill intentions, and having received the dower money, takes steps to seek divorce. In such cases, forgiving a part of the dower shall serve as a deterrent against such nefarious designs.

After the court declares divorce, the period of 'Iddat' shall begin. 'Iddat' means the prescribed period before the end of which the woman cannot marry again (Details are given under the heading 'Iddat'). It may be termed as "waiting period". During this period (of Iddat), the divorced woman shall continue to reside in her ex-husband's house and he is responsible of her maintenance. What the Quran has said further, in this regard, needs careful attention. It is said in Surah At-Talaaq : (65:2)

فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ فَارِقُوهُنَّ بِمَعْرُوفٍ وَأَشْهِدُوا ذَوَى عَدْلٍ مِّنكُمْ وَأَقِيمُوا
الشَّهَادَةَ لِلَّهِ ذَلِكُمْ يُوعَظُ بِهِ مَن كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَمَن يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا

"Then when they (the divorced women) complete their appointed term, either take them back in the recognized manner or part from them according to the law." In Surah 'Al-Baqara' It is said: (2:229) "After that either keep them according to the law or separate them with

benevolence."⁶² Again it is said: (2:228) *"And their husbands have a better right to take them back in that period, if they wish for reconciliation."*⁶³ It is apparent from the above that during the period of 'Iddat' a chance is given to rebuild the marital relationships. This clarifies two issues:

- (a) If the wife is the one to initiate the divorce, then this means she does not want to live with her husband and he then cannot keep her back forcibly. However it is a different thing if she changes her mind.
- (b) If it is the husband who initiates the divorce, although she wants to live with him, the relationship can be re-established if he changes his mind. In such an event, the Quran has warned the husband not to keep the wife back with the intention of vexing her: (2:231) *"Do not take them back with the intention of causing them harm or to transgress the limits (imposed by Allah). If any one does so, he only wrongs his own self."* The question now arises: is a renewal of the contract of marriage needed, or the previous contract shall be considered sufficient In this respect the Quran has used the term "Bil-ma'roof" which means a procedure recognized by the Islamic Society in the light of the Quranic Guidance. Thus if the Islamic Society thinks that a renewal of the contract of marriage is unnecessary, it shall be the correct decision. And if it decides that a renewal is called for, that too shall be a correct decision. After all, 'Nikaah' (the contract of marriage) is nothing more than the recognition of the consent of a husband and his wife. However, in verse (2:232) the Quran has used the word 'Nikaah', when it is said: (2:232) *"When you divorce women, and they are near the completion of the term of their 'Iddat' and both man and the wife are desirous to resume their matrimonial life, O Members of the society! Do not prevent them from*

⁶². Al-Quran-4:20

⁶³. Al-Quran- 65:2

marrying their (former) husbands, if they mutually agree. Here again the word "Bil-ma'roof" is used: which means 'according to the way recognized by the system of the state'. However, the government ought to keep it in mind that the renewal of marriage during the period of 'Iddat' ought to be carried out in a way which may be considered a contract of marriage.

If they have made up their minds to live together again, it shall be carried out according to the above procedure; but if they decide on separation, two witnesses shall be required: (52:2) "Then, when they approach the end of the term appointed (look at the whole issue in a cool, dispassionate manner and if constancy appears possible, why resort to separation). Get united in a recognized manner; (but if constancy is not possible), part from them on the recognized terms: and take for witness two persons from among you imbued with justice i.e. those who are not inclined to any one party, and establish evidence as a duty ordained by Allah." After this the facilities available to them (the women) in the period of 'Iddat' shall come to an end.

Thus the husband and the wife may reunite during the period of 'Iddat' or may get separated. This shall be counted as ONE DIVORCE. If this couple again becomes husband and wife (during or after the period of 'Iddat') but again decides to separate, its procedure shall be the same as described above. This shall be the SECOND divorce. After this second divorce if they once again decide reunion but this also results in THIRD divorce, they cannot become husband and wife again, neither during the period of 'Iddat', nor any time thereafter because: (2:229) "A divorce is only permissible twice; after that the parties should either hold together on the recognized terms or separate with kindness."

That is, after the third divorce, remarriage is not permissible. However, if after the third divorce the woman gets married to some other

person but here also the union ends in divorce (or if she becomes a widow), she can again establish the contract of marriage with the first husband. This has been explained as such in the verses (2:229) and (2:230) (2:229-230) "Remember! During the married life of a husband and wife, it is possible only twice to either hold together on the recognized terms or separate with kindness. [But if the divorce between them takes place the third time, they shall not be able to remarry (2:230)] In case of dissolution of marriage, you are not permitted to take back anything of what you have given to the wife. However, if an occasion arises that this very factor becomes an impediment in the way of dissolution of marriage and at the same time there is an apprehension that in case of living together as husband and wife they shall not be able to keep the limits laid down by the Divine Law, on account of their deranged relations; and also the society's system of justice reaches the same conclusion that the husband ought to get some recompense, in that case there is no harm that the wife may agree to forego a part of what is rightfully hers and get herself rid of the martial contract. These are the limits imposed by Allah; do not transgress them and whosoever does so, would be held guilty by the Divine Order.

"So if a husband divorces his wife (irrevocably) he cannot, after that, remarry her until after she has married another husband and he has divorced her. In that case, there is no blame on either of them, if they reunite; provided they feel that they can keep the limits ordained by Allah. Such are the limits ordained by Allah, which He makes plain to those who possess the knowledge of the exigencies of social life."

These are the verses which are produced as an evidence to prove that if somebody says 'Divorce, Divorce, Divorce', three times, they shall have to go through the process of 'Halaalah'. This interpretation of the above verse is against the Quran. As explained earlier, divorce means freedom

from the contract of marriage. The dissolution of marriage can take place only by following the details described above. Divorce does not become valid by the verbal utterance of the word 'Divorce' whether it is repeated once, thrice or a hundred times. Three divorces mean the dissolution of Nikaah between a husband and his wife, three times during their married life spread over a period of time. After two dissolutions there still remains a chance for reunion; but after the third dissolution there is no chance: it is final, except under the condition described above. Even in that case marriage with another husband does not mean sexual intercourse for one night (Halaalah); it means to live the life of a husband and wife in a regular normal way.

As it has been said earlier, the dower ought to be paid during the process of marriage contract. But if the wife has postponed its receipt for a later period, it shall now become an urgent recovery after the dissolution of the marriage. (See heading 'Dower')

16. Waiting period for a divorcee (iddat) :

(a) 'Iddat' is the name given to a period in which a divorced woman or a widow cannot remarry. In fact it is meant to make sure if she is pregnant; and in case of pregnancy, the would-be child shall be the legitimate offspring of the former husband. There is no 'Iddat' for man. The Quran says: (2:228)"Women have the right relative to their obligations, but men have an advantage over them". The advantage is that there is no 'Iddat' for man. He can marry another woman immediately after divorce.

b) The 'Iddat' for a divorced woman is three menstrual periods (2:228). The divorce comes into effect after the menstrual period comes to an end. This is for the sake of certainty in the counting of 'Iddat' (65:1).

c) For old women who have reached menopause or for those who do not menstruate on account of a disease, 'Iddat' shall be three months:(65:4) [As stated in verse (2:228) the period of Iddat, normally, is three

menstruations, but] "such of your women as have attained the age of menopause, for them the prescribed period is three months; and for those who have no courses, (on account of disease) it is the same".

d) 'Iddat' for a pregnant woman is until the termination of pregnancy. (65:4) "For those who are pregnant, 'Iddat' is until they deliver (their burdens)." They should declare, in the event of divorce, that they are pregnant: (2:228) "Nor is it lawful for them to hide what Allah Almighty has created in their wombs."

e) There is no 'Iddat' for a woman who is divorced before sexual intercourse: (33:49) "O You who believes! When you marry believing women and then divorce them before you have touched them, it is not required of you to count the Iddat in respect of them (during which period the responsibility of their sustenance lies with you and the women cannot marry any other husband), so give them suitable provision and part from them in a goodly manner". [Marriage is a contract. When you find it difficult to carry out the contract, end it in a lawful manner. There is no need to create bitterness (2:228-236); (65:1-4)].

f) 'Iddat' for a widow is four months and ten days. (2:234) *"If any of you dies and leaves his widows behind, they shall wait for four months and ten days (for second marriage). When the 'Iddat' ends, they are free to make a decision about themselves according to law. They have the right to do so. There shall be no blame on them that they have done this way or that way. Remember, Allah Almighty knows all that you do."*⁶⁴

In case she is pregnant, there is no separate injunction in the Quran for it. But it can be deduced from the injunctions regarding divorced (pregnant) women that their Iddat shall also be until they give birth.

g) During the period of 'Iddat' the responsibility for providing daily requirements and shelter shall be on the man and its standard shall be the

⁶⁴. Al-Quran-2:234

same as during normal life. It is said in Surah At-Talaaq (65th Chapter of the Quran): [(65:6-7); (2:241)] "Let the women live (during 'Iddat' period) in the same style as you live, according to your means; annoy them not so as to tease them. And if they are pregnant, you have to provide their sustenance until their delivery, and if they suckle your (offspring) for your sake [i.e., if you cannot make any arrangement for the suckling and by mutual consent it is settled that she herself shall suckle], give them their due recompense, and enjoin one another to do good; and if you disagree, another will suckle for him." In determining the scope of providing sustenance to divorcees or compensation for suckling, be considerate of the financial status of the husband. Let the man of means spend according to his means: and the men whose resources are restricted, let him spend according to what Allah Almighty has given him. Allah Almighty puts no burden on any person beyond what he has been given. If a difficulty arises for the man on account of the extra expenses, a relief can be obtained according to the Divine Law. (The court shall keep this in view). But if during this period the woman commits an act of immodesty, the man then, is no more responsible. (65:1) "O Nabi! When you decide the cases of divorce, tell the people that the matter of 'Iddat' is of great importance. It must be accomplished adequately. For this, it is necessary that an accurate count of the prescribed period be kept, so as to submit totally to the injunctions laid down by your Sustainer (2:228-236; 33-49). During this period do not turn out the divorced women from your houses (65:2)."

During the period of 'Iddat' these are still their own homes. Nor shall they (themselves) leave without a proper excuse. However, in case they are guilty of some open immodesty, they can be turned out of the house. These are the limits laid down by Allah, and any one who transgresses the limits of Allah, besides doing wrong to others; he also wrongs his own

self. As stated above, the woman should not leave home and go to some other place during Iddat. But if conditions are not favorable to stay there, she can stay at some other place by permission of the court. This is our deduction from the Quranic verse, in which it is said: (4:130) *"And if they separate, Allah Almighty will render them both free from want out of His amplexness"*. Allah Almighty shall make arrangement for the fulfillment of their needs, i.e. the society (established under the Divine Order) shall shoulder this responsibility.

h) For one year's provision of daily needs and residence, the husband should leave a testament. But if before this, the widow leaves, of her own choice to some other place, this responsibility (of the late husband) comes to an end: (2:240) *"Those of you who die and leave widows, should make a bequest for their widows for a year's maintenance and residence, but if they leave (the residence) of their own and make some other arrangement for themselves according to the law, there is no blame on you for what they do with themselves. Remember! The Divine Law is exalted in power and is based on wisdom."*

i) During 'Iddat' a widow is not allowed to marry another person but there is no restriction on discussing the possibility of marriage in the meantime: (2:235) *"There is no blame on you if you make an offer of betrothal or hold it in your hearts. Allah Almighty knows that you would fancy to marry them: but do not take any hidden promise of marriage from them, negotiate with them in a recognized manner, but do not resolve on marriage during the period of Iddat: and always remain conscious of the fact that Allah Almighty is aware of the ideas that flash across your mind. You should know that Allah Almighty does not want to inflict any hardship on you by means of these limitations. The object of these restrictions is to protect your society from the injuries of wrong attitudes. He does not get angry by your mistakes, so as to entangle you in strict*

laws. This is done by tyrant rulers, not by Allah. If (during 'Iddat' or afterwards) a woman intends to re-marry her former husband, do not stand in her way: (2:232) "When you divorce women and they are nearing the completion of their Iddat do not prevent them from marrying their former husbands if they mutually agree to do so in the recognised manner." Note: This does not apply after the third divorce).

17. Suckling: The Holy Quran does not specify the period during which the mother should suckle the child. The husband and the wife can mutually take a decision subject to the requirements of the child's health. However, the Quran has said that it takes two and a half years for a mother to keep the fetus in her womb followed by the suckling of the child. (46:15) "We have enjoined upon man to be gracious to his parents: in pain did his mother bear him and in pain did she give him birth. The carrying of the (child) to his weaning is a period of thirty months." Even animals take part in the upbringing of their offsprings; but later on, their grown up offspring's do not even recognize their parents. Thus the man is asked to rise above the animal level during his life. "One of the demands of human life is that he should treat his parents with benevolence. His mother bore him and gave him birth with difficulty which she experienced day and night. This continued not for a day or two but it took at least thirty months from pregnancy to weaning. [(2:233); (13:14)]. At another place the suckling period is described as two years: (31:14) As regards a divorced woman who carries a child in her lap, the Quran says:

i) The father of the child shall give the mother recompense for suckling the child. (65:6) "And if they suckle the offspring for you, give them their recompense and take mutual counsel together according to what is just and reasonable. If any of you feels that the arrangement is heavy on him/her, arrange for some other woman to suckle the child."

ii). Though the period of suckling is two years, but if by mutual consent they want to reduce this period they are allowed to do so. During the period of suckling, the expenses of food and clothing shall be provided for the woman by the father of the child. The standard of this maintenance shall be according to the financial position of the father. For so doing, it ought to be kept in mind that neither the father nor the mother is put in to difficulty for the sake of their child. If it is thought advisable that the suckling be given by some other woman in place of the mother, it is permitted: (2:233) "If, in the case of a divorce the wife is suckling a child, the mothers should give suck to their offspring for two whole years, if the father desires to complete the term. But he shall bear the cost of their food and clothing on the prescribed terms. No person shall have a burden laid on him greater than he can bear. (The court ought to keep this mind): the mother shall neither be treated unfairly on account of her child nor the father. (If however, the father dies in the meanwhile), his heir shall be in charge in the same way as had been decided by both of them. On the matter of weaning; if you both agree on premature weaning and make alternative arrangements, there is no blame on them provided the husband pays the settled compensation to the mother."

(Anyhow) you should always adhere to the Divine Law and keep this reality in mind that Allah's Law of Requitil oversees what you do. (For this' neither observe the law as a mere custom, nor try to evade it).

18. Custody (of children of divorced parents): There is no specific injunction in the Holy Quran as to who will have custody of the underage children after the separation of their parents. The court can decide on it according to the prevailing circumstances. The principle that ought to be observed in this case is that neither the father nor the mother shall be put to unnecessary hardships. An inference can be drawn for this rule in the light of verse (2:233) described above. To achieve this objective the

Islamic Government shall also decide as to who shall bear the expenses of the children, till they reach the age of maturity.

19. Progeny:

a) besides mutual companionship the basic object of married life is the augmentation of the human race. Even animals increase their progeny, but the case is different with man. A young animal needs nourishment, after which it becomes what it is destined to become. But a human child, in addition to sustenance, needs education and upbringing which lifts him from the stage of animal life to the stage of human life. Thus the parents undertake a dual responsibility. It is the duty of an Islamic State to frame laws for the purpose and make such arrangements that no child is deprived of sustenance, as well as education and upbringing. The Islamic State shall issue necessary guidance to the parents as to what extent their co-operation is required. The objective is that no child is left without the development of his human potentialities on account of negligence, ignorance, laziness, or mismanagement on the part of parents or an incompetent system of government. Every child shall be provided with an equal opportunity for upbringing. The Quran says: (17:31); (6:152) "Do not kill your offspring for fear of being reduced to poverty."⁶⁵

Here killing does not actually mean putting to death. (Murder in itself is a crime, even if it is of one's own children). Here killing children means depriving them of proper education and upbringing. In this regard an Islamic State shall furnish surety that: (6:152) "We are responsible for your sustenance as well as that of your children."

Remember in an Islamic Social Order, providing the means of sustenance is the foremost duty of the State.

b) A healthy, sound and sturdy child is a bounty from Allah Almighty (7:189-90) and an intelligent and a chaste youth, with a loving heart and

⁶⁵. Al-Quran- 17:31; 6:152

subservient to the Divine Laws, is a 'Rahmat' from Him (19:12-14). In Surah 'As-Shoora' (42nd Chapter of the Quran) it is said: (42:49-50) "Allah Almighty is the Supreme Sovereign in the heavens and the earth, and the whole system of the universe functions under His Laws only; so much so that even the physical life of man is not excluded from its ambit. The astonishing Order of Creation including creation of man is controlled by His Laws. According to this Law He bestows some with girls, while others with boys and yet some with both boys and girls and some remain childless. All this takes place according to His Laws. He is replete with knowledge and full of power to control the destinies according to His measures and standards."⁶⁶

Thus whereas the creation of sex is controlled by the Divine Laws, to consider a girl inferior to a boy was a mentality peculiar to the Arabs of pre-Islamic days. Islam eradicated this. The Quran criticises it as follows: (16:58-59) "When news is brought to one of them of (the birth of) a female (child), his face darkens and he is filled with grief. (He thinks the birth of a female child so disgraceful that) he hides himself from his people because of the bad news he received. He begins to think whether he should suffer this contempt or bury the new born alive in the dust Ah! What an evil choice they decide on their innocent girls!"

c) Wives and children have been made means of elegance in life by Allah; thus they are worthy of the parents' kind attention: (3:13) "Love for women and children has been made fair-seeming for people." Yet one must not commit any act for their sake, which goes against the Divine Laws and the Permanent Values ordained by Allah. (See 63:4; 8:28; 64:14-15). If one does that it becomes a sedition for him. Thus whenever there is a tie between a particular benefit for the wife and children on the one hand, and a Quranic Value on the other, the Quranic Values shall be

⁶⁶. Al-Quran-42:49-50

given preference: It is said in Surah "At-Taubah" (9th Chapter of the Quran); (9:24) "(O Rasool)! Say unto these people that if it be that your fathers, your sons, your brothers, your spouses or your kindred, or the wealth which you have gained, the commerce in which you fear a slump, or the dwellings in which you delight, are dearer to you than Allah Almighty and His Rasool (i.e. dearer than the establishment and maintenance of the Divine System); wait until the results of such a behaviour become manifest unto you according to the Divine Law. Remember Allah Almighty guides not those who, leaving aside the right path, go astray."

It is so, because offspring relate only to the physical life of man, they have no value against the Divine Law: (58:17) An unrighteous offspring is not even considered a member of one's family by the Quran. This has been explained in the story of Noah in (11:45-46).

d) As long as the children are under the care and upbringing of their parents, they should act under the parents' guidance, but when they are capable of deciding their own affairs they should begin to act as such. The maxim "To obey the parent is a duty" that has not been ordained by the Quran. The Quran has repeatedly asked only to do good to the parents (4:36) The Quran states: (36:68) "If We grant long life to any, We reduce him to an abject state in creation". Man begins to forget what already was in his knowledge. (16:70) As such his condition becomes pitiable. Therefore he shall be treated gently and not rebuked. Thus it is said in Surah Bani-Israel (17th Chapter of the Quran): (17:23-24) "Thy 'Rabb' has decreed that you should be subservient to none but Allah: (be subservient only to the Divine Law). Further it is ordained that you are kind to parents, whether one or both of them attain old age in your life. Say not to them a word of contempt, nor repel them, but address them in terms of honour. When they were youthful and active, they provided you

with sustenance (in addition to their own); now they have become old and are not capable of earning. It is your duty to make good their deficiency." Give them protection with all the affection (as they did when you were young) and say: my Rabb! Enable me to provide them with means of nourishment as they had cherished me in my childhood. (To look after the young is even practised by the lower animals, but the practice of looking after the parents in old age is peculiar only to a human being. That is why he has been instructed as such.) But if the parents are following a wrong path, it must be brought to their notice. This has been made clear in the story of Abraham: ⁶⁷ e) It is essential for an Islamic Government neither to leave the small children uncared for the mercy of their parents, nor to leave the aged parents uncared for and dependent on their offspring's to the extent that they become the object of scorn and degradation. For this an Islamic State ought to provide proper guidance and make the necessary arrangements.

20. Orphans: The basic meaning of the word "Yateem" (orphan) is the one who somehow or other is left alone and helpless in society; he may be of any age. But in the context of the subject under discussion, "Yateem" shall mean the children whose fathers (or both parents) have died. The provision of sustenance, education and upbringing of such children is the responsibility of an Islamic State. But the question is not of upbringing alone: the real problem is that they should be brought up in such a manner that the dignity of their 'self' does not get injured. To keep such children in orphanages, fed on charity, is the destruction of their human 'self'. This leads to the downfall of nations. In Surah 'Al-Fajr' (89th Chapter of the Quran) it is said that one of the reasons for the destruction of nations is that they do not treat orphans with honor:

⁶⁷. Al-Quran-19:41-45

(89:17) . Thus the real question is the cultivation of their self-respect. They should not be brought under undue pressure: (93:9)

A satisfactory arrangement for their proper nurturing is essential. They should be treated as your own brethren: (2:220) "They ask thee about orphans. Say: settling their problems is a deed that produces 'good'. Hence you live together and if during the period of mutual living you have but to conduct their affairs with your own, always keep in mind that they are your brethren. Allah Almighty knows which of you means their good and which of you creates mischief. You are being given such instructions because without it you could have fallen into difficulties; but Allah Almighty wants to make things easy for you."

This provision of facilities does not mean that you go on doing what you like without any hindrance. Allah's Law of Requit is exalted in power, yet it is based on wisdom. Their wealth and property, if there be any, must be protected with utmost care. The one managing their affairs, if he is wealthy enough, should not take any remuneration; but if he is needy, he can take a compensation for it. When they reach the age of maturity and they become capable of handling their own affairs, their wealth and property should be handed over to them in the presence of witnesses: (4:5-6) "Remember! Allah Almighty has made wealth, the mainstay of a nation's economy, therefore place it not in the custody of those who are weak of understanding; feed them and clothe them therewith and speak to them words of kindness and justice." Also make arrangements for the upbringing of orphans; and keep checking as to how far their potentialities are developed, until they reach the marriageable age. (6:153; 17:34; 40:67). If then you find them of sound judgment, deliver their property over to them. [But if they are not fit for it yet, act according to (4:5)]. But in the meantime do not consume their property wastefully, or in haste, fearing that they shall demand it when they become grown up.

If the guardian is well off, let him claim no remuneration, but if he is poor, let him have what is just and reasonable. When you release their fortune to them, take witnesses. While counting, keep it in mind that you are submitting the account to Allah Almighty who knows what is hidden as well as manifest; therefore He is the Best of all those who take account. This point has been emphasized further in (6:153) and (17:37). Do not take single pence from their wealth unlawfully. It has been ordained in Surah An-Nisa (4th Chapter of the Quran): (4:2) "According to this law no difference remains between your own children and the orphans, therefore take care of their rights and benefits like those of your own offspring's. Keep their property safe with utmost care; do not exchange (your) worthless things for their good ones; do not eat up their assets, keep their assets separate from yours; embezzlement in their substance (by mixing it up with your own) is most unjust. One who is left alone in the society, he ought to be helped rather than his rights usurped." It is said further: (4:10) "Those who unjustly eat up the property of the orphans, they are filling their bellies with fire which leaves their passions of greed ablaze". They being always dissatisfied run after unlawful wealth like a lunatic and thus put their own potentialities into a blazing fire. If widows and orphans are left behind in society, marrying more than one wife may be allowed by making exception to the law of monogamy, in order to give them a respectable place in society. (Details were given earlier). For an Islamic State it is essential to frame necessary laws under the guidance of the Quran. According to the Arabic dialect, a boy is called "Yateem" (orphan) till he reaches the age of maturity; and a girl continues to be called an orphan till she gets married. Even widows can be included in the category of orphans. ⁶⁸

⁶⁸. Al-Qur'an-4:127.

Removal of a misconception: The injunctions and guidance for family life as stipulated in the Quran have been stated, but the conventional meaning of a verse in Surah 'Nisa' (4th Chapter of the Quran) remains yet to be corrected. The verse is as follows: (4:34) It is usually translated thus: "Men are the masters of women because Allah Almighty has given superiority to one over the other; for the reason that they spend their money. Then those women who are pious and thus obedient, look after what Allah Almighty has protected in them in the absence (of their husbands) with the protection of Allah, but those who are feared to be of bad temper, you advise them, keep their beds separate and beat them. After this if they obey you, do not seek a way to accuse them. Allah Almighty is indeed the Greatest". By virtue of this translation the following is deduced:

1. Men are the masters of women.
2. Pious women are those who are obedient to their husbands.
3. If a women is not obedient to her husband:
 - i) the husband shall advise her and if she is still disobedient,
 - ii) keep her separate from his bedroom (which means discontinuation of conjugal relations); and if she is still disobedient,
 - iii) Beat her.

It is obvious that this sort of relationship between a husband and his wife goes against the very grain and purpose of the teachings of the Quran which have been explained in the previous pages. As a matter of fact, the purport of this verse is as follows: As far as the natural duties of men and women are concerned, some of their capabilities are different from each other. In some of them men have the superiority, and in others, the women. As a result of the execution of these duties, for a major portion of her time a woman becomes incapable of earning her livelihood and thus it becomes the duty of her husband to provide her means of the necessary sustenance. This is what is meant by the words. After such arrangement, the women can give full time, satisfactorily, to their own

duties (such as bearing the children and their upbringing) so the women are required to take care of their latent potentialities. But if an occasion arises that in spite of all this a woman revolts and refuses to carry out her specific functions without any sufficient cause, it shall not remain a personal affair. It shall become a collective national issue, because it concerns the protection and augmentation of the (human) race. Thus society should first admonish such a woman. But if this procedure remains ineffective, her husband should be asked to terminate copulation with her for a while so that its psychological effect may bring about a change in her attitude. But if that also remains ineffective, a court can order even physical punishment for her. You must have noticed that this matter concerns the collective life of a nation and it is of great importance. In this respect if women refuse to co-operate and thus rise against the collective benefit of humanity, it becomes imperative for society to take adequate steps to put a check on this revolt. It is a social crime for which even punishment can be given. But that does not mean that men are free to beat the women on account of being their masters. This concept is utterly un-Quranic.

❖ *In this verse it is said that the right of man is superior. For this see the heading "Iddah".*

SEX AND ISLAM

Sexual Relations and Crimes: Sex to most Muslims is a dirty word. A word that they don't even want to talk about. On the other extreme, many Muslims' are obsessed with sex. The desire to have a better sexual performance for men is again, not a new preoccupation. Sex is an expression and extension of love. In the absence of love, sex becomes a boring routine. Forced sex even in marriage is rape. Instead of trying to achieve potency, men should try to achieve love and respect for and from

their wives. Prophet Mohammed (P), who was ahead of his time, had encouraged foreplay before intercourse saying, "Do not attack your women like a wild beast, but send a message before". He also was known to have said, "Do not leave her before she is satisfied". Thus Islamic sexuality is based on nature and not attempting to achieve a quick result. The human body is a wonderful creation of God, but not a sex machine. It will not run better on high octane oil or any potency drug.

Allah has created men and women as company for one another, and so that they can procreate and live in peace and tranquility according to the commandments of Allah and the directions of His Messenger. The Qur'an says: وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً إِنَّ فِي ذَلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ *"And among His signs is this that He created for you mates from among yourselves, that you may dwell in tranquility with them, and He has put love and mercy between your hearts. Undoubtedly in these are signs for those who reflect."*⁶⁹

*"And Allah has made for you your mates of your own nature, and made for you, out of them, sons and daughters and grandchildren, and provided for you sustenance of the best".*⁷⁰

These verses of the Noble Qur'an clearly show that in contrast to other religions like Christianity, Buddhism, Judaism etc. which consider celibacy or monasticism as a great virtue and a means of salvation, Islam considers marriage as one of the most virtuous and approved institutions. The Messenger of Allah (peace be upon him) declared, "There is no monasticism in Islam." He further ordained, "O you young men! Whoever is able to marry should marry, for that will help him to lower his gaze and guard his modesty." (Al-Bukhari) Modesty was regarded as a great virtue by the Prophet. He said, "Modesty is part of faith." (Al-

⁶⁹. Al-Quran-30:21.

⁷⁰. Al-Quran-16:72.

Bukhari) The importance of the institution of marriage receives its greatest emphasis from the following hadith of the Prophet, "Marriage is my Sunna. Whosoever keeps away from it is not from me." With these Quranic injunctions and the guidance from the Prophet (peace be upon him) in mind, we shall examine the institution of marriage in the Shari'ah. The word *zawaj* is used in the Qur'an to signify a pair or a mate. But in common parlance it stands for marriage. Since the family is the nucleus of Islamic society, and marriage is the only way to bring families into existence, the Prophet (peace be upon him) insisted upon his followers entering into marriage. The Shari'ah prescribes rules to regulate the functioning of the family so that both spouses can live together in love, security, and tranquility. Marriage in Islam has aspects of both 'ibadah (worship) of Allah and mu'amalah (transactions between human beings). In its 'ibadah aspect, marriage is an act pleasing to Allah because it is in accordance with his commandments that husband and wife love each other and help each other to make efforts to continue the human race and rear and nurse their children to become true servants of Allah. In its mu'amalah aspect, marriage being a lawful response to the basic biological instinct to have sexual intercourse and to procreate children, the Shari'ah has prescribed detailed rules for translating this response into a living human institution reinforced by a whole framework of legally enforceable rights and duties, not only of the spouses, but also of their offspring. These aspects are beautifully explained in a tradition of the Prophet. It is narrated by Anas that the Messenger of Allah (peace be upon him) said, "When a man marries, he has fulfilled half of his religion, so let him fear Allah regarding the remaining half." The Prophet considered marriage for a Muslim as half of his religion because it shields him from promiscuity, adultery, fornication, homosexuality etc., which ultimately lead to many other evils like slander, quarreling, homicide,

loss of property and disintegration of the family. According to the Prophet (peace be upon him) the remaining half of the faith can be saved by Taqwa. Muslim Hakims (traditional physicians') have been working on medications for over one thousand years trying to achieve a magic love pill. Now that this "love pill" seemingly has arrived, wealthy Muslims' are ecstatic. Viagra which is sold around \$10 per pill in the U.S.A., is being sold at \$100 per pill on the black market in Saudi Arabia. Kuwait recently had allowed the sale at about \$49 per pill officially.

The grand religious scholar of Saudi Arabia, Sheikh Baaz has allowed it to be used by men if it does not cause any harm to the body. God has created mates for us. Quran says, *"He that created you mates from among yourselves that you can dwell in them in tranquility"*.⁷¹

Adultery (Fornication): a) Sexual relations with a woman other than the wife (who came under marriage bond) is called 'adultery'. Regarding the singularities of believers it is said: (23-5:6) "They are those who abstain from sexual indulgence; except with those joined to them in the marriage bond or captive females, (who, before the revelation of the Quranic injunctions, regarding the prevention of the institution of slavery), came into their possessions (47:4) and who, after coming under the marriage bond were given equal status with the wives). There is no reproach in conducting husband-and-wife relations with them." After this it is said: (23:7); (70:29-31) "But those who indulge in any extra-marital sex, are transgressors, and that is a serious crime under the Divine Law."⁷²

b) Adultery (fornication) is a crime and except in the case of rape, both man and woman are equally guilty. Thus it is said in Surah An-Noor (24th Chapter of the Quran): (24:2) "The woman and the man guilty of adultery, inflict on each of them one hundred lashes. Let not compassion

⁷¹. Al-Qur'an-30:21

⁷². Al-Quran-24:2

move you in their case because it has been prescribed by Allah, if you believe in Allah Almighty and the life Hereafter (i.e. on the fact that since these are Allah's Commandments, their results are bound to appear forth) and let a party of the believers witness their punishment (so as to make sure that the punishment has been given according to Law)." Nowhere in the Quran is it indicated that four eye witnesses, who have observed the act of fornication, are required to testify. For this, see under the heading "Acts of immodesty" (shameful acts leading towards 'zina') which shall be described later on.

c) The punishment for 'zina' is flogging with hundred stripes each for both man and woman. The punishment of 'stoning' is nowhere to be found in the Quran.

d) If a 'captive' woman commits adultery, her punishment is half as compared to a free believing woman: (4:25) "After slave women enters into wedlock and then become guilty of immodesty (adultery), her punishment is half that of a free woman; (24/4) because they were not brought up under circumstances conducive to a high character and thus, such acts were not considered blamable in their previous life; a high standard of behavior therefore cannot be expected from them as in the case of a woman of nobility. It is necessary to keep such factors in view while handing out punishment." An important principle can be inferred from it that while proclaiming judgments for a crime, the circumstances, the upbringing, and! the mental calibers etc. of the criminal ought to be kept in mind. That is what is meant by giving half punishment to a captive woman. On the other hand it has been said that if the wives of the Nabi commit a crime, their punishment shall be double: (33:30) "O consorts of the Nabi! If any of you were guilty of evidently unseemingly conduct, your punishment would be doubled. There shall be no difficulty

in doing so, in view of its being a Divine Law, because your life has got to serve as a model for other women.

e) Do not create such circumstances that those under your protection are compelled to commit adultery. Thus it is said in Surah 'An-Noor' (24th Chapter of the Quran): (24:33) "Those of your grown-up girls (maids or slave women) who intend to get married, do not stop them from doing so, for the sake of making any worldly gain. This way they might be compelled to commit adultery. If anybody forces them to such conditions, there is provision in the Divine Law which protects them from this compulsion and provides them means of sustenance. (It is the duty of an Islamic State to provide them such protection)."

Preliminaries that incite adultery: a) Those women who commit such shameful acts which lead towards adultery, and four eye witnesses are available for this act, such woman shall be forbidden to leave their homes: وَاللَّائِي يَأْتِينَ الْفَاحِشَةَ مِنْ نَسَائِكُمْ فَاَسْتَشْهَدُوا عَلَيْهِنَّ اَرْبَعَةٌ مِنْكُمْ فَاِنْ شَهِدُوا فَاْمْسِكُوهُنَّ فِي الْبُيُوتِ حَتَّىٰ يَتَوَفَّاهُنَّ الْمَوْتُ اَوْ يَجْعَلَ اللَّهُ لَهُنَّ سَبِيْلًا

"If any of your women are guilty of shameful acts (which lead towards adultery) take the evidence of four reliable witnesses from amongst you against them; and if they testify and the crime is proved, confine them to houses, until death claims them, or Allah Almighty ordains for them some (other) way, (for example they get married, if they are unmarried)".⁷³

The punishment for adultery is mentioned in verse (24:2) and punishment for slandering (false accusation) in verse (24:4). The word in this verse is often translated as 'adultery', but we do not consider it correct because the Quran has ordained 'a hundred lashes' as punishment for adultery (24:2) and here the punishment is 'confinement in the homes'; and thus it does not mean adultery. It means such immodest acts which, if not constrained, can result in adultery. That is why we have described it under the heading

⁷³. Al- Quran-4:15.

'Preliminaries leading to adultery'. It is nowhere given in the Quran that witnesses are required to prove the commission of adultery.

b) If a married woman commits an act of lewdness, some amount can be reduced from her dower (at the time of divorcing her consequent to such an act). It has been described earlier under the heading 'DOWER'. (4:19).

Homosexuality In The Light of Islam: The aim of natural sexuality is procreation. Lawful and natural sexual relations between man and woman have been designed by Allah to preserve the human race here on earth. Homosexuality is nugatory of the natural role and aim of sexual activity.

The experts on homosexuality and other forms of sexual deviation advance a series of groundless assumptions in their discussion on the causes of such unnatural sexuality.

They attribute it to hereditary taints, genetic causes, environmental influences, animal instincts in man, etc. In certain cases, e.g. 'transient homosexuality' where men are separated from women such as prisons, same sex institutions, etc. they argue that the criminal's blame will be considered as diminished in view of his circumstances.

Islam does not accept any type of justification for the unnatural sin of homosexuality regardless of any biological, psychological or environmental factors which may influence a man to indulge in this type of grossly unnatural immorality. This should not be interpreted to mean that Islam does not recognize the reality or validity of the existence of the various factors which influence man to commit homosexuality.

However, the presence of any destructive influences which lead man towards this unnatural and bestial act of immorality does not constitute a valid excuse for indulgence in acts of deviation and inhumanity. Just as fornication, rape and other criminal acts of immorality cannot be condoned because of biological, psychological, environmental, factors, etc, which may be the causes which occasion the crime, so too, can these

factors not be cited in favor of diminished blame for the act of homosexuality. In spite of the existence of the factors (described as causes) of adultery, human culture does not permit man and woman to indulge in this crime notwithstanding the naturalness of heterosexuality. They are required to restrain themselves and behave within the bounds of chastity and morality.

In like manner man is required to exercise restraint and overcome his emotional, biological demands, etc. and manage the disturbances within him. He, as a member of the highest species of Allah's creation, is under moral obligation to control the dictates of his lust - whether such lust directs him towards unnatural or natural avenues - and refrain from smearing his soul and intellect in such loathsome indulgence.

Modern studies and the many consequent theories regarding the crime of homosexuality lend to convey a blurred conception of the Biological disturbances as well as some environmental factors are even tendered as mitigating circumstances to reduce the stigma and the blame from the homosexual. This idea has made homosexuals daring and revengeful of their unnatural crimes. They have come to regard their misdirected lust as morally acceptable. They, as well as the 'experts' who have undertaken research in homosexuality, have deceived themselves into believing in the idea of diminished, blame and moral acceptance, of this unnatural act. As long as man's intelligence is not inflicted with insanity, he is held responsible for his actions and he is Islamic ally under compulsion to restrain his perverted cravings so that he does not descend into a sub-human level of existence.

Man's gratification of his sexual appetite with another man has a long history of its own. The Qur'an bears testimony the fact that the people of the prophet Lut (Alayhis salaam), the nephew of Ibriham (Alayhis salaam), sent as a warning to the people of Sodom and Gomorrah, were

those who initiated this heinous practice. Before them it was unknown. In this connection the Qur'an mentions: *إِنَّكُمْ لَتَأْتُونَ الرِّجَالَ شَهْوَةً مِّنْ دُونِ النِّسَاءِ بَلْ أَنْتُمْ قَوْمٌ تُجَاهِلُونَ* "We also sent Lut. He said to his people, 'Do you commit indecency such as no people in creation (ever) committed before you? For you practice your lusts on men in preference to women; you are indeed a people transgressing beyond bounds.'" ⁷⁴ These Sodomites even indulged in their homosexual orgies publicly. Their wickedness had attained the level where the mere sight of a handsome young man made them so agitated that they pounced upon him as famished people would fall on food. Even honored guests did not enjoy immunity or any privileged position. They did not hesitate in even resorting to violence in achieving their lustful object. The Qur'aan has depicted the scene when the angels of punishment Lut (Alayhis salaam) as his guests in the guise of handsome young men. Hadrat Lut (Alayhis salaam) did not recognize them in the first instance. But he knew the shameless habit of his people. He was extremely distressed and he apprehended that his people would certainly demand unnatural and shameful sexual activity. His apprehension was correct. They could not sit silently at the news of such "boys" of excellent beauty. These sodomites recklessly rushed to the home of Lut (Alayhis salaam) to gratify their unnatural desires. Lut (Alayhis salaam) found himself in a difficult situation. He prompted them to legally satisfy their sexual appetite with women even offering his daughter in lawful marriage to the gentlest of them, and not insisting on this unnatural outlet. Then he very effectively appealed to them, in the name of Almighty that they should abstain from disgracing him by dishonoring his guests. The Qur'an states: *وَجَاءَهُ قَوْمُهُ يُهْرَعُونَ إِلَيْهِ وَمِنْ قَبْلُ كَانُوا يَعْمَلُونَ السَّيِّئَاتِ قَالَ يَاقَوْمِ هَؤُلَاءِ بَنَاتِي هُنَّ أَطْهَرُ لَكُمْ فَاتَّقُوا اللَّهَ وَلَا تُخْزُونِ فِي ضَيْفِي أَلَيْسَ مِنْكُمْ رَجُلٌ رَّشِيدٌ* "And his people came rushing towards him, and they had been

⁷⁴. Al-Quran-27:54

long in the habit of practicing abominations. He said: "O my people! Here are my daughters: they are purer for you (if you marry)! Now fear Allah, and cover me not with shame about my guests! Is there not among you a right-handed man?"⁷⁵ But the accursed people inflamed with evil passions turned a deaf ear to all his reasoning with them. They had lost all sense of morality and were blind in their voluptuous sentiments. On this occasion they even taunted him for his frequent protests in the past against their sins. Hadrat Lut (Alayhis salaam) seemed helpless in the situation in which he found himself, - alone against a rabble of people inflamed with lustful passions. He wished he had the strength to suppress them himself or had some powerful support to lean on! But the powerful support was there, though he had not realized it till then. It was the support of the Almighty. His guests were not ordinary men, but Angels who had come to test the people before they inflicted punishment. They now declared themselves and gave him directions to get away before the morning, when the punishment would descend on the doomed cities. Even in Lut's (Alayhis salaam) household was one, i.e. his wife, who detracted from the harmony of the family. She lagged behind and looked back, i.e. one whose mental and moral attitude, in spite of association with the righteous was to hark back to the glitter of wickedness and sin. Finally, the wrath of Almighty descended upon them, their cities were turned upside down and showers of stone rained on them. Regarding this the Qur'aan mentions: *فَلَمَّا جَاءَ أَمْرُنَا جَعَلْنَا عَالِيَهَا سَاقِلَهَا وَأَمْطَرْنَا عَلَيْهَا حِجَارَةً مِّن سِجِّيلٍ* "Then when Our decree came to pass. We turned the cities upside down, and We rained thereon stones of baked clay, piled up."⁷⁶ The punishment of turning upside down given to this people resembles outwardly their shameless deed of homosexuality.

⁷⁵. Al-Quran- 11:78

⁷⁶. Al-Quran-11:82-83

The shower of stone was very thick so as to form layers. It is also said that the name of each man was written or engraved on those stones which were the cause of their annihilation. The inversion of cities by way of punishment was the task which was assigned to Jibraaell (Alayhis salaam). Homosexuality is also a form of sexual inversion; hence the type of punishment was most befitting in that it also symbolized their unnatural acts of immorality. Showers of stones (not hail-stones, but real stones) are not a normal occurrence. So too, the punishment of the inversion of the cities (was quite rightly justified). Thus, unnatural forms of punishment were prescribed by Allah for the unnatural sins of the homosexual community.

The community of Lut (Alayhis salaam) was a prosperous nation materially and they inhabited five cities: Sodom, Gamurah, Udmah, Laboobem and Sughar. The Qur'aan refers collectively to these five cities with the term Mu'tafikaat (the inverted cities). The cities are so designated because of the perverted crimes of sexual inversion of their inhabitants and because they were physically inverted and eliminated by the command of Allah. Before the people of Sodom, never did this evil even enter the mind of mankind, let alone practicing it. The Umayyad Khalifah "Abdul Malik said that if this episode of the homosexuals was not mentioned in the Qur'an, he would not have conceded the reality of this crime since it was unthinkable that man will descend to such a degenerate level and debase himself in a type of act which is not indulged in by even the overwhelming majority of lowly beasts. Nevertheless, even after the community to which prophet Lut (Alayhis salaam) was sent as cautioner, met their catastrophic end, sodomy continued and even sometimes flourished. It is now known that homosexuality existed before the pre-Christian era among the so-called 'civilised' nations of the world especially the Greeks and Romans. It was not only confined to common

masses, but even legendary and prominent figures such as Socrates, Aristotle, Julius Caesar and many others practiced it. (Miftahi)

In thirteenth century France, homosexuality was the great craze of the day and the government of the country had to enact a law that those found of guilty of this unnatural crime will be put to death. And Germany was not far behind in the pursuit of this craze. Before Nazi Germany there was a famous person, Dr Magnus Hirschfield, (who had been the president of the society for the Reformation of Sexual behavior), who launched powerful propaganda in favor of sodomy for six years. Finally 'democracy' acceded to this demand and the strictly forbidden became approved. It was decided by majority vote that homosexuality among the males was no longer an offence provided it was indulged in with mutual consent of the parties involved and in case of the object of the unnatural love being a minor, his guardian had to give his consent. In the Orient, Iran has been notorious and Persian poetry amply supports it. Karachi has also been named in this regard. It is said there were three centers there, where eunuchs carried on that unnatural business. Afghanistan (then under Communist influence) has also been mentioned. India, too, is not so clean in her records in this field, although the common people are involved in it to a limited extent. It is the educated and the sophisticated people who take to it as a diversion. The educational institutions, schools, colleges and centers of oriental studies too are not free from this curse.

Islam strictly forbade this detestable deed and prescribed the severed punishment, relenting not in the least in making it a deterrent. The Qur'aan cautions that once people take to homosexuality, they sink to the depths of moral degradation. The admonitory punishment meted out to these transgressors was described in such a moving way that those reciting the Qur'an may learn the harsh consequences of this evil, and may protect themselves from this outrageous crime. To deter the Muslims

from evil, the Qur'aan initially declared to those participating in this perversion: " *If two men among you are guilty of indecency, punish them both.*" Once Prophet Muhammad (Sallallaahu Alayhi Wasallam) expressed his anticipated fear by stating that among the evils that his ummah can take to, he feared sodomy most. In fact, this was a forewarning measure that the ummah may guard against, realizing that the prophet himself had forbidden it. On one occasion Prophet (Sallallaahu Alayhi Wasallam) declared: "*Whoever gratifies his sexual urge with another (individual} of his own sex,, Almighty will not so much as look at him.*" Undoubtedly, sodomy is one of the most repulsive acts, even observed among beasts. Therefore, the sight of a homosexual will be so disgusting to Allah that it will intensify His anger to heights where He will not even consider glancing at a sodomist. Through this act, man degrades his humanity and announces extermination as his policy. Moreover, it implies wretchedness and misery of the womenfolk and he himself is prone to so many diseases: the basic organs of his body, brain, heart, liver and kidneys become deficiently immune (AIDS), his face lacks the sparkle of health and he looks off-colour and melancholy, with the result that such an incapacitated criminal becomes worthless to women. This wretched outcast deprives him of the bounty of procreation and the priceless jewel of morality.

Masturbation under Islamic Law: Islam strictly forbids the waste of seminal fluid through masturbation. The one who discharges his seminal fluid with his hand is damned. This evil practice removes the normal bright look of a man's face, and he looks melancholy and dejected. He loses his health and quite frequently his vitality and sexual stamina through this disgusting practice. The Qur'an declares: "The Believers are those who abstain from sex except with those joined to them in marriage bond, or those whom their right hand possess for (in

their case) they are free from blame, but those who crave something beyond that are transgressors." Beyond the wife and slave woman all ways and means of sexual satisfaction are unlawful. They include adultery, sodomy, masturbation, etc. From this it can be deduced that masturbation falls under the context 'but those who crave ...' and is therefore immoral and a sin in Islam. Views expressed by the Shafi'i jurists on this matter are clearly illustrated by Imam Nawawi whose opinion is typical of the Shafi'i Jurists as a whole. He declared that masturbation was absolutely forbidden. It was only permitted when it was performed by the hand of a man's wife or concubine, for he has a right to the enjoyment of her hand as he has to the rest of her body." The author of *Subul al Salam* according to al-Juzairi, states: "Some of the Hanbali and Hanafi Jurists are of the opinion that masturbation may be permissible in the event that one fears (that is, not engaging in it) would lead to his committing adultery, fornication. But be cautious that such a view is weak and is not to be relied upon." According to Maliki school of thought masturbation is deduced to be illegal from the following hadith narrated by 'Abdullah ibn Mas'ud (Radhiallaahu Anhu): "We were with the Prophet (Sallallaahu Alayhi Wasallam) while we were young and had no wealth whatsoever. The Prophet (Sallallaahu Alayhi Wasallam) said: "O assembly of youths ; whoever among you possesses the physical and financial resources to marry, should do so, because it helps him guard his modesty, and whoever is unable to marry, should fast, as fasting diminishes his sexual power.' Therefore, the jurists of this school are of the opinion that if masturbation was permitted, the Prophet (Sallallaahu Alayhi Wasallam) would have acknowledged its permissibility because this is much simpler than fasting. Since the Prophet (Sallallaahu Alayhi Wasallam) did not mention it, demonstrates that it is prohibited. From the evidence presented so far, it can be seen that Shari'ah not only classifies

this type of unnatural waste of seminal fluid as illegal, but also advocated strict measures for its prevention.

Immodest Actions: a) Do not go near lewdness (immodesty), open or hidden; (6:152) and (7:33). Do not ever get close to immodesty either in thought or in action, be it open or secret.

b) The circulation of talks regarding acts of immodesty is prohibited. It is a crime to do so: (24:19) "Remember! Those who wish to propagate talks of lewdness among the believers will have a grievous penalty in this life and in the life hereafter. Allah Almighty knows (how destructive are such acts,) and you know not." This includes all acts and means which cause diffusion of actual immodesty or thoughts about it.

a) There is room for forgiveness if those who commit such acts and mend their ways: *"Those of the believers, who commit an indecency, or having wronged themselves (or others) due to oversight or a slip, do not persist with it and earnestly revert to Allah Almighty for forgiveness: by so doing they save themselves from the harmful effects of their wrongdoings. As a matter of fact, nothing can save them from the harmful effects of wrongdoings except turning towards the Divine Law"*⁷⁷

5. Pestering honorable women or spreading gossips about them. This is a heinous crime for which the punishment extends from withdrawal of their citizen's rights to death sentence. In Surah Ahzaab (33rd Chapter of the Quran) it is said :(33:59) "O Nabi! Tell your wives, daughters and the believing women that they should let down upon them over garments (when they come out of their homes) this is more proper so that they may be recognized (as noble women) and Allah Almighty is ever forgiving, merciful." After this it is said: (33:60-61) *"You take this precaution and if even after this the hypocrites and those in whose hearts is a disease and those who stir up sedition in the city, desist not, force shall certainly be*

⁷⁷. Al-Quran-3:134

used against them; then they will not be able to stay in as your neighbors for any length of time. They shall have a curse on them, wherever they are found; their rights of citizenship shall be confiscated. If even then,

False Accusation (Calumny): a) One who makes a false accusation against honorable women must produce four witnesses. If the accusation is proved to be false, his punishment is eighty stripes and after this his evidence shall not be accepted. However, if there is possibility of his correction, he can be excused. (24:4-5) moreover (24:23) and (60:12) Chastity is an invaluable asset and a Permanent Value, therefore it must be firmly protected. Thus it is ordained: "Those who make a false accusation against chaste woman and produce not four witnesses in support (of their allegation), flog them with eighty lashes, and reject the evidence of such untrustworthy people; (confiscate their human rights) thereafter, if still they do not come to the right path, give them more severe punishment (24/23) for such men are wicked transgressors. However, if they discard their erroneous ways thereafter and mend (their conduct), they can be excused because in the Divine Law there is room for forgiveness and excuse, (with this, the casual criminal not only gets protection but also is not deprived of the means of sustenance)".b) Anybody who raises a charge against his own wife (accuses her of adultery) and fails to produce witnesses, he should take an oath upon Allah Almighty four times and in the fifth oath invoke a curse of Allah. But if the wife takes a similar oath five times for her exoneration, she shall not be considered a criminal: (24:6-9) "And for those who raise a charge against their spouses and have (in support) no evidence except their own, the matter will be decided thus: they should bear testimony four times (with an oath) by Allah Almighty that they are solemnly telling the truth, and the fifth (oath) should be that they solemnly invoke the curse of Allah Almighty upon themselves, if they are telling a lie." With

this the wife shall be considered guilty. But it would avert the punishment from the wife, if she bears witness four times (with an oath) by Allah Almighty that (her husband) is telling a lie. And the fifth oath should be that she solemnly invokes the wrath of Allah Almighty on herself if (her accuser) is telling the truth.

c) If a person commits a crime and blames it on some other person, it shall be considered a double crime (on account of his own and that of false allegation on others): (4:112) *"If any one falls into error or commits a crime and throws it on to one who is innocent, he carries (on himself both) a falsehood and a flagrant sin. As such he has loaded himself with a double crime (with the load of his own crime and the load of the false allegation)."*⁷⁸

Rebellious Women: For this, first of all attempt should be made to make them realize their erroneous attitude. But if they are adamant, separate their beds temporarily and if they still do not mend their conduct, the court can give them corporal punishment [i.e. beating - (4:34)].⁷⁹ This has been described earlier under the heading 'Divorce'.

house but without any bad-intention. Remember that Allah's Law of Requital knows what you reveal and what you hide."⁸⁰

The Prohibited (Unlawful) and the Permitted (Lawful)

1. The prohibited articles of food are:

a) Carrion; b) Blood; c) Flesh of swine; and d) That which is dedicated to anyone other than Allah (SWT) said- *إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخَنزِيرِ وَمَا أُهِلَّ بِهِ لِغَيْرِ اللَّهِ فَمَنْ اضْطُرَّ غَيْرَ بَاغٍ وَلَا عَادٍ فَلَا إِثْمَ عَلَيْهِ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ* "Lo! He has forbidden for you carrion, blood, the flesh of swine and that which has been dedicated to any other name besides that of Allah."⁸¹ If at any time

⁷⁸. Al-Quran-4:112

⁷⁹. Al-Quran-4:34.

⁸⁰. Al-Qur'an- 24:27-29

⁸¹. Al-Qur'an -2:173

a situation arises in which no article of food is available and you are compelled to save your life, the prohibited articles of food are allowed to be taken, under the condition that you are really constrained to do so and do not intend to transgress the law or to satisfy your lust. Under such conditions of stress, the bad effects on your personality of eating prohibited articles of food shall be counteracted by your feelings of respect for the Laws of Allah Almighty and your personality shall continue to receive nourishment".

Such conditions of helplessness cannot be decided by law; the man concerned can only decide for himself. However, for a believer taking such a decision it is not difficult.

2. The food of the people of the Book is admissible; it appears in Surah Al-Maaidah (5th Chapter of the Quran): *الْيَوْمَ أُحِلَّ لَكُمْ الْطَيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَلٌ لَكُمْ وَطَعَامُكُمْ حَلَلٌ لَهُمْ* "The food of the "people of the Book" is also made lawful to you provided (it does not contain anything that has been prohibited for you) and they also partake of your eatables." ⁸²

(Have you noticed to what extent the Quranic laws on the 'permitted' and the 'prohibited' have brought about a pleasant revolution in human life before this a multitude of restrictions were imposed by the man-made codes of the so called Sharia (the religious laws) which had strangled human freedom. The Quranic laws, after laying down prohibition on certain articles of food, allowed all other agreeable articles for eating).

It is obvious that in accepting the eatables of the "people of the Book", the decisive factor will be that they do not contain anything which is forbidden by the Quran. From the latter part of the verse it ensues that its aim is to promote social intercourse. But those people of the Book who are not desirous of creating social intercourse with the Muslims, such contacts with them cannot be allowed.

⁸². Al-Qur'an-5:5

3. Killing an animal for hunting on land while in the sacred precincts (in the pilgrim's garb) is prohibited, but water game is permitted:

يَأْتِيهَا الَّذِينَ آمَنُوا لَا تَقْتُلُوا الصَّيْدَ وَأَنْتُمْ حُرْمٌ وَمَنْ قَتَلَهُ مِنْكُمْ مُتَعَمَّداً فَجَزَاءٌ مِّثْلُ مَا قَتَلَ مِنَ النَّعَمِ يَحْكُمُ بِهِ ذَوَا عَدْلٍ مِنْكُمْ هَدْيًا بَالِغَ الْكَعْبَةِ أَوْ كَفَّارَةٌ طَعَامُ مَسَاكِينَ أَوْ عَدْلُ ذَلِكَ صِيَامًا لِيَذُوقَ وَبَالَ أَحْلَى لَكُمْ صَيْدُ الْبَحْرِ أَمْرُهُ عَفَا اللَّهُ عَمَّا سَلَفَ وَمَنْ عَادَ فَيَنْتَقِمِ اللَّهُ مِنْهُ وَاللَّهُ عَزِيزٌ ذُو انْتِقَامٍ وَطَعَامُهُ مَتَاعًا لَكُمْ وَلِلسَّيَّارَةِ وَحُرْمٌ عَلَيْكُمْ صَيْدُ الْبَرِّ مَا ذُمُّهُ حُرْمًا وَأَتَقُوا اللَّهَ الَّذِي إِلَيْهِ تُحْشَرُونَ

*"O you who believe! Kill not game while (in the sacred precincts of Ka'bah) in the pilgrim's garb [We have declared Ka'bah a place of peace and tranquility (3:96)], as such exigency of Our surety not only provides such atmosphere to men entering these precincts, but to animals also. If any person intentionally kills an animal within its bounds, the atonement for this act is an offering brought to the Ka'bah, of a domestic animal, like the one he has killed; [so that it may be used as food by the needy (22:28)]. In order to decide as to which animal is equivalent to the one killed, it shall be adjudged by two just men of relevant knowledge among you, or its atonement is feeding the poor, the extent being equal in value of the animal killed; or fasting equivalent to the guilt, its measure has been given in (5:89) i.e. fasting for 3 days or the feeding of ten indigent people, so that he may taste the penalty of his violating the confines. This is ordained as from now, because Allah Almighty forgives what you have been doing in the past, but whosoever repeats the offence, will be punished because a law which can be violated without fear of punishment, it becomes a sermon. As such the Divine System while prescribing the punishment for law-breaking also possesses the strength for its enforcement."*⁸³

Lawful to you is the pursuit of water game and its use for food, for your benefit and those who travel. This is applicable to water game, as well as to water animals thrown ashore or those left on the dry land after the

⁸³. Al-Qur'an-(5:95-96)

water recedes. But forbidden is the pursuit of land game as long as you are in the sacred precincts or in the pilgrim's garb. Thus you guard the Divine Laws which is the purpose of your getting together in this centre from all sides.

4 . Eating the meat of such permitted animals on which Allah's name has been invoked is allowed, but the meat of animals on which Allah's name is not invoked is forbidden. Thus it is said:

فَكُلُوا مِمَّا ذُكِرَ اسْمُ اللَّهِ عَلَيْهِ إِنْ كُنْتُمْ بِآيَاتِهِ مُؤْمِنِينَ *"So eat of (meats) on which Allah's name has been pronounced, if you believe in the Divine Laws."*⁸⁴ After this it is said: (6:119) وَمَا لَكُمْ أَلَّا تَأْكُلُوا مِمَّا ذُكِرَ اسْمُ اللَّهِ عَلَيْهِ وَقَدْ فَصَّلَ لَكُمْ مَا حَرَّمَ عَلَيْكُمْ (6:119) *"Why should you not eat of (meats) of the animals that are lawful for you on which Allah's Name has been pronounced, when He has explained to you in detail what is forbidden and of those too which are allowed to be taken under compulsion of necessity."* This is followed by: وَلَا تَأْكُلُوا مِمَّا لَمْ يُذَكَّرْ اسْمُ اللَّهِ عَلَيْهِ وَإِنَّهُ لَفِسْقٌ *"Eat not of (meats) on which Allah's Name has not been pronounced. This is, no doubt, digression from the path ordained by Allah."*⁸⁵ It is clear from the above commandments that:

- i) Even from the lawful animals only those are allowed to be eaten on which Allah's Name has been pronounced?
- ii) Those on which the name of other than Allah Almighty is pronounced are prohibited; likewise those on which no name is pronounced.

5 . When Allah Almighty has defined lawful animals, the condition of their being (Tayyib) has also been added to it. (2:168). حَلَالًا طَيِّبًا (Tayyib) means things which are agreeable to your taste, sight and smell, or those which are good from a nutritional point of view. It is not necessary that a man must eat every lawful thing. Eating of lawful things is not prohibited,

⁸⁴. Al-Qur'an-6:118

⁸⁵. Al-Qur'an-6:121

yet from amongst the lawful things eat only what you like; you are not forced to eat what you dislike. The things which you dislike do not become unlawful if disagreeable to your taste.

6. As nobody has the right to declare 'lawful' what has been declared 'unlawful', similarly none has the right to declare unlawful that which has been legitimate. The Holy Quran has clarified this point at several places. Thus it is said in Surah Al-Maaidah (5th Chapter of the Quran): يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تُحَرِّمُوا طَيِّبَاتِ مَا أَحَلَّ اللَّهُ لَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ- وَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا وَأَتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ *"Make not unlawful the pleasant things which Allah Almighty has made legitimate for you and commit no excesses in violating the limits imposed on you exuberance as well as diminution, both are equally harmful."*⁸⁶ The right way is that you remain within the limits laid down by the Quran and benefit from the good things of life; and as such whatever Allah Almighty has provided for you as means of sustenance, eat it in a lawful and agreeable manner and thus obey the laws of Allah Almighty in whom you have professed Eemaan. It is said in Surah 'Yunus' (10th Chapter of the Quran): (10:59) لَنْ أَرَايْتُمْ مَا أَنْزَلَ اللَّهُ لَكُمْ مِنْ رِزْقٍ فَجَعَلْتُمْ مِنْهُ حَرَامًا وَحَلَالًا قُلْ إِنَّ اللَّهَ أَذِنَ لَكُمْ أَنْ عَلَى اللَّهِ تَقْتَرُونَ *"Say: See what Allah Almighty has sent down for you of sustenance, then you make (a part) of it unlawful and (a part) lawful. Say: Has Allah Almighty commanded you or do you forge a lie against Allah"* In Surah 'An-Nahl' (6th Chapter of the Quran) it is said: (16:116) وَلَا تَقُولُوا لِمَا تَصِفُ السَّبُّوكُمْ الْكُذِبَ هَذَا حَلَالٌ وَهَذَا حَرَامٌ لِنَقْتَرُوا عَلَى اللَّهِ الْكُذِبَ إِنَّ الَّذِينَ يَقْتَرُونَ عَلَى اللَّهِ الْكُذِبَ لَا يُلْحِقُونَ- *"And say not any fake things that your tongues may put forth and start declaring at random: this is lawful and this is forbidden, so as to ascribe false things to Allah. For they who ascribe false things to Allah Almighty will never prosper."*⁸⁷ In Surah Al-A'raaf it has been forcefully

⁸⁶. Al-Qur'an-5:87-88

⁸⁷. Al-Qur'an-16:116

proclaimed: *قُلْ مَنْ حَرَّمَ زِينَةَ اللَّهِ الَّتِي أَخْرَجَ لِعِبَادِهِ وَالطَّيِّبَاتِ مِنَ الرِّزْقِ* "Say: who dares forbidding the adornments (gifts) of life which Allah Almighty has produced for His devotees, and the things, clean and pleasant (which He has provided) for sustenance?"⁸⁸

Those who do so make themselves partners unto Allah; nobody can be given this authority. Say: whatever was intended to be unlawful, Allah Almighty has explicitly explained in His Book, other than those, everything is legitimate and nobody has the right to forbid any of them.

As explained earlier, if anything out of the lawful foods is not agreeable to somebody's taste, he may not take it; but that does not mean that it has become unlawful for him. For example, if Islamic Government orders a restraint on the consumption of certain articles of food in response to exigencies of a time, they do not become unlawful. That shall be called a temporary restraint. But those who are great in ranks, their difficulties are also great; the Rasool was ordained not to put even a temporary restraint upon himself. When on a certain occasion he had done so, he was told:

يَأْيُهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ تَبْتَغِي مَرْضَاةَ أَزْوَاجِكَ وَاللَّهُ غَفُورٌ رَحِيمٌ

*"O Nabi! Why did you hold to be forbidden that which Allah Almighty has made lawful to you, just for the sake of pleasing your consorts?"*⁸⁹ This is an admonition to you, so that no diminution takes place in the means of sustenance and protection for you and also because the effects of your deeds do not remain confined to your person; in as much as if you leave a certain article of food on account of your dislike, your followers may think that it is a bad thing in reality. That is why you should be careful. If you have sworn not to take a particular thing there is no harm, because Allah Almighty has allowed dissolution of such oaths against atonement

⁸⁸. Al-Qur'an-7:32

⁸⁹. Al-Qur'an-66:1-2

(2:25; 5:89). Allah Almighty is your Protector; He has provided such facilities in His Laws so that one could easily get absolved, of the consequences of his 'slips' or omissions, He knows the weaknesses of human nature and as such has based His Laws on wisdom. It was so ordained because the Rasoole had forbidden a certain thing upon himself for personal reasons but, there was a possibility of his followers accepting that thing as unlawful. Thus as a precautionary measure, the Rasoole was prevented from such acts. Such a thing had already happened when Jacob the Messenger of Allah Almighty had forbidden something for himself and the Israelites made it unlawful for themselves.

It is apparent from the foregoing that the issue of lawful and unlawful is of such a great importance that, leaving aside the question of holding unlawful a thing declared as lawful by Allah, even to create such circumstances under which it may be taken as unlawful, is not allowed. It was not allowed even to the Rasoole himself. To declare a certain thing as unlawful means a restraint on human freedom. It is obvious that according to the basic teachings of the Quran, none except Allah Almighty holds this right. The state of extreme helplessness.

A state of hunger wherein a person fears death on account of the non-availability of permitted (lawful) items of food]. To clarify one particular point at this juncture is extremely important. After giving a list of the forbidden (unlawful) articles of food, it has been said in the Holy Quran that one can partake anything out of them proportionate to one's need, and under the state of extreme helplessness. This means that if circumstances are such that a person is approaching death on account of hunger and a lawful article of food is not available, then in order to save his life, an unlawful thing can be partaken proportion in to his need. This is the only exception the Quran has allowed to take an unlawful article of food. The Quran does not recognize such a state of helplessness in any other aspect

of life. But if one adopts a principle that any unlawful thing can be held lawful according to need or any forbidden act can be regarded as legitimate under certain needs, the differentiation between "lawful and unlawful" or between "forbidden and permitted" comes to an end. In this respect two clear examples are before us:

a) *"According to Islam, honesty and truthfulness is one of the important doctrines of Islam and falsehood (lying) is the worst evil, but in practical life there are certain needs under which not only that lying is allowed but it has even been decreed obligatory"*⁹⁰ (decreed by the religious hierarchy). We are not aware as to who are such authorities that have issued this decree (FATWA) but we know for sure that Allah Almighty has never allowed the telling of lies. If we admit that lying is obligatory under certain conditions, then neither falsehood nor crime shall remain an evil, because nobody tells lies unless it is necessary for him. When one accuses somebody of telling a lie he immediately replies "Why should I tell a lie" Not only for telling lies does every criminal offer 'necessity' as the reason for his committing a crime the 'necessity' may be material or emotional. Thus to hold every unlawful thing as lawful under the pretext of "permission to partake of forbidden items of food, is an open rebellion against the Quran. After this, all limits laid down by Allah Almighty become unnecessary.

b) When the late Miss Fatima Jinnah stood for election as a candidate for the Presidency of Pakistan during the reign of late Muhammad Ayub Khan, the Jamaat-e-Islami decided to support her. But sometimes before this occasion Mr. Maudoodi had given a decision that Islam does not allow a woman to take part in politics. Thus the question arose as to how far it was permissible from the Islamic point of view to get Miss Fatima

⁹⁰. Tarjmaanul Quran' May 1985 issue

Jinnah elected as President of the country and how far it was right for Jamat-e-Islami to support it. The following was its reply:

"After prolonged deliberations, the Jamaat has reached the conclusion, that amongst the things declared unlawful by the Islamic Law, there are certain things the unlawfulness of which is eternal and final, i.e. which cannot be changed under any circumstances; but the unlawfulness of certain other things is such as under conditions of acute necessity it can be changed into 'permission' to the extent of the need. Thus it is clear that the matter of unlawfulness of making a woman the head of a state, is not one of those which are final and eternal, but it can be counted as belonging to the other category. This distinction of (Hurumaat) 'the forbidden acts' some of them being final and eternal and some being alterable under conditions of utmost necessity is totally against the Quran. No such distinction has been made anywhere in the Quran. According to the Holy Quran each type of unlawfulness is final and eternal. The allowance of eating unlawful things under conditions of extreme helplessness (to save one's life) does not mean that the forbidden category gets changed into lawfulness, even if they remain unlawful. This allowance is only for a person who is under extreme condition of stress; and this allowance is made by Allah Almighty Himself. An Islamic Government can also put a temporary restraint on the use of admissible things, considering them unsuitable or harmful under certain circumstances; for example, prohibiting the use of certain fruits during the rainy season or during outbreak of epidemics but it has no right to declare as lawful a thing that has been ordained unlawful by Allah.

We thought it necessary to elaborate on this issue because on the basis of decisions made by Mr. Maudoodi, the concept of lawful and unlawful is undergoing a change amongst the common men; and by such

interpretations the people who dislike Divine restraints get an open licence for remissions.

Intoxicants (Psychoactive Substances)

A). Intoxicants are not included in the category of food, and as such they are not included in the list of 'unlawful' things. Their use however, has been very strongly condemned because the addiction to the drugs cannot be eradicated in a day or so. The proclamations in this regard were gradual. At the beginning it was said: (4:43) *يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْرَبُوا الصَّلَاةَ (4:43) وَأَنْتُمْ سُكَارَىٰ حَتَّىٰ تَعْلَمُوا مَا تَقُولُونَ* "O you who believe! Approach not prayers with a mind befogged (in a state of intoxication) until you can understand all what you say" ⁹¹One ought to be vigilant and attentive during prayers. After this it was said: *يَسْأَلُونَكَ عَنِ الْخَمْرِ وَالْمَيْسِرِ قُلْ فِيهِمَا إِثْمٌ كَبِيرٌ وَمَنْفَعَةٌ يَسْأَلُونَكَ عَنِ الْخَمْرِ وَالْمَيْسِرِ قُلْ فِيهِمَا إِثْمٌ كَبِيرٌ وَمَنْفَعَةٌ* "They ask thee (O Rasool) concerning intoxicants (psychoactive substances) and gambling. Say: In them is a great sin and some profit for man: but their sin far outweighs their gains." And in the end it is said: ⁹² *يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ رَجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ- إِنَّمَا يُرِيدُ الشَّيْطَانُ أَنْ يُوقِعَ بَيْنَكُمُ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ وَالْمَيْسِرِ وَيَصُدَّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ فَهَلْ أَنْتُمْ مُنْتَهُونَ* "O you who believe! Intoxicants and gambling (easy money) dedication to stones, and (divination by) arrows are an abomination of Satan. It causes disintegration of society and the human qualities of intellect and the vision gets afflicted (suppressed) (10:100). Thus eschew such abominations so that you may prosper." ⁹³

If in order to satisfy your baser passions, you get habituated to intoxicants and gambling, these things, in addition to your personal debility, shall create mutual enmity and rancor and shall put in obstacles in your subservience to Divine Laws and in the establishment of the system of 'Salaat'. Will you not then refrain from these things after such a clear

⁹¹. Al-Qur'an-4:43

⁹². Al-Qur'an-2:219

⁹³. Al-Qur'an-5:90-91

warning? After this last proclamation by the Holy Quran, intoxicants became prohibited. From this stage by stage methodology of proclamations a principle is deduced that the enforcement of laws shall be carried out according to the existing circumstances of the society and this also includes the prevailing mental and psychological condition of the individuals.

B).The word 'Khamr' (psychoactive substance) includes all those psychoactive substances that put a person in an altered state of mind (which put a lid on the human intellect); commonly it is used for wine, but other intoxicants may also be included in it. In the code of laws prescribed for the state, the word 'intoxicants' shall have to be clearly defined so as to give it a legal form.

Rumours: I don't spread rumors. Whenever you hear something which concerns your collective life, communicate it to the appropriate authorities so as to make them reach a correct conclusion after proper investigation: (4:83)

وَإِذَا جَاءَهُمْ أَمْرٌ مِّنَ الْأَمْنِ أَوْ الْخَوْفِ أَذَاعُوا بِهِ وَلَوْ رَدُّوهُ إِلَى الرَّسُولِ وَإِلَى أُولِي الْأَمْرِ مِنْهُمْ وَإِذَا جَاءَهُمْ أَمْرٌ مِّنَ الْأَمْنِ أَوْ الْخَوْفِ أَذَاعُوا بِهِ وَلَوْ رَدُّوهُ إِلَى الرَّسُولِ وَإِلَى أُولِي الْأَمْرِ مِنْهُمْ لَعَلِمَ الَّذِينَ يُسْتَنْبِطُونَهُ مِنْهُمْ *"When there comes to them some matter touching (public) safety or fear, they divulge it, although their attachment and obedience to the (Divine) System requires that they had only referred it to the Rasool (central authority) or those charged with authority amongst them (officers of the lower ranks); in case they refer it to them, the specialists could verify and ascertain the truth."*⁹⁴ At yet another place it is said: (49:6) يَا أَيُّهَا الَّذِينَ آمَنُوا إِن جَاءَكُمْ فَاسِقٌ بِنَبَأٍ فَتَبَيَّنُوا أَن تُصِيبُوا قَوْمًا بِجَهَالَةٍ فَتُصْحَبُوا عَلَيْهِ مَا فَعَلْتُمْ نَادِمِينَ *"O you who believe! If a mischief-maker comes to you with any news, ascertain the truth, lest you should harm people*

⁹⁴. Al-Quran-4:83

unknowingly, and afterwards have to feel ashamed for what you have done."⁹⁵

2. When you hear a rumour against somebody, your first reaction ought to be that it is a calumny. In Surah "An-Noor" (24th Chapter of the Quran) an event has been mentioned concerning a noble, chaste lady, about whom somebody started a rumour which got spread in the society. (24:12) *"When you heard it, why did you not react with a favorable view and declare it as a clear calumny Why did not believers men and women when they heard of the affair, thought good of your own fold and said: It is a manifest calumny."* It was further said: (24:15-16)

إِذْ تَلَقَوْهُ بِالْسِنِّكُمْ وَتَقُولُونَ بِأَفْوَاهِكُمْ مَا لَيْسَ لَكُمْ بِهِ عِلْمٌ وَتَحْسَبُونَهُ هَيْبًا وَهُوَ عِنْدَ اللَّهِ عَظِيمٌ - "When you received it on your tongues and spoke with your mouths that of which you had no knowledge, and you deemed it a trifle, while with Allah Almighty it was serious. And why did you not, when you heard it, say: It beseems us not to talk of it. Glory be to Thee! This is a great calumny"⁹⁶

Miscellaneous of the Holy Qur'an (Anatomy): Persecution: Unlawful persecution is a crime: *وَالَّذِينَ يُؤْذُونَ الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ بَغَيْرِ مَا اكْتَسَبُوا فَقَدْ أَحْتَمَلُوا* "Those who molest believing men and women undeservedly, bear (on themselves) a calumny and a glaring sin."⁹⁷ At yet another place it is said: *إِنَّ الَّذِينَ فَتَنُوا الْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ لَمْ يَكُنُوا لَهُمْ فِتْنًا فَهُمْ عَذَابُ جَهَنَّمَ وَلَهُمْ عَذَابُ الْحَرِيقِ*: "Those who persecute (or draw into temptation) the believing men and women and retract not from their practice, will have a burning chastisement (of hell), the chastisement that will burn everything they possess to ashes."⁹⁸ It is apparent that persecution includes both physical

⁹⁵. Al-Qur'an-24:12

⁹⁶. Al-Quran-24:15-16

⁹⁷. Al-Quran-33:58

⁹⁸. Al-Quran-85:10

as well as mental molestation. The mental vexation is even worse than the physical torture.

A. Tyranny and excess: A comprehensive list of all that can be called tyranny or oppression cannot be prepared. (As a matter of principle, it may be said that, anything against the Divine Law comes under oppression. In fact, this word means "To put a thing at a place where it does not belong". This makes the purport of this word much wider). It is the duty of an Islamic State to provide protection for the oppressed and take upon itself the responsibility of the redress of their grievances. It is said in Surah "Bani-Israel" (17th Chapter of the Quran). وَمَنْ قُتِلَ مَظْلُومًا فَقَدْ جَعَلْنَا لَوْلِيَّهِ سُلْطَانًا (17:33) *"If anyone is slain wrongfully, the murderer should not think that there is nobody to stand by the heirs of the one murdered and therefore he shall not be called to account for the crime. To provide protection for the heirs, We have made the Islamic Rule authoritative and prevailing"*.

This Rule itself shall provide protection to the heirs of the slain person. Although this verse is related to 'murder', it shall be applicable to all sort of oppressions. If the government itself is the oppressor, the redress of grievances should be arranged through the judiciary. Justice ought to be provided cost for free because providing redress of grievances is a duty of the State and as such the State cannot ask for remuneration from the oppressed in providing him the redress of his grievances.

C. Conspiracy and secret counseling: Secret counsels for unlawful matters and conspiracies are a crime: (58:9) يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا تَنَاجَيْتُمْ فَلَا تَنَاجَوْا بِالْأَيْمِ وَالْعُدْوَانِ وَمَعْصِيَةِ الرَّسُولِ وَتَنَاجَوْا بِالْبَيْرِ وَالنَّفْوَىٰ وَأَتَقُوا آلَةَ الَّذِي إِلَيْهِ تُحْشَرُونَ *"O you who believe! When you hold counsels, do it not for criminal activities against the Divine Order, but always do it to achieve ends in conformity to the Divine Law. In short, in whatever you do, your aim should be*

you have been permitted to do so: if you are asked to go back, go back without any feelings of displeasure. It will lead you to decency and Allah Almighty knows well all that you do. However, there is no restriction on you if you enter houses not used for living, which serve some (other) use for you (for example such houses in which is kept the common goods.) You may enter such a they do not mend their ways, they shall be seized and put to death mercilessly."

Protection of life

1. The Israelites were ordained that if they killed a single person unjustly, it would be taken as if they had destroyed the whole of mankind and if they saved a single person's life, it would be as if they had saved the whole of mankind. This verse is very important: (5:32) (The story of the two sons of Adam which was on everybody's lips among the Israelites, in fact represented their own emotional state of being _ ever-ready to kill one another). "That is why We ordained that if anyone slew a person, unless it be life for life in case of a murder, or it be as a punishment for spreading mischief in the land, it would be as if he slew the whole of mankind; and if anyone saved a life, it would be as if he saved the whole mankind". The believers are ordained not to kill one another: (4:29)
2. Allah Almighty has sanctified human life; it is therefore a crime to take a life except for a just cause (Haq), i.e. for being subject to the dictates of the Divine Law. (25:68); (17:33); (6:152) (Allah Almighty has made the life of a human being sacred) _ "Nor should one take a life except for its being subject to the Divine Law".
3. It is the duty of an Islamic State to pursue the crime of murder and punish the offender: (2:178-179) "O you who believe! You are ordained to pursue the case of a murderer and punish the criminal according to law. (It means that it should not be taken as a personal case between the murderer and the relatives of the murdered; it should be considered a

crime against the society or the system which should take it into its own hands. As regards its punishment, the principles of justice and equity must be kept in mind, so that there should be no difference between big or small. The real issue is that of justice, according to which every human life is equally valued (the individual human beings are equal) For example: if the murderer is a free man, the same free man shall get punishment; and if the murderer is a slave, the same slave shall be punished; if she is a woman, her being a woman cannot save her: she must get punishment. The crime of murder can be of two kinds: (i) willful murder, or (ii) murder by mistake. The punishment for willful murder is death (not blood-money or compensation) or anything less than the maximum punishment (4:93); in any case the punishment should not exceed the extent of crime.¹⁰¹

But if the murder is not by intent or premeditated, but the result of a mistake (inadvertent), the punishment shall be blood-money (compensation) according to (4:92). If the heir of the person slain willfully wants to give a remission in the amount settled, he can do so. In such a case it is necessary for the guilty to abide by what has been settled and make payment in a commendable manner. (In the fixing of the punishment for an inadvertent murder) your Sustainer has given a relief, so that your capabilities may continue to flourish. But if anybody commits excess after the settlement of the case, he shall receive grievous punishment. Leaving aside superficial emotionalism, if one ponders deeply and dispassionately, this reality shall come to the surface that in this law of pursuing the case of a murder, the secret of your collective life is hidden. This saves you from the dangers of lawlessness."

At yet another place it is said: (17:33) "Allah Almighty has declared the life of an innocent one as sacred: (5:32)."Nor take life which Allah

¹⁰¹. Al-Qur'an-42:40; 17:33.

Almighty has made sacred except when it is required by law (2:178). And if anyone is slain wrongfully, the murderer should not assume that he cannot be taken to account because there is nobody to help or stand by the heirs of the slain person; we have made the Divine Order powerful and authoritative for the support and help of his heirs. Therefore this Order would provide them patronage (stand by them) and pursue and punish the crime but it is important for the Social Order not to exceed bounds, it shall execute the punishment within the bounds of the law. (6:152; 42:40)."

4. The Israelites were ordained 'life for life, eye for eye, nose for nose, ear for ear, tooth for tooth, also wounds for wounds,' yet room was left for pardon: (5:45) In the case of Israelites *"We ordained therein for them: life for life, eye for eye, nose for nose, ear for ear, tooth for tooth and for other wounds like for like. But if the plaintiff forgives, it shall become the atonement for the crime."*¹⁰²

This was the law of retaliation (punishment) which was given in their books; they ought to have made decisions accordingly, because those who fail to judge (in the light) of what Allah Almighty has revealed do not act justly and are the ones who transgress the Divine limits.

5. As it has been said before, premeditated murder and inadvertent or unintentional murder are two separate cases. For murder without intent it is said: (4:92) "Never should a believer kill a believer, except when by mistake: if one (so) kills a believer, it is ordained that he should free a believing slave and pay compensation to the family of the deceased (2:178), unless they forgive it as an act of grace. If the deceased belonged to a people at war with you and he was a believer, the freeing of a believing slave (is enough). If he belonged to a people with whom you have a treaty of mutual alliance, compensation should be paid to his

¹⁰². Al-Quran-5:45

family, along with freeing a believing slave. For those who find this beyond their means, it is prescribed for them that they should fast for two months running; this shall be considered sufficient cause for forgiveness by the Divine Law, for Allah Almighty is All-knowing, All-Wise." And for willful murder it is said: (4:93) "If one kills a believer with intent, punishment for this unjust killing is death (5:32), but after death, he shall also go to hell to abide therein (for ever) and the wrath and curse of Allah Almighty shall be upon him and a dreadful penalty is prepared for him; he shall be deprived of the rights of citizenship*and shall be given severe punishment**.

Thus it is clear that blood money is allowed only in an unintentional murder, not in willful murder, punishment for willful (premeditated) murder is death.

6. Killing the offspring is prohibited. But as has been said earlier, here murder may mean "to deprive them from education and proper nurture as well as actual killing. (6:52) see also (6:141; 17:31; 60:12).

7. The destruction of crops and cattle or human race is sedition. For despotic rulers it is said: (2:2.5) "When these people get sovereignty and rule in the land, they aim at destruction and desolation all around, and destroy crops and human race (also cattle). Neither the system of economy, nor the political system remains intact. They only seek self-interest and do not care if the country goes to hell. Allah, whom they invoke at every step, does not like destruction or desolation.

Note: As it has been said earlier, it is not only sufficient to punish such persons as are guilty of these crimes; it is incumbent upon the government to compensate the affected people for the loss of life and property. It is the duty of the government either to compensate the loss by itself or make the offenders pay; it is of no concern to the heirs as to who pays. For them the government becomes the respondent because it takes

the responsibility for the protection of life, wealth, chastity, honors and property of the peaceful citizens. If any of these things is lost (except when it is due to the carelessness, negligence and apathy of the owner himself), it shall mean that the government has not fulfilled its responsibility. Thus the claim for loss shall be against the government and not directly against the culprits.

**The word "Lanat" (curse) means to 'deprive somebody'. Legally it means to deprive of rights which were available to him as a citizen.*

*** It is apparent from the above that even in willful murder punishment less than capital is allowed. For example if one kills somebody, on being suddenly enraged by the sudden attack on his honour, one can be given some other punishment less than the capital punishment.*

Protection of property: A verse of Surah 'al-e-Imraan' (3rd Chapter of the Quran) deserves particular attention where it has been said that: (3:129-130) In this verse as stated above the usual translation of the words is taken as doubled and multiplied and from this compound interest is inferred. This inference is against the basic teachings of the Holy Quran. As a matter of fact, it means that an increase on the capital alone is unlawful, be it in any form. One who provides loan can only take back his principal sum and nothing more than that. Thus the verse (3:129-130) actually means: "O you who believe! Usury plays the main role in causing collapse of a social system (i.e., to gain profit on the capital alone). People think that it increases wealth. Individually it seems so, but in reality it weakens the economic system and reduces national wealth. Thus O believers! Never adopt this capitalistic system of usury; always keep in mind the Divine Laws that is the only way to success. If you, instead of increasing the wealth by putting in hard labor, take to

exploitation of the produce of the worker, you will be doomed to the fire of destruction like those who reject the Divine System."

The Holy Quran says that one of the causes which brought about the destruction of the Jews was the system of usury. Thus it has been said in Surah An-Nisa (4th Chapter of the Quran): (4:160-161) "It was the result of such of their excesses and insurrection that the pleasantries which were lawful for them, were ordained as unlawful as a punishment (6:147). The list of their crimes is very long but briefly stating these people always put hindrances in the way of enforcement of Divine Order which is a path of bringing beneficence to humanity; they, instead of helping the indigent, exploited their needs; while giving loans to them they took back more than what they had spent (charged interest on their capital) although they were prohibited to do so, and thus they used these tactics and others in order to eat up other people's property by foul means; they do the same even now. These are the crimes which are the cause of their miserable suffering." According to the above definition of usury, sleeping partnership in business known as *mudarabat*, or giving land on sharing contract known as *are* all included in usury.

a) To eat up 'one another's property' unlawfully is a crime: (2:188) "Do not eat up your property among yourselves unlawfully" has been ordained by Allah.

b) As regards the property of orphans, it has been said emphatically not to eat it up in a wrong way: (4:6) (Also 17:34 ; 6:153) "And provide proper nurturing to the orphans and keep monitoring as to how far their potentialities are developing, until they reach the age of marriage (or maturity) (6:153; 17:34; 40:67); if then you find maturity or intellect in them, release their property to them but, if they are not yet mature, do not consume it wastefully, nor in a haste against their growing up. As far as the protection of their property and the compensation for their upbringing

is concerned, if the guardian is well off, let him claim no remuneration. But if he is indigent, let him take what is just and reasonable. When you release their property to them, take witnesses to the transfer. And while accounting for it, keep it in mind that you are presenting the account to Allah Almighty Who knows what is hidden as well as manifest."

c) The way the religious leaders eat up the property of the people is also a crime: (9:34) "O you who believe! There are indeed many among the priests and monks who, in falsehood, devour the substance of men and hinder them from the way of Allah Almighty (because if people started following the Divine Laws, their leadership would come to an end)."

As a matter of fact those (except the disabled) who eat up other's property without putting in labor, eat it up wrongly. The priests and monks are on the top of such list. They do not earn their livelihood by putting in labour but lead their life on what others earn. Next to the priestly class, on the list, are the Capitalists who on the basis of their wealth usurp the outcome of others' labor. Thus in the first part of verse (9:34) the priestly class is mentioned and in the later part the capitalists are mentioned. If you ponder over it deeply the priest-craft is the worst form of capitalism, because a capitalist, after all, spends something in order to increase his capital, but the priests eat up others' property without spending a penny, and thus the Holy Quran has ordained that it is an unlawful method of earning livelihood.

d) Do not obtain decision in your favor by means of bribery. The first part of the verse (2:188) has been described earlier, the complete verse is as follows: (2:188) "And do not eat up your property among yourselves wrongfully, nor use it as bait for the judges (if the case lies with the court), with intent that you may eat up wrongfully a part of what rightfully belongs to others. You know what results it would produce."

e) Keep your measures and weights proper and just. Thus it has been said

as a matter of principle: (6:152) also (17:35); (7:85) "Give measures and weights with full justice."

This has been explained further by saying: (83:1-3) "The result of wrongful business-mindedness and capitalist mentality can be nothing but destruction. People of such attitude, when they are on the receiving end, take by full measure, but when they have to give to others, they give short of weight. They take full work from the workers, but pay them less and themselves earn more. They not only deal with the property in this manner; their mentality remains the same even in evaluating humans in order to keep their potentialities suppressed so that their full growth is restrained and only allowed to develop so far as it is beneficial for the capitalist's interests, they do not permit them any more freedom."

PERTAINING TO ECONOMY

Islam is a complete way of life. Allah, the Creator of humanity, has given us guidelines affecting many different aspects of our lives, including the *economic* aspect. There is a great deal of information in the Qur'an and Sunnah which describes how Muslims are to engage in economic transactions. Just as Muslims are obligated to obey the rules of Islam regarding prayer, fasting, etc., they are also commanded to obey the injunctions regarding interest for example

1. The basic duty of an Islamic State, as ordained in the Holy Quran is provision of 'ZAKAAT'. Thus it is said: الَّذِينَ إِنْ مَكَّنَّاهُمْ فِي الْأَرْضِ أَقَامُوا الصَّلَاةَ وَأَتَوْا الزَّكَاةَ "Those Mu'mineen are the people who if We grant them rule in the land, establish the way of life consistent with the Divine Laws and provide 'Zakaat'" ¹⁰³, means to provide 'Zakaat'.

Thus the providing of Zakaat is the duty of an Islamic State. 'Zakaat' means the providing of the means of nourishment. As such it becomes

¹⁰³. Al-Qur'an-22:41

incumbent upon the Islamic State to provide means of nourishment to the individuals, which includes both nourishment of the body as well as of the human potentialities. Thus it becomes the duty of an Islamic State to make such arrangements that the fulfillment of the basic necessities of life of each individual shall keep going, and also that their potentialities may develop. This is called 'Rabubiyyat' (providing of sustenance). The 'Rabubiyyat' of the entire universe is an attribute of Allah. The words الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ (1:1) make the beginning of the Quranic text. But the practical application of this attribute of Allah, in the human world, takes its practical manifestation through the agency of an Islamic State. Thus all the responsibilities, in this respect, which Allah Almighty has taken upon Himself, are fulfilled by the Islamic State.

2. Based on this principle, it becomes the responsibility of an Islamic State that no living object (human beings; may also include animals, [Lughat-ul-Quran Root: Ray-Bay-Bay] in its domain, remains devoid of nourishment.(11:6) is Allah's commandment, which means that there is no moving creature* on earth, but its sustenance is the responsibility of Allah. In this respect the State becomes responsible to its individuals and their progeny for the fulfillment of their daily necessities of life; and tells them: نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ "We are responsible for your sustenance and that of your offsprings."¹⁰⁴

3. The Islamic social order takes shape by means of a contract between the State and the individuals living in its domain. In this contract, the life and property of the believers are placed at the disposal of the state and in lieu of it, becomes the responsibility of the state to provide a life of peace and plenty (life of Jannat) to the individuals: إِنَّ اللَّهَ اشْتَرَىٰ مِنَ الْمُؤْمِنِينَ أَنفُسَهُمْ "The Mu'mineen (those who profess Eemaan-belief in Allah) and the Divine Order enter into a treaty; the Mu'mineen place

¹⁰⁴. Al-Qur'an-17:31

their persons and their wealth at the disposal of the Divine Order (sell them) and the Divine Order guarantees a life of peace and plenty (life of Paradise) for them in return."¹⁰⁵ In this life of Paradise are included all the basic necessities of life, food, clothing, shelter etc. The Quran has introduced to us the paradisiacal life as follows: إِنَّ لَكَ أَلَّا تَجُوعَ فِيهَا وَلَا تَعْرَىٰ ۗ وَأَنَّكَ لَا تَظْمَأُ فِيهَا وَلَا تَضْحَىٰ (20:118-119) "*There is therein (enough provision) for you not to go hungry, nor to go naked, nor to suffer from thirst from the sun's heat*". (Everything mentioned above is available without any undue labor).

4. In this society every individual retains for himself the proceeds of his labour according to his needs and gives over the rest of it for fulfilling the needs of others: وَيَسْأَلُونَكَ مَاذَا يُنْفِقُونَ قُلِ الْغَفْوُ (2:219) "*(O Rasool!) They ask you as to how much (of their earnings) should they keep open for fulfilling the needs of the others; tell them whatever is over and above their (genuine) needs (16:71)*". This system shall be established through the agency of the State; because the Rasoole has been ordained: خُذِ الْغَفْوُ (7:199) "*Get the surplus from them*". (This is the natural result of the above said treaty covenant therefore the question of taking by force does not arise). Those who earn less than their needs, or those who are not capable of putting in labour, do not take it by way of charity but they claim it as a matter of their right, from the collected surplus: وَفِي أَمْوَالِهِمْ حَقٌّ لِّلسَّائِلِ وَالْمَحْزُومِ "*In their wealth and possessions is the recognized right of the needy and the disabled.*"¹⁰⁶

5. According to the Economic System of the Quran, wealth cannot be accumulated. A severe warning has been given against accumulating wealth: وَالَّذِينَ يَكْتُمُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يَنْفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ بِعَذَابٍ أَلِيمٍ

¹⁰⁵. Al-Qur'an-9:111

¹⁰⁶. Al-Quran-51:19

يَوْمَ يُحْمَىٰ عَلَيْهَا فِي نَارِ جَهَنَّمَ فُتَنُومًا بِيهَا جِبَاهُهُمْ وَجُنُوبُهُمْ وظُهُورُهُمْ هَذَا مَا كُنْتُمْ تَأْتِسُكُمْ
 فذوقوا ما كنتم تكذبون "O Rasool! These priests and monks, and their followers who (in the guise of their self-made 'Shariat') consider the system of capitalism as the will of Allah, and thus hoard heaps of gold and silver and do not make them available to the usage of humanity, announce unto them a grievous penalty. During the period of Divine System, these will be heated in the fire of Jahannam (hell), heat will be produced out of that wealth and with it their foreheads will be branded, their flanks and their backs: and this fire shall mount to their hearts (104:6-7): They shall be told, this is the treasure you had hoarded for yourself, so now taste (the treasure) you had buried."¹⁰⁷ Wealthy cannot be allowed to circulate wealth amongst them alone: (59:7) كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ

6. To meet emergent needs, it is necessary for the people that whatever they have retained for their own requirements, they shall also donate something out of it. This is known as 'Sadaqaat'. This will also not be an individual affair; it shall be carried out under the System of the State. Thus the Rasoole was ordained: (9:103) خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا (9:103) "Take their donations (out of their earnings) and in association with other members, make arrangements for their education which would purify them (by removing all doubts from their minds) and nourish them. As they grow in their qualities, you should applaud them because your applause will certainly bring them peace of mind. Allah Almighty is All-Hearing and All-Knowing."¹⁰⁸ In some cases the avenues of usage of such emergency needs have been prescribed by the Quran itself, when it is said: (9:60) إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ وَأَبْنِ السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

¹⁰⁷. Al-Qur'an-9:34-35

¹⁰⁸. Al-Quran-9:103

"About 'Sadaqaat' i.e. wealth which the state spends for public welfare, it ought to be understood that its distribution shall not mean personal benefit or satisfaction of the individual emotions, but it is the right of those:

- a) Who depend on others for their nourishment i.e. those who, for some reason, are not able to earn themselves?
- b) Whose business somehow or other comes to a standstill.
- c) For the remuneration of those who are entrusted with the duty of collecting 'Sadaqaat' (the source of state revenue).
- d) Whose consolation of hearts' is required? It means that those people who are prepared to join the Divine System but some impediments do not allow them to take this course; they should be helped in the removal of these impediments.
- e) To get freedom for those fastened to the chains of other's captivity (subjugation).
- f) To help those who are under the enemy's debt or penalty, and cannot manage to pay it off on their own.
- g) Also the wayfarers who are in need of money.
- h) In addition to the above, anything conducive and helpful to the general welfare of humanity by the Divine System. Described above are the codes laid down by Allah Almighty based on knowledge and wisdom. In this verse the item of 'in the Divine Cause' is very comprehensive. It includes all other avenues of usage, which the Islamic State deems necessary.

Note: Amongst us the above items are known as items of Zakaat expenditure. This is not correct. The Quran has clearly described them as item of 'Sadaqah' and not of 'Zakaat'. Even the prevalent concept of 'Zakaat' itself is different from the Quranic concept.

7. Earth (Land) is the basic source of production. Because an Islamic State has the momentous responsibility of provision of 'Zakaat' to fulfil,

therefore this basic source of production (the land) cannot remain in the ownership of individuals. Land remains under the charge of the State, so that the needs of the individuals may get equally fulfilled. In Surah Haa-Meem Sajdah (41st Chapter of the Quran) it is said: *وَجَعَلَ فِيهَا رَوَاسِيَ مِنْ فَوْقِهَا وَبَارَكَ فِيهَا وَقَدَّرَ فِيهَا أَقْوَاتَهَا فِي أَرْبَعَةِ أَيَّامٍ سَوَاءً لِّلسَّائِلِينَ* (41:10) "He set on the earth mountains standing firm, standing high above its surface, (which serve as means of water supply) and gave it the capability to produce different items and with the change of four seasons standardized its produce correctly, for feeding its inhabitants. (39:67) and (56:73-74).

Note: It has been clarified at several places in the Quran, that the earth has been created to fulfill the requirements of humanity. As an all-encompassing explanation of this topic is not intended in this book, therefore it is not considered quoting all the relevant references, however, see verses (55:10); (56:63-73).

8. In the Economic System of Islam (except those who are disabled) only that person has the right to receive who puts in labour: (53:39)

"That a man can have nothing, but what he strives for", is its basic principle. As described earlier under the heading 'usury', any profit on the capital is totally unlawful and amounts to declaration of war against Allah Almighty and the Divine System of His Rasool. As a matter of fact, the question of profit on capital does not arise when nothing surplus to the needs is left with anybody."¹⁰⁹

9. As said earlier in item (4) above, in the Islamic Order surplus wealth is not left with any person. Thus the question of raising personal property does not arise, which includes land, wealth, industry, trade, etc. Everything remains in the custody of the State, so that the needs of every individual get fulfilled and their standard of living goes on rising, and

¹⁰⁹. Al-Quran-53:39

then eventually this system, surpassing its boundaries, extends to embrace humanity at large.

10. It shall be the duty of an Islamic State to establish such an economic system in the light of this basic guidance of the Holy Quran which can satisfy all the requisites of 'Rabubiyyat', so that nourishment is neither held back from anybody, nor is his dignity injured. This system shall gradually come into force. The Quranic injunctions relating to charity, inheritance, etc. are of transitory nature for the period in which this system is still taking shape and is not yet finalized. This also ought to be kept in mind that this system shall be established by those who consider it a part of their belief and yearning of their hearts. This is the motive force for its establishment and stability. In the absence of such a driving force, a system of this kind can neither get established, nor can it survive.

"So He completed them as several heavens in 2 Eras (41:12)" Thus (Umain) 2 ERAS -- includes the evolutionary period involved in the Creation of the heavens and the earth. On earth the period without life lasted for 3000 million years and science calls it the Azoic Period. [4 ERAS (Arba-e-Ayyaam)] *"He made on the earth mountains standing high above it and bestowed blessings on it and measured therein all things to give them nourishment in due proportion in four Eras"* ¹¹⁰ In these four Eras, life began on earth and gradually got evolved and this has lasted for 2000 millions years:

1. Precambrian Eras 1500 million years,
2. Paleozoic Era or Ancient life -- 300 million years
3. Neozoic Era or Middle life -- 130 millions years
4. Cenozoic or Modern life -- started 75 million years ago.

Easy money (maisir): The term is commonly used for gambling, but it is a comprehensive term which includes all means of earning easy money.

¹¹⁰. Al-Quran-41:10

According to the Holy Quran, the loss inherent in such earning is more than the gain: (2:219) "O Rasool! They ask thee about khamr (psycho-active substances which put them in an altered state of mind) and maisir (acquiring easy money), tell them that the long-term adverse effects of both are far more than their temporary and short-term benefits." (5:90-91) "O you who believe! Intoxicants and gambling, dedication to stones and (divination by) arrows which have been described in (2:219) and (5:3) are abominations of Satan's handiwork, which suppress human faculties of intellect and vision; eschew such (abominations) so that they do not become an obstacle in the way of your success. If you become accustomed to such habits as wine and gambling, in order to satisfy your baser passions, (in addition to its bringing about your personal debility), it shall cause enmity and hatred amongst you and hinder you from the establishment of the system of 'Salaat' will you not, then, abstain (after such a lucid explanation)." The Holy Quran has not ordained the punishment for intoxicants and gambling, but it has been left for the Islamic State to determine them according to its own circumstance.

Raffle and lottery: This is also included in easy money. The word divination by arrows in (5:90) and (5:3) means lottery.

Theft: The punishment for stealing is amputation of hands whether the thief is a man or a woman: (5:38) "Thief, May it be a male or a female, are both equally guilty; there is no discrimination in their punishment. However, a way should be devised in which the thieves themselves abstain from stealing, and which also becomes an obstacle in the way of violating the Divine Law; it means that it serves as a curative for the offender and as a preventive for others. But if you find that the matter has reached the extreme and the thefts have become rampant, the extreme punishment can be to cut off the thief's hand. Anyhow the aim is to check

the crime, either by force or by planning; these are both included in the words.

But the following has also been said along with the above: (5:39) (As the objective is to check the crime, thus) "if the thief is repents after his crime and assures to mend his conduct, a provision has been made in the Divine Law, to protect such a person from punishment and deprivation from the common privileges of life".

This word not only mean amputation of hands, it also means (i) to inflict wounds on the hands (as you find in the story of Joseph in (13:31), or (ii) to cause obstruction in some working as for example (cutting the tongue) means to check from unnecessary talk. Even in (5:38) it has been called i.e. an obstruction caused by Allah Almighty Himself.

Note: The last note under the heading 'Murder' also applies to cases of theft, i.e. it shall be the responsibility of the Government to make good the loss by theft.

Loan: The dealings of giving or taking loan ought to be reduced to writing. The Holy Quran has provided guidance about the nature of writing and the way it should be written. [However, it is not required to put hand to hand transactions (over the counter transactions) into writing]:

A:

- It should be written by a scribe;
- Loanee or his guardian should dictate;
- There should be two male witnesses. If two males are not available, then one male and two females;
- The scribe or witnesses should not be harmed in any way.
- All these details are given in (2:282) which has been explained earlier. (In our view these details come under 'directives' rather than under 'laws').

B. The loanee ought to be provided facility for the payment of loan; and if he is so poor that he is unable to pay back the loan, he ought to be excused for it. The relevant verse (2:280) shall appear under the heading 'Usury'.

Mortgage (Pledge): In case the loan transaction is made during a journey and no scribe is available for writing, a pledge with possession (of some article that belongs to the loanee) is allowed. But in case the loanee is a reliable person, writing is not necessary. Thus it is said: (2:283) "If you are on a journey and cannot find a scribe, a pledge with possession may serve the purpose, but if trust exists between the parties, pledge is not necessary. (In case when neither the transaction has been reduced to writing, nor a pledge has been taken, then) the loanee should honestly and faithfully return the loan and thus exhibit his submission to the Divine Law."

Riba (Interest on Loan): As it shall be described under the heading 'economic system', according to the Holy Quran a return is only due on one's labour, not on capital. The return on capital is usury, be it in any form. The capital alone can only be paid back in place of capital and not any interest on it. In view of the importance of this issue, the verses pertaining to it shall be described in a sequence. To begin with look at the effects and the dangerous results of usury: (2:275) "On one side are the people who by cutting down their own needs to the minimum, fulfil the necessities of others (59:9), and on the other side are those who give loans to others but taking advantage of their indigence, take back more than what they had loaned. The state of such people who have this mentality, is like the one who has been stung by a snake and is violently running about hither and thither (i.e. the greed for money sets fire in their chest which keeps them uneasy all the time). The reason, they produce for this act of theirs, is that usury (taking more than what they had spent) is

like trade; there is no difference between the two. As in trade, a shopkeeper takes from the purchaser more than he had spent, similarly in usury the one who uses his capital for loaning, receives more than his principal amount. This is a lame excuse. In trade a man spends his capital and in addition to it he puts in labour. Thus anything surplus that he takes is not a profit on the capital, rather it is a return for his labour, and this is exactly the right way. On the contrary in usury where no labour is put in, it is only a surplus gain on money loaned by him, this is unlawful. (Remember the principle in this respect that it is only the return of labour that is right (53:39) but to gain profit on other people's labour simply by investing capital alone, is unlawful. This is what is called 'Riba' (or interest).

But anybody who, after receiving this Divine Commandment, puts an end to his earlier ways, then that which he has received earlier belongs to him and according to the Divine Law he shall not be called to account. But those who do not desist from their previous practice and persist in such dealings, these are the people whose deeds shall meet destruction; they will find no way out of the chastisement." After the above description let us take up the comparison between usury and deeds of charity: (2:276) *"Remember! that what a man thinks, increases his capital, in fact, it deprives him of all blessings, and it causes destruction not only to himself but also to his nation. On the contrary whatever he spends for the nourishment of others and which appears to decrease his wealth, in fact, not only provides nourishment to him but also provides means of nourishment to his nation. In usury it becomes a common mentality to keep the necessities of sustenance hidden from others, so that the people always remain needy and compelled to take loans and those who extend loans, on the other hand keep enjoying the benefits on the produce of those who put in actual labour and hard work. This paralyses man's*

*productive energies and he becomes incapacitated to keep progressing further in life. Hence a capitalist society is doomed to destruction."*¹¹¹

At another place it is stated: (30:39) "That which you lend out to others so that you can recover something over and above your principal amount, you may, as per your trading norms, receive some profit, but according to the Divine Law it is not an increase. This appears to be an increase in your assets because you make the calculations on the basis of your personal gains, but if you think over it, keeping in view the benefit of humanity, you shall find that it is indeed no increase. On the contrary whatever you spend for the nourishment of others, without intent for your personal gain or compensation, but with the intent of bringing your life in consonance with the Divine Laws, then you shall really make an increase in your wealth. (2:275-276; 3:129; 74:6)."

After declaring usury unlawful, previous transactions of the kind are explained: (2:278) "*O you who believe! Stay conscious of the Divine Laws and guard them and what remains due against the loans, write them off, if you are indeed Mu'mineen (believers).*"¹¹²

Here writing off the outstanding balances due against loanees has been laid down as a prerequisite to one's Eemaan (belief). Following this it has been stated that those who do not do this: (2:279) "*If you are not prepared to do it, consider it an ultimatum (of war) from the Divine System (Allah Almighty and His Rasool) and be prepared for it (because the Divine System is an open enemy of capitalism and there can be no compromise between the two on this issue). But if you retract from this practice of yours, you will be allowed to recover your principle sums, so that you neither commit an excess on the loanees, nor are you dealt with*

¹¹¹. Al-Quran-2:276

¹¹². Al-Quran-2:278

*unjustly.*¹¹³

From above the severity of this crime (usury) can be perceived. Here the usury has been declared as a rebellion against the Islamic order and the two are declared incompatibilities that cannot exist together. After this it is said: (2:280) "If the debtor is in difficulty, grant him time till it is easy for him to repay. But if you forgive it completely it would be an act of benevolence on your part if you comprehend with farsightedness what great collective benefits it contains."

Trade (Selling): a) Usury is unlawful and trade is lawful as has already been explained under the verse (2:275). At yet another place it is said: (4:29-30) "O you who believe! Eat not up your assets amongst yourselves unlawfully. In social living there is exchange of necessities (called trading). This should be conducted through mutual agreement. Under this principle everybody shall get the return of his labour (54:39), not that one exploits the other by virtue of his capital (2:275). If you do so, you are destined to face destruction. Allah Almighty wants every one of you to get his part of the nourishment, as such an economic system wherein this objective is lost, cannot be a just system. After such a clear emphasis, any nation that conducts its dealings in a manner that every individual aims at causing reduction in other people's rights and as such transgresses his limits is doomed to a speedy destruction. Any system established against the universal beneficence, contains inherent means of its destruction."

b) Hand to hand trading transactions need not be reduced to writing (2:282)

Note: It have seen above under the heading 'Usury' that the return is only justified against labour and not against capital. As such the profit in trade should not exceed the labour put in by the trader. It is for the Islamic Order to enforce the requisite guidelines.)

¹¹³. Al-Quran-2:279

Breach of Trust: a) Render back the trusts to whom they are due: (4:58)
 b) Betray not the trusts; it also includes the trusts of the government which include all the responsibilities entrusted to you by the state, or the secret affairs which you have known on account of your being the members of the state organization. Thus it is said: *"O you who believe! Betray not either the Divine Order (Allah Almighty and His Rasool) or the trusts reposed in you. You know what shall be the result of such betrayal."*¹¹⁴
 c) Do not plead the cause of the cheats (those who betray the trusts). It has been described in detail as under: (4:105-109) *"(O Rasool)! We have sent down to you the Book (code of laws) so that you may judge the disputed affairs of men according to the knowledge with which Allah Almighty has provided you. And be not one advocating the cause of the dishonest."*¹¹⁵

The matter of 'awarding judgments' between people is the grave responsibility of government and justice is a very sensitive affair; (human inclinations do tend to affect these decisions). One can escape this situation only if one remains conscious of the Divine Law and keeps seeking its protection. The Divine Law is fully equipped with means to provide such protection and nurture.

Again take note of it that you must not become an advocate on behalf of those people who betray each other or their own selves; one who betrays the trust, thinks that one has gained something but, on the other hand, it creates such debility in his personal character that his human capabilities become infirm. (That is what it means, when we say that he betrays himself). How can the Divine Law approve of such people?

These people think that they can hide their crimes from others, but how can these remain hidden from Allah, Who watches over them even when

¹¹⁴. Al-Quran-8:27,4:58

¹¹⁵. Al-Quran-4:105-109

they secretly counsel by night in matters that He will not approve. Allah's Law of Requitall encompasses all human actions.¹¹⁶

Remember! Allah's Law of Requitall is not such as it concerns only this world and if one arranges to get himself acquitted from the grip of law by foul means, he is still not acquitted of its accountability. Every human action leaves its imprint on the human 'Self' (17:14); and his 'Self' does not end with physical death _ it goes on to the life Hereafter. As such the results of human action also appear after death. Therefore if you contend on behalf of such persons or even get them acquitted from the grip of law by telling lies, say who will contend with Allah Almighty on their behalf on the Day of Judgment and who will be able to become their advocate"

d) The believers pay special attention to their trusts and covenants:¹¹⁷

STATE AFFAIRS IN THE HOLY QURAN

Sovereignty: The difference between an Islamic State and a secular state is that in an Islamic State, affairs are conducted within limits laid down by the Quran. Nobody has the right to transgress these limits; in other words, the right to rule belongs to Allah Almighty alone. It is said in Surah Yusuf- *إِنَّ الْحُكْمَ إِلَّا لِلَّهِ* "Remember! The command is for none but Allah"¹¹⁸ *وَلَا يُشْرِكُ فِي حُكْمِهِ أَحَدًا* "Nor does He share His Command with any one whosoever"¹¹⁹. If the right to rule is bestowed upon any person or a group of persons, whatever be their name that shall amount to ascribing partners with Allah. No one, how highly placed he may be, even as high as a Messenger of Allah, has the right to make people subservient to himself. Surah Aal-e-Imran says: *مَا كَانَ لِبَشَرٍ أَنْ يُؤْتِيَهُ اللَّهُ الْكِتَابَ وَالْحُكْمَ وَالنُّبُوَّةَ ثُمَّ يَقُولَ لِلنَّاسِ كُونُوا عِبَادًا لِي مِنْ دُونِ اللَّهِ وَلَكِنْ كُونُوا رَبَّانِيِّينَ بِمَا كُنْتُمْ تُعَلِّمُونَ الْكِتَابَ وَبِمَا كُنْتُمْ تَدْرُسُونَ* "It is not for any human being unto whom Allah Almighty has given the Book and wisdom and the Divine Message that he

¹¹⁶. Al-Qur'an-40:19.

¹¹⁷. Al-Qur'an-23:8

¹¹⁸. Al-Qur'an- 12:40

¹¹⁹. Al-Qur'an- 3:78

should afterwards have said unto mankind 'Obey me instead of Allah'. He should rather say, 'You should be amongst those who are subservient to Allah Almighty by following His Book which you study and teach others'." ¹²⁰

Be it clear, that it is the Messenger of Allah Almighty who first receives the Book, and then he delivers it to others. That is how the Book of Allah Almighty reaches the common man. The Quran was initially revealed to the 'Nabi'e. Later it became inherited by Muslim Ummah. It is said in Surah Faatir (35:32) *ثُمَّ أَوْرَثْنَا الْكِتَابَ الَّذِينَ اصْطَفَيْنَا مِنْ عِبَادِنَا* "Then We have given the Book for inheritance to such of our servants as We have chosen (It means the Muslim Ummah)" ¹²¹

The duty of the Ummah is to establish an Order according to this Book; thus an Islamic State is an agency that enforces the divine command. On the contrary, the system of government in which the right of law-making is exercised by human beings, is a secular regime, whatever its shape may be. That is the line of demarcation between infidelity and Islam, Kufar and Islam. Allah Almighty ordains: (5:44) *وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ* "Those who do not establish a rule according to what Allah Almighty has revealed are non-believers." ¹²²

The Code of Laws in an Islamic State

i) The code of an Islamic Constitution is the Book of Allah Almighty (the Quran). As stated above, those who do not establish a rule according to the Book of Allah Almighty are infidels (5:44); subservience to any other rule is not right. Surah A'raaf says: (7:3) *أَتَّبِعُوا مَا أَنْزَلَ إِلَيْنَا مِنْ رَبِّكُمْ وَلَا تَتَّبِعُوا مِنْ دُونِهِ أَوْلِيَاءَ قَلِيلًا مِمَّا تَذَكَّرُونَ* "(O Jamaa'atul Mu'mineen) Follow only that which has been revealed to you by your Rabb and do not follow any friends and protectors other than Him. (The subservience to Divine Laws and not of

¹²⁰. Al-Quran- 3:78

¹²¹. Al-Quran- 35:32

¹²². Al-Qur'an-5:44

any human being is the real freedom), but very few keep this reality in mind." ¹²³

ii) This Book, the Quran, is clear and explicit (5:15) قَدْ جَاءَكُمْ مِنَ اللَّهِ نُورٌ وَكِتَابٌ مُبِينٌ *"Light from Allah Almighty has come to you in the form of a perspicuous Book"* ¹²⁴. It means that the Book is clear and revealing. It is very easy to follow (54:32) وَلَقَدْ يَسَّرْنَا الْقُرْآنَ لِلذِّكْرِ فَهَلْ مِنْ مُدَكِّرٍ *"In reality We have made this Quran very easy for taking guidance"* ¹²⁵. It does not contain any disputative matter. Allah Almighty says: (4:82) أَفَلَا يَتَذَكَّرُونَ *"Do they not reflect upon the Quran Were it from anyone other than Allah, they would surely have found therein plenty of contradictions"*. ¹²⁶ To be free of any discrepancy is in itself a proof of its having been revealed by Allah. Not only that it does not contain any controversial matter, it has the capacity to stand as a judge, in order to decide on controversial matters. The very aim of revealing Books from Allah Almighty was to decide all disagreements amongst human beings. (2:213) وَأَنْزَلَ مَعَهُمُ الْكِتَابَ بِالْحَقِّ لِيُحْكَمَ بَيْنَ النَّاسِ فِي مَا اختلفوا فيه *"And to them (the Rasools) He sent the Book in truth, to judge between people in matters wherein they differed."* ¹²⁷

iii) As a code of guidance this book is complete as well as immutable: (6:116) وَتَمَّتْ كَلِمَةُ رَبِّكَ صِدْقًا وَعَدْلًا لَا مُبَدِّلَ لِكَلِمَاتِهِ *"The Laws of thy Rabb do find their fulfilment in truth and justice. None can change His Laws, for He is the One Who hears and knows every-thing"* ¹²⁸.

iv) In it there are certain laws (the details of) which have been determined and for others guidance has been provided only in principle. The determined laws shall be enforced as such. As far as those laws are

¹²³. Al-Quran-7:3

¹²⁴. Al-Quran-5:15

¹²⁵. Al-Quran-54:32

¹²⁶. Al-Qur'an- 4:82.

¹²⁷. Al-Quran-2:213

¹²⁸. Al-Quran-6:116

concerned where only the principles are given, an Islamic State shall frame details thereof staying within the parameters of these principles according to the needs of their time. These principles shall remain immutable but the rules framed under their guidance shall be liable to change in accordance with the exigencies of advancing times. This is the expedience, on the basis of which Allah Almighty did not determine the by-laws Himself. If it had so happened, these laws could not remain consistent with the exigencies of time, and that could render the working of the way of life prescribed by Him, impracticable. The Book that was intended to remain a code of guidance for all times and for all men, had to be thus, i.e. the principles should be immutable and detailed applicatory by-laws changeable with the change of time. Only this blend of permanence and change could keep the system permanently practicable through all times. This reality has been clarified by saying:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَسْأَلُوا عَنُ أَشْيَاءَ إِن تُبَدَّلَ لَكُمْ سُوْرَةٌ وَإِن تُسْأَلُوا عَنْهَا حِينَ يُنَزَّلُ الْقُرْآنُ تُبَدَّلَ لَكُمْ
عَفَا اللَّهُ عَنْهَا وَاللَّهُ غَفُوْرٌ حَلِيْمٌ - فَذُ سَأَلَهَا فَوْرَمَ مَن قَبْلِكُمْ ثُمَّ اصْبَحُوا بِهَا كَافِرِيْنَ

"O you who believe! (What is necessary for the guidance of mankind has been given through revelation and is prescribed in the Quran). Do not probe into that which has not been revealed (because if We fix up their details, they shall become immutable. And when they shall not be able to cope with the needs of time, you shall be put into difficulty because you shall not be able to accomplish them). The same shall happen if We disclose such matters during the descent of revelation. Thus you should particularly keep it in mind; We forgive all that has happened before. You ought to be careful in future. If you had forgotten or had fallen into error, there is a scope in the Laws of Allah Almighty for forgiveness of failings

in small matters. You are given the warning because before this a nation (Israelites) had started asking such questions"¹²⁹.

As a result they had put so many limitation and restrictions upon themselves that it became difficult for them to accomplish them and having been fed up with these details, they forsook the real 'Deen' itself."

It is apparent that the commandments and laws determined in the Quran shall be put into practice gradually according to the conditions of the society, and thus the society shall be brought to the required standard step by step. But it shall not be allowed that you pick up some injunctions of the Quran according to your own liking and take these up along with other un-Quranic injunctions and name the mixture of these two as "Islamic Code of Laws", this is also infidelity Kufar. The Jews also used to behave in that way, on account of which they were warned as follows:

أَفْتُمِونَ بَبْعِضِ الْكُتَابِ وَتَكْفُرُونَ بِبَعْضِ مِمَّا جَزَاءُ مَنْ يَفْعَلُ ذَلِكَ مِنْكُمْ إِلَّا خِزْيًا فِي (2:85) الْحَيَاةِ الدُّنْيَا وَيَوْمَ الْقِيَامَةِ يُرَدُّونَ إِلَىٰ أَشَدِّ الْعَذَابِ *"Do you then believe in a part of the book and reject the rest But what shall be the recompense for those among you who behave like this, except disgrace in this life, and on the Day of Judgment they shall be consigned to the most grievous chastisement"*.¹³⁰

The Entire Ummah Shall Take Part in the Government

The duty of an Islamic Rule is: "To enforce what is lawful according to the Divine Law and prohibit what is unlawful." It is said in Surah Hajj:

الَّذِينَ إِنْ مَكَّنَّاهُمْ فِي الْأَرْضِ أَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ وَأَمَرُوا بِالْمَعْرُوفِ وَنَهَوْا عَنِ الْمُنْكَرِ *"They are those who if we establish them in the land, establish the way of life consistent with the Divine Laws and provide nourishment to individuals, enjoin the right and forbid the wrong."*¹³¹

¹²⁹. Al-Quran-5:101-102

¹³⁰. Al-Qur'an-2:85

¹³¹. Al-Quran-22:41

It means that it shall be the duty of the Islamic Rule to enforce by-laws of what the Quran considers right and forbid what it considers wrong. According to the Quran it is the duty of the entire Ummah. Allah Almighty says: *كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ* "You are the Ummah raised for the good of all mankind. Your responsibility is to enjoin the right and forbid the wrong"¹³². This very Ummah is the inheritor of the Book of Allah Almighty (35:32)". It means that the law and order of the State (known as the government) is not limited to a part in it. The machinery that shall put it into shape has been left by the Quran to the discretion of the Ummah. It may take any form but its aim shall be that the entire Ummah shall take part in the working of the state's affairs i.e., all Muslims living within the boundaries of the State. Non-Muslims cannot take part in it because; it is the duty of the government comprising Muslims only to enforce the Divine Injunctions. How then, can those people who do not believe in these injunctions take part in its affairs!

Consultation System:: The system, in which the entire Ummah takes part, is termed by the Quran 'a system by consultation' (42:38); *وَأْمُرُهُمْ* *شُورَىٰ بَيْنَهُمْ وَمِمَّا رَزَقْنَاهُمْ يُنفِقُونَ* It has been ordained by Allah, that "in it, all affairs shall be settled by consultation."¹³³ This system shall differ from the western system of democracy in which the nation or the representatives of a nation possess the comprehensive powers of law-making; in other words sovereignty belongs to the nation as a whole but in an Islamic Government the sovereignty belongs to (the Book of) Allah. Leaving aside the representatives of the people, even the entire nation has no right either to make laws against it, or bring about a change in it. The opponents of this system used to ask the Rasool: "If you could make a change in the Quran according to our liking we are ready to compromise

¹³² Al-Quran-3:110

¹³³. Al-Qur'an-42:38;

with you". In answer to their demand Allah Almighty addresses the Rasoole thus: (10:15) *قُلْ مَا يَكُونُ لِي أَنْ أُبَدِّلَهُ مِنْ تَلْقَاءِ نَفْسِي إِنْ أَتَّبِعُ إِلَّا مَا يُوحَىٰ إِلَيَّ إِنِّي أَخَافُ إِنْ عَصَيْتُ رَبِّي عَذَابَ يَوْمٍ عَظِيمٍ* "Say: It is not for me, to change it of my own accord. I follow not but what is revealed unto me. If I were to disobey my Rabb, even slightly, I am afraid of the punishment I shall receive according to the Law of Requitat"¹³⁴. It is apparent that when even the Rasoole could not make any change in it at his own, how can anybody else be allowed to do so Now, as far as the system of majority and minority in a democratic system is concerned, it is apparent that since every matter shall have to be decided in accordance with the Quranic Injunctions, so the question of casting the votes does not arise. The concept that the decisions made by the majority are based on truth is false. The Rasoole is addressed as follows: *وَإِنْ تُطِيعَ أَكْثَرُ مَنْ فِي الْأَرْضِ يُضِلُّوكَ: عَنْ سَبِيلِ اللَّهِ إِنْ يَتَّبِعُونَ إِلَّا الظَّنَّ وَإِنْ هُمْ إِلَّا يَخْرُصُونَ* "If you were to follow the majority of the people in the land, they would lead you astray from the path of Allah. They follow nothing but conjecture; they do nothing but indulge in their own surmises"¹³⁵. The criterion to judge between right and wrong is not based on majority or minority, but on the Book of Allah. The representatives of the Ummah have got to conduct the State affairs, within the limits laid down in it. The truth cannot remain subject to the whims and wishes of the people. (23:71) *وَلَوْ أَتَّبَعَ الْحَقُّ أَهْوَاءَهُمْ لَفَسَدَتِ السَّمَاوَاتُ وَالْأَرْضُ* "If the truth had been in accord with their desire, truly the heavens and the earth and all beings therein would have been in confusion".¹³⁶ Thus the people ought to obey the Truth, and Truth is the other name for the Holy Quran.

Standard for the Assignment of Ranks: The ranks shall be assigned in the society according to the personal virtues and the character and

¹³⁴. Al-Qur'an-10:15 6:117

¹³⁵. Al-Qur'an-6:117

¹³⁶. Al-Qur'an- 23:71

conduct of individuals: (46:19) وَلِكُلِّ دَرَجَاتٍ مِّمَّا عَمِلُوا "And to all ought to be (assigned) degrees according to their deeds." And the state administration shall be entrusted to those who are fit for it. (4:58) إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا "Allah Almighty commands you to render back your trusts to those who are capable of achieving the object;" and the person with the best of conduct and character shall be the head of the state¹³⁷. إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ اتَّقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ. It has been ordained by Allah Almighty "Most honored of you in the sight of Allah Almighty is (he who is) the most observant of the Divine Laws amongst you," and is the best in their performance. As the state affairs shall be conducted by consultation, he shall remain in office as long as he enjoys the corroboration of the Ummah.

The State Administration: In order to conduct the affairs of the state, there shall be an administrative centre and under this centre there shall be legally authorised officers. Because a system like this was first organized by the Rasool, thus the term 'Allah Almighty and Rasool' has been used for it in the Quran, which means Divine organization put in to practice by the Rasool. Thus the obedience to 'Allah Almighty and the Rasool' meant the obedience to the Centre of this Divine System. Under command of this Centre were the officers Ulil Amr authorized to take decision according to the Law. An appeal against the cases decided by these authorized officers was permissible, but the decisions made by the Centre used to be final. It is said in Surah An-Nisa; (4:59)

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِن تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِن كُنتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

"O you who believe! Obey the system established by the Rasool in accordance with the Laws of Allah; and obey the local authorities appointed by this Order. In cases of disputes with the local authorities an

¹³⁷. Al-Qur'an-49:13

appeal can be made to the Central Authority. This will constitute evidence that you really believe in Allah Almighty and His Law of Requital (life hereafter). This is the best and the most suitable practice to obtain, ultimately, a balanced society".¹³⁸

The same system continued after the death of the Rasool and the successive caliphs became the Central Authority and the obedience to a caliph became synonymous with obedience to 'Allah Almighty and the Rasool'. As and when that system is re-established, the obedience to its Central Authority shall constitute obedience to 'Allah Almighty and His Rasool'. The entire responsibility of the state affairs shall lie in the Centre, which shall be subservient to the Quran and answerable to the Ummah.

The Decisive Word Regarding Divine Laws: According to the Quran, obedience belongs to the Divine Laws and an Islamic Government is an agency to put these laws into action. Thus any decision by the government which goes against the Quran, its obedience shall not remain mandatory: (18:28) وَلَا تُطِيعْ مَنْ أَغْفَلْنَا قَلْبَهُ عَن ذِكْرِنَا وَاتَّبَعَ هَوَاهُ وَكَانَ أَمْرُهُ فُرُطًا It Is the command of Allah Almighty Himself: "Do not obey any such person whose heart has become neglectful to Our laws, one who follows his own desires and whose case has gone beyond all bounds". Such could not have happened during the time of the Rasoole, but there is a possibility of such an occasion arising after him. Thus it ought to be so arranged that if any one in the society thinks that such and such a decision made by the government goes against the Quran, he may be able to get a decision from another authority. Such an authority could only be the Judiciary. Thus the decision made by the Supreme Court ought to be considered as final in such cases and none shall be allowed to disobey the decision. If such an occasion does arise, the decision by the Judiciary shall have to be

¹³⁸. Al-Quran-40:19

accepted as the decision by "Allah Almighty and His Rasool" (Centre of the System) about which the Divine Command is: (33:36): وَمَا كَانَ لِمُؤْمِنٍ وَلَا مَوْمِنَةٍ إِذَا قَضَىٰ اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُّبِينًا *"It behoves not a believer, man or woman, that when a matter has been decided by Allah Almighty and His Rasool (the final authority of the Divine System) to exercise a choice in the matter. Anyone who disobeys Allah Almighty and His Rasool has forsaken the straight path and is clearly on the wrong path."*¹³⁹

Often it is said that in such a situation the Sovereign Authority shall rest with the Judiciary instead of the government or the constituent assembly. But as has been explained earlier, the final authority actually rests with the Book of Allah Almighty and none else. In disputed matters the judiciary shall only explain what the decision of the Quran is.

Parties: According to the Quran the entire Ummah are divided by two as compared to the Muslims are one party and non-Muslims are one party. Within the Ummah itself the presence of parties, may it be religious parties or political parties, is 'shirk' (assigning partners unto Allah). The Divine Command is: (30:31-32) مِّنْبِينٍ إِلَيْهِ وَأَتَقَوْهُ وَأَقِيمُوا الصَّلَاةَ وَلَا تَكُونُوا مِنَ الْمُشْرِكِينَ- *"O believers, remember! Be not of those who follow laws other than His and thus set up peers with Allah Almighty i.e. be not of those who create cleavage in their social order and divide themselves into various sects, where each sect becomes obsessed with its own view of it and the 'Deen' disappears."*¹⁴⁰

At another place it is said: (6:160) إِنَّ الَّذِينَ فَرَّقُوا دِينَهُمْ وَكَانُوا شِيَعًا لَسْتَ مِنْهُمْ فِي شَيْءٍ إِنَّمَا أَمْرُهُمْ إِلَى اللَّهِ ثُمَّ يُنَبِّئُهُمْ بِمَا كَانُوا يَفْعَلُونَ *"Those who create differences in 'Deen' (the way of life prescribed by Allah) and divide themselves into sects (O Messenger of Allahe) you have nothing to do with them. Leave*

¹³⁹. Al-Qur'an- (33:36)

¹⁴⁰. Al-Qur'an-30:31-32

*their affair for the Law of Allah Almighty to decide, which would tell them how they acted."*¹⁴¹ In Surah Aal-e-Imraan it is said: وَلَا تَكُونُوا كَالَّذِينَ تَفَرَّقُوا وَاخْتَلَفُوا مِنْ بَعْدِ مَا جَاءَهُمُ الْبَيِّنَاتُ وَأُولَئِكَ لَهُمْ عَذَابٌ عَظِيمٌ "Be not like those who are divided amongst themselves and fall into disputations after receiving clear signs from Allah. For them is a dreadful penalty."¹⁴²

From these and several other similar verses of the Quran, this reality becomes apparent that when the Ummah gets divided into parties and sects, the Deen (way of life prescribed by Allah) does not survive, nor an Islamic State can come into existence under such circumstances. Deen is another name for the Islamic State which has one code of guidance (Book of Allah), one Ummah as its upholder, and one central authority of the state. In this state, the entire Ummah, in the form of a compact body, revolves around the pivot of the Quran. Look how clearly the Quran explains this reality when it says: وَأَعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا وَاذْكُرُوا نِعْمَةَ اللَّهِ عَلَيْكُمْ إِذْ كُنْتُمْ أَعْدَاءً فَأَلَّفَ بَيْنَ قُلُوبِكُمْ فَأَصْبَحْتُمْ بِيَعْمَتِهِ إِخْوَانًا وَكُنْتُمْ عَلَىٰ شَفَا حُفْرَةٍ مِنَ النَّارِ فَأَنْقَذَكُمْ مِنْهَا كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَهْتَدُونَ "And hold fast, all together, the rope which Allah Almighty stretches out for you and be not divided among yourselves; and remember with gratitude Allah's favour on you; you were enemies and He joined your hearts in love, so that by His grace you became brethren and you were on the brink of the pit of fire, and His Divine System saved you from it. Thus Allah Almighty makes His messages clear to you that you may be guided."¹⁴³ The greatest crime of Pharaoh, as Allah Almighty says in the Quran, was that he had divided his people into parties. (28:4) وَجَعَلَ أَهْلَهَا شِيَعًا "He broke up his people into sections"¹⁴⁴.

¹⁴¹ . Al-Quran-6:159

¹⁴² . Al-Quran-3:105

¹⁴³ . Al-Quran-3:103

¹⁴⁴ . Al-Quran-(28:4)

The Ingredients of an Islamic State: The Book of Allah, the scales of justice and the power of enforcement are the ingredients, or the three basics, of an Islamic state. If any one of these basics is missing, it no more remains an Islamic State. The basic object of Deen, is described in Surah Al-Hadeed as follows: لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيَقُومَ النَّاسُ بِالْقِسْطِ وَأَنْزَلْنَا الْحَدِيدَ فِيهِ بَأْسٌ شَدِيدٌ وَمَنَافِعُ لِلنَّاسِ وَلِيَعْلَمَ اللَّهُ مَن يَنْصُرُهُ وَرُسُلَهُ بِالْغَيْبِ إِنَّ اللَّهَ قَوِيٌّ عَزِيزٌ *"In order to obtain this objective, Allah Almighty arranged His Messengers to be sent to different people with clear signs (proofs); and every Rasool also brought with him a code of laws. They established 'social orders' on the basis of this code so that the deeds of each person could produce the exact results and thus induce people to remain steadfast on justice and equity. In order to provide stability to that social order, Almighty Allah, along with the code of laws, also sent sword (iron) in which there is great strength. And because this strength is utilised for the maintenance of a system of justice, as well as for the protection of the oppressed, it becomes useful for mankind instead of being harmful. This also brings to light as to who are those faithful people who assist and aid this Divine System which was established by the Messengers of Allah. Before the successful results had appeared before them in a visible form, they made all sorts of sacrifices on the basis of this strong belief that a social order embodying supremacy and strength will most definitely be achieved by their tireless efforts."*¹⁴⁵

In Surah Al-Noor the aims and objects of an Islamic state (Caliphate) have been introduced as: وَعَدَّ اللَّهُ الَّذِينَ آمَنُوا مِنْكُمْ وَعَمِلُوا الصَّالِحَاتِ (24:55) لَيَسْتَخْلِفَنَّهُمْ فِي الْأَرْضِ كَمَا اسْتَخْلَفَ الَّذِينَ مِنْ قَبْلِهِمْ وَلَيُمَكِّنَنَّ لَهُمْ دِينَهُمُ الَّذِي ارْتَضَى لَهُمْ وَلَيُبَدِّلَنَّهُمْ مِنْ بَعْدِ خَوْفِهِمْ أَمْنًا يَعْبُدُونَنِي لَا يُشْرِكُونَ بِي شَيْئًا وَمَنْ كَفَرَ بَعْدَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْفَاسِقُونَ *"Allah Almighty has promised to those among you who profess Eemaan (conviction) and put in productive efforts that He will, of a surety, grant*

¹⁴⁵. Al-Quran- 57:25

them inheritance (of power) in the land, this is Our Immutable Law according to which We had established the earlier nations as well (28:6); that He will establish in authority their Deen the one which He has chosen for them, so that their rule shall turn this earth into paradise (39:74); and that He will change their (state) of fear in which they (lived) to one of security and peace, so as to enable them to obey only His Laws with satisfaction and that they are not forced to associate any other laws with His Laws and thus ascribe partners unto Him. (But listen attentively that such a system shall last only as long as these people remain steadfast in obedience to Our Laws). Those who, after such a rule is established, practically keep themselves away from it and put into practice their self-made laws instead of the Divine Laws, shall leave the highway that was leading them to the correct destination and they shall be led astray to other paths and thus shall be deprived of the benefits of a paradisiacal social order. Such benefits were the result of firm belief and deeds consistent with the Divine Laws. When belief and the deed consistent with the Divine Laws remain no more, the benefits shall automatically disappear."¹⁴⁶

The duty of an Islamic State does not end with the enforcement of laws, but also it brings about a psychological change in the individuals of the state, so as to create in them an intense desire to lead a life consistent with the Divine Laws. This objective can be achieved by the right type of the system of education as well as by the exemplary character of the leaders in the state. As long as such a change is not brought about amongst the individuals, there shall be no change in the society. The Holy Quran says:

¹⁴⁶. Al-Quran-24:55

إِنَّ اللَّهَ لَا يُغَيِّرُ مَا بِقَوْمٍ حَتَّىٰ يُغَيِّرُوا مَا بِأَنفُسِهِمْ "Verily never will Allah Almighty change the condition of a people, until they bring about a change within their themselves."¹⁴⁷ This is an eternal verity stated by the Quran.

The Position of Non Muslims in an Islamic State: Since all human beings are equally worthy of respect, the human rights, ipso facto, shall be equally available to all non-Muslims in an Islamic State. They shall have complete religious freedom. (2:256) لَا إِكْرَاهَ فِي الدِّينِ "There is no compulsion in the matters of Deen (the way of life based on the Quran)",¹⁴⁸ shall be the basis of the constitution of the Islamic state. Its universal manifesto shall be: (18:29) وَقُلِ الْحَقُّ مِن رَّبِّكُمْ فَمَن شَاءَ فَلْيُؤْمِن وَمَن شَاءَ فَلْيُكْفِرْ "Pronounce that the truth from the 'Rabb' of you all, has come; then whosoever wills, let him believe (accept) it; and whosoever will not, let him reject it"¹⁴⁹ However, since the very purpose of the existence of this state is the establishment of the Divine System and the enforcement of the Quranic status, it is apparent that those who do not believe in its ideology i.e. the non-Muslims cannot be admitted to participate in the affairs of the state. Thus the Quran has explicitly advised not to take non-Muslims as your confidants (do not confide in them). أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا بَطَانَةَ مَنْ دُونِكُمْ لَا يَأْلُونَكُمْ خَبَالًا وَدُّوا مَا عَصَيْتُمْ قَدْ بَدَتِ الْبَغْضَاءُ مِنْ أَفْوَاهِهِمْ وَمَا تُخْفِي صُدُورُهُمْ أَكْبَرُ قَدْ بَيَّنَّا لَكُمُ الْآيَاتِ إِن كُنْتُمْ تُعْقِلُونَ (3:118) "The division of humans shall be based on faith (Eemaan), instead of creed, dialect (language) and nationality. Those who believe in the permanent values given by the Revelation and make the establishment of the Divine System the goal of their life, are the members of one group; on the other hand those who reject its value system, form another group. As the communality of ideas and objectives is the basic condition for unity and concord, it is apparent that a true

¹⁴⁷. Al-Quran-13:11

¹⁴⁸. Al-Quran-2:256

¹⁴⁹. Al-Quran-18:29

relationship can never come into being with those who oppose this ideology"¹⁵⁰

Thus it is said in Surah (3:117) above "O you who believe! Take not into intimacy as your confidants those outside your ranks. They will not fail to leave anything untried to bring about your downfall. They desire it from the depths of their hearts that you should fall victim to such ineffable afflictions that break your strength. A reflection of their malice and hatred has already appeared from their utterances but what their hearts conceal is far worse. We have explained to you these things in a manifest manner, so that applying your intellect and judgments, you should guard yourselves (against their intrigues), if you have wisdom." (3:119) هَآأَنْتُمْ أَوْلَآءُ تُحِبُّونَهُمْ وَلَا يُحِبُّونَكُمْ وَتُؤْمِنُونَ بِآلْكِتَآبِ كُلِّهِ وَإِذَا لَقُوكُمْ قَالُوا آمَنَّا وَإِذَا خَلَوْآ عَضُّوآ عَلَيْنَكُمْ *"Lo! Do not take them as your friends; even if you do it, they will never befriend you, although you believe in all the Books (yours and theirs). (Such a stance of yours is exhibited with the sincerity of your hearts, but their plight is such that :) When they meet you they say, 'We believe (in your ideology)' but when they leave you, they bite the very tips of their fingers in their rage against you. Say: "Perish in your rage: Allah Almighty knows well (What you do openly and) what is hidden in your hearts"*¹⁵¹

The psychological strife within yourself and your double dealing shall become the very source of your destruction. To explain it further it is said: *إِن تَمْسَسْكُمْ حَسَنَةٌ تَسُؤْهُمْ وَإِن تُصِيبْكُمْ سَيِّئَةٌ يَفْرَحُوا بِهَا وَإِن تَصْبِرُوا وَتَتَّقُوا لَا يَضُرُّكُمْ إِن تَمْسَسْكُمْ حَسَنَةٌ تَسُؤْهُمْ وَإِن تُصِيبْكُمْ سَيِّئَةٌ يَفْرَحُوا بِهَا وَإِن تَصْبِرُوا وَتَتَّقُوا لَا يَضُرُّكُمْ* *"(The malice in their hearts is such that) If good befalls you, it grieves them and if an evil afflicts you, they rejoice at*

¹⁵⁰. Al-Quran-3:118

¹⁵¹. Al-Quran-3:119

*it and if you are patient and keep your duty, their struggle will not injure you in any way. Surely Allah Almighty encompasses what they do."*¹⁵²

What really matters is the ideology (Deen). Even the relatives are not exempt. Thus it is said: يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا آبَاءَكُمْ وَإِخْوَانَكُمْ أَوْلِيَاءَ إِنِ اسْتَحَبُّوا هُمْ أَوْلَىٰ بِكُمْ فَاُولَٰئِكَ هُمُ الظَّالِمُونَ "O you who believe! Comprehend this truth that according to Divine Code the differentiation between friends and foes shall not be based on heredity and family relationship but instead on the common concept of life. Thus even if your fathers and your brothers like infidelity better than belief, you do not take them as your friends. Look! If after this warning anybody befriends them, he shall do wrong only to himself. This shall be tantamount to rebellion against the Divine Laws."¹⁵³ This matter is of such a great importance that it is said: قُلْ إِن كَانَ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ اقْتَرَفْتُمُوهَا وَتِجَارَةٌ تَخْشَوْنَ كَسَادَهَا وَمَسَاكِينُ تُرَضُّونَهَا أَحَبُّ إِلَيْكُمْ مِنْ أَلَلِهِ وَرَسُولِهِ وَجِهَادٍ فِي سَبِيلِهِ فَتَرْتَوُّوا "Say: If your fathers and your sons and your brethren and your wives and your kinsfolk and the wealth you have acquired, and trade whose dullness you fear, and dwellings you love, are dearer to you than Allah Almighty and His Messenger and striving in His Way, then wait till Allah Almighty brings His Command to pass. And Allah Almighty guides not the transgressing people."¹⁵⁴ Allah Almighty has presented the lifestyle, character and deeds of two exalted persons Muhammada and Ibraheemu as the best models. What were those characteristics of Ibraheem'su disposition which made him worthy of being made the model The Quran says: (60:4) قَدْ كَانَتْ لَكُمْ أُسْوَةٌ حَسَنَةٌ فِي إِبْرَاهِيمَ وَالَّذِينَ مَعَهُ إِذْ قَالُوا لِقَوْمِهِمْ إِنَّا بُرَءَاؤُا مِنْكُمْ وَمِمَّا تَعْبُدُونَ مِن دُونِ اللَّهِ كَفَرْنَا بِكُمْ وَبَدَا بَيْنَنَا وَبَيْنَكُمْ الْعَدَاوَةُ وَالْبَغْضَاءُ أَبَدًا حَتَّىٰ تُؤْمِنُوا بِاللَّهِ وَحَدُّهُ

¹⁵² Al-Quran-3:120

¹⁵³ Al-Quran-9:23

¹⁵⁴ Al-Qur'an-9:24

*example (that will remove the perplexities of your hearts and provide them solace) in the conduct of Ibraheem and his associates, when they announced to their people with whom they shared blood-relations: we are clear of you and those whom you serve leaving aside Allah: We reject your erroneous creed and consider it void, and there shall exist between us and you detestation and hostility for ever, unless you also believe in Allah Almighty and Him alone. (In that case you shall be our brothers in Deen)"*¹⁵⁵

There are several verses in the Quran in which it is said that you cannot confide in non-Muslims. Thus it is clear that not only that they cannot take part in state affairs, they cannot even be appointed in key posts. But, however, this does not mean that they shall be deprived of Human Rights; not at all, they shall get all the justice. The Quran goes so far in this matter that you cannot find an example of it in any other system. Thus it is said: *وَلَا يَجْرِمَنَّكُمْ شَنَاٰنُ قَوْمٍ عَلَىٰ اَلَّا تَعْدِلُوْا اَعْدِلُوْا هُوَ اَقْرَبُ لِلتَّقْوٰى* "Let not the enmity of others towards you makes you depart from justice. Always act justly, that shall bring you closer to that standard of life where Allah Almighty intends to take you. Thus always stay on the highway to justice."¹⁵⁶ Not only justice, but extension of the best treatment to non-Muslims has been ordained. It has been explicitly explained in Surah (60) 'Mumtahanah': whereas Allah Almighty forbids you to have relations of affinity with the enemies of Deen. He does not forbid you to deal with them justly (60:8-9). It goes even so far as to say that an Islamic State shall protect the places of worship of the non-Muslims. Thus it is said: *وَلَوْلَا دَفَعُ اللّٰهُ النَّاسَ بَعْضَهُمْ بِبَعْضٍ لَّهَدَمَتْ صَوَامِعُ وَبِيَعٌ وَصَلَوَاتٌ وَمَسَاجِدُ يُذَكَّرُ فِيْهَا (22:40)* "Had Allah Almighty not enabled people to defend themselves against one another, then surely monasteries, churches, synagogues and

¹⁵⁵. Al-Qur'an-3:117

¹⁵⁶. Al-Qur'an-5: 8

mosques in (all of) which the name of Allah Almighty is remembered abundantly would have been destroyed."¹⁵⁷ In addition to providing protection to these places, it is also ordained: *وَلَا تُسَبِّحُوا الَّذِينَ يَدْعُونَ مِن دُونِ اللَّهِ فَيَسُبُّوا اللَّهَ عَدْوًا بِغَيْرِ عِلْمٍ* "You revile not those whom they call upon besides Allah, lest they out of spite revile Allah Almighty in their ignorance".¹⁵⁸ This is likely to create disorder and chaos; therefore you do not treat their revered persons with insults. Such shall be the position of non-Muslims in an Islamic State. Being the citizens of an Islamic State, Islamic laws shall be applied to them. In their personal affairs, they shall be allowed to take their own decisions, subject to the laws of the Islamic State.

International Relations: The Holy Quran aims at removing all differences of mankind and created a universal brotherhood. Thus it is said: *(2:213) كَانَ النَّاسُ أُمَّةً وَاحِدَةً* "Mankind was one unified community"¹⁵⁹ and *(10:19) فَأَخْتَلَفُوا* "Then they differed"¹⁶⁰. In these verses it has been explained that to begin with mankind was a single brotherhood; afterwards they created differences amongst themselves. *كَانَ النَّاسُ أُمَّةً وَاحِدَةً فَبَعَثَ اللَّهُ النَّبِيِّينَ مُبَشِّرِينَ وَمُنذِرِينَ وَأَنْزَلَ مَعَهُمُ الْكِتَابَ بِالْحَقِّ لِيُحْكُمَ بَيْنَ النَّاسِ فِي مَا اختلفوا فِيهِ وَمَا اختلف فِيهِ* "So Allah Almighty sent Messengers with glad tidings and warnings and with them He sent the "Codes of Law", to judge between people in matters wherein they differed so as to turn them again into one community."¹⁶¹

In a particular territory the establishment of an Islamic State serves as a laboratory to achieve the above objective. In this connection this state shall co-operate with other nations of the world in matters beneficial for humanity, but shall not co-operate in matters which bring devastation to humanity: *(5:2) وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ* "Co-operate

¹⁵⁷. Al-Quran- 22:40

¹⁵⁸. Al-Quran- 6:108

¹⁵⁹. Al-Quran-2:213

¹⁶⁰. Al-Quran-10:19

¹⁶¹. Al-Quran-2:213

*with one another in matters which broaden scopes of betterment and well-being to humanity and produce consistency with the Divine Laws, and do not co-operate in matters that become obstructive in the progress of the society or a means of transgressing the Divine Limits."*¹⁶² In this connection a universal law has been proclaimed: (13:17) *وَأَمَّا مَا يَنْفَعُ النَّاسَ فِيمَنْ كُنْتُ فِي الْأَرْضِ* "That which is for the good of mankind at large endures on the earth." This very principle shall be the basis of the foreign policy of this state. To eradicate sedition from the face of the earth and to maintain peace in it shall be one of the aims of this state: (2:60) *وَلَا تَعْتُوا* "And do not cause the disintegration of your society through spreading disorder".¹⁶³ This is a peremptory injunction which promotes respect for humanity and becomes justificatory for its existence; because its basic principle is (17:70) *وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ* "We have created all human beings worthy of respect"¹⁶⁴. Because this State is meant to achieve these high ideals, it is thus mandatory that it should have the capability of safeguarding its sovereignty. Thus the security of its boundaries is of utmost importance. And it has been emphatically ordained: *وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ* "Keep your boundaries well-guarded by reinforced cantonments, equipped with all the steeds of war, to strike terror into (the hearts of) the enemies of Allah Almighty and your enemies, and others besides them whom you may not know, but whom Allah Almighty does know".¹⁶⁵ It may even sometimes be necessary to wage war against them to preserve your borders. (Since 'War in Islam' is a separate subject, its details are not discussed at this juncture).

Treaty (Obligations)

¹⁶² Al-Qura'n-5:2

¹⁶³ Al-Quran-2:60

¹⁶⁴ Al-Quran-17:70

¹⁶⁵ Al-Quran-8:60

(A) In the maintenance of peace and the protection of human rights, treaties shall be set up with other nations. The respect for the adherence to treaties is essential: *أوفوا بالعقود* "The fulfilling of obligations"¹⁶⁶ has been emphasized.

(B) If a breach of trust is feared from any nation, the treaty should be returned: (8:58) *وَأِمَّا تُخَافُونَ مِنْ قَوْمٍ خِيَانَةً فَانْبِذْ إِلَيْهِمْ عَلَى سَوَاءٍ إِنَّ اللَّهَ لَا يُحِبُّ الْخَائِنِينَ* "If you fear breach of trust from any group, throw back (their covenant) to them (so as to be) on equal footing, for Allah Almighty loveth not the treacherous."¹⁶⁷ If you fear being betrayed on the part of any nation, do not break the covenant without first informing them; inform them first so that both the parties come to the same level. If the premature cancellation of the covenant causes them a loss, it ought to be compensated, so as to come to equality of terms, for the Divine Law disapproves the breach of commitment. If you do not agree to the renewal of treaty, that should also be communicated to the other party beforehand, so that those likely to be affected adversely can make the necessary alternative arrangements. The same procedure was adopted in dealing with the opponents after the conquest of Makkah; its details are given in the first four verses of Surah Taubah (9:1-4) but if the other party breaks the covenant without reason, war is allowed against them. [See details in (9:12-13)].

(C) If the enemy joins hands with a group which enjoys a treaty (of peace) with you, the war against them shall be discontinued. The same applies to those who remain neutral. (4:90).

(D) Against those with whom you have a treaty of mutual alliance, even the Muslims will not be extended help (8:72). Detailed injunctions in these matters also relate to wars; therefore only the pointers have been described at this juncture.

¹⁶⁶. Al-Quran-5:1

¹⁶⁷. Al-Quran-8:58

- A. It is necessary to fulfil obligations: (5:1) *"O you who believe! Fulfil obligations."* The word includes personal contracts as well as treaties. (17:34) *"Fulfill (every) obligation, for every obligation will be enquired into"*. It means the breaking of an obligation is accountable.
- B. The fulfillment of obligations is the sign characteristic of believers: (23:8) *"Those who faithfully observe their trusts and their covenants."* Also (70:32); (3:75); (3:177), (70:32)
- C. the Quran presents a comprehensive guidance when says: *"O you who believe! Why do you say which you do not? Grievously odious it is in the sight of Allah Almighty that you say that which you do not do. A man's act must coincide with he says."*¹⁶⁸
- D. To fulfil your covenant with Allah Almighty is also a necessity. (16:91); (6:152) *"And fulfil the covenant of Allah."* Covenant with Allah Almighty also includes those responsibilities which man takes upon himself with his belief in Allah. In those who break their obligations with the Islamic state, it is said: وَالَّذِينَ يَنْفُضُونَ عَهْدَ اللَّهِ مِنْ بَعْدِ مِيثَاقِهِ وَيَقْطَعُونَ مَا أَمَرَ اللَّهُ بِهِ أَنْ يُوصَلَ وَيُفْسِدُونَ فِي الْأَرْضِ أُولَٰئِكَ لَهُمُ اللَّعْنَةُ وَلَهُمْ سُوءُ الدَّارِ *"Those who break the covenant with Allah Almighty after ratifying it and cut asunder the human relationship which Allah Almighty has commanded should be joined, and make mischief on earth; for them is the curse; theirs is the terrible abode."*¹⁶⁹
- At yet another place it is called "selling of obligations": (16:95) also (3:76), (2:41) *"Nor sell the covenant of Allah Almighty for a miserable price for the sake of worldly gains"*. In our opinion it also includes the conspiracies against an Islamic state, which the intriguers bring about in league with the enemy." *The biggest and the basic covenant between man and Allah Almighty which makes the man a 'believer' is, that he sells his*

¹⁶⁸ . Al-Quran-61:2-3

¹⁶⁹ . Al-Quran-13:25

life and property to Allah: "It is a reality that Allah Almighty purchases of the believers their persons and their wealth, and gives them a heavenly life in return".¹⁷⁰

Note that it is not a matter of belief alone; it is meant to be brought into practice. Its practical shape is that it is a contract between an Islamic state and the believers, in the name of Allah. (This is not the place for its explanation. For contacts with other states,

Rebellion: In an Islamic State, the spreading of sedition, (creating dispersion, diminution of peace and to bring about lawlessness) or mutiny against it, are the most serious crimes for which the punishment is very severe. Thus it is said: (5:33) *إِنَّمَا جَزَاءُ الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي الْأَرْضِ فَسَادًا أَنْ يُقَتَّلُوا أَوْ يُصَلَّبُوا أَوْ تُقَطَّعَ أَيْدِيهِمْ وَأَرْجُلُهُمْ مِنْ خِلَافٍ أَوْ يُنْفَوْا مِنَ الْأَرْضِ. ذَلِكَ لَهُمْ خِزْيٌ فِي الدُّنْيَا وَلَهُمْ فِي الْآخِرَةِ عَذَابٌ عَظِيمٌ* "The result of their tumultuous attitude is that when a system of justice has been established in the country in which there is peace all round, instead of living a peaceful life, they continue their subversive activities. This is tantamount to rebellion against the system based on justice and statute. In such a case the punishment of those who rebel against the central authority of the state and strive to create disorder within its boundaries, is their execution or crucifixion, or the cutting of hands and feet from opposite sides, or banishment from this land (or deprivation from general privileges) i.e. any of those relevant to their crime. This punishment shall be their disgrace in this life and a heavy punishment is theirs in the Hereafter as well."¹⁷¹

That is because one result of this crime is related to the society which it is necessary to check and the other has its effect on the person of the

¹⁷⁰. Al-Qur'an-9:111

¹⁷¹. Al-Quran- 5:33

offender (4:111) which results in the disintegration of his personality which shall be the cause of his destruction in the life hereafter."

But if these people repent before being taken in (retract from their rebellious course), they shall not be punished. The verse following the one above, explains: (5:34) *إِلَّا الَّذِينَ تَابُوا مِنْ قَبْلِ أَنْ تَقْرُوا عَلَيْهِمْ فَأَعْلَمُوا أَنَّ اللَّهَ غَفُورٌ رَحِيمٌ* "Except for those who retract from their activities before their being subdued by you: keep in mind that in that case the Divine Law may spare them from the punishment and they may not be deprived of the common privileges."¹⁷² The Holy Quran has described at other places, those who wage a war against the Islamic System. [See (9:63); (58:5-20)].

(a) Leaving aside actual rebellion against this System by such people, even to have relations of affinity with them is a crime: (58:22) *لَا تَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ يُوَادُّونَ مَنْ حَادَّ اللَّهَ وَرَسُولَهُ وَلَوْ كَانُوا آبَاءَهُمْ أَوْ أَبْنَاءَهُمْ أَوْ إِخْوَانَهُمْ أَوْ عَشِيرَتَهُمْ* "As it is a fact that truth and falsehood are opposite to each other, so how can it then be possible that people who believe in Allah Almighty and in the life Hereafter, befriend those who resist the Divine System even though they were their fathers or their sons, or their brothers or their kindred."¹⁷³ [(3:117); (60:4)]." (b) To betray the trust of an Islamic Government is also a crime: (8:27) *يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَخُونُوا اللَّهَ وَالرَّسُولَ وَتَخُونُوا أَمَانَاتِكُمْ وَأَنْتُمْ تَعْلَمُونَ* "Oh you who believe! It is essential for you neither to betray the Divine System (Allah Almighty and His Rasool), nor misappropriate knowingly in discharging the duties assigned to you. You know what shall be its result."¹⁷⁴ To advocate the cause of those who betray the trust is also a crime: (4:107); (4:105) *وَلَا تَكُنْ لِلْخَائِنِينَ خَصِيمًا* "So be not amongst those who advocate for the perfidious".¹⁷⁵ It is also a crime to conspire and to hold secret meetings in order to discuss unlawful

¹⁷² Al-Quran-5:34

¹⁷³ Al-Quran-58:22

¹⁷⁴ Al-Quran-8:27

¹⁷⁵ Al-Quran-4:105

بِأَيِّهَا الَّذِينَ آمَنُوا إِذَا تَنَاجَيْتُمْ فَلَا تَنَاجُوا بِالْإِثْمِ وَالْعُدْوَانِ وَمَعْصِيَةِ الرَّسُولِ وَتَنَاجُوا بِالْبِرِّ
 يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا تَنَاجَيْتُمْ فَلَا تَنَاجُوا بِالْإِثْمِ وَالْعُدْوَانِ وَمَعْصِيَةِ الرَّسُولِ وَتَنَاجُوا بِالْبِرِّ
 وَالْتِقَايَ وَاتَّقُوا اللَّهَ الَّذِي إِلَيْهِ تُحْشَرُونَ "O you who believe! When you hold secret
 counsel, do it not for iniquity, hostility and disobedience to the Divine
 System. Always hold counsels for righteousness and self-restraint." ¹⁷⁶

It is incumbent on an Islamic State to make them a part of their constitution in an appropriate form.

Government Agencies in the Holy Quran: Instructions for government employee's individuals of society, but, in view of their special responsibilities, they shall have to be more circumspect in some particular aspects, for example:-

1. Allah's Law of Requital is cognizant not only of the human deeds that are manifest, but also of those which Although every law and code of an Islamic State shall be applicable to the government officials like the other are concealed, such as an idea that flashes across one's mind or even the impurity of one's glances. Therefore, in the performance of their duty if they commit any carelessness, negligence, irresponsibility or breach of trust, but somehow escape the consequences of the law, yet they must remember that they cannot escape the grip of Allah's Law of Requital. Allah's Law of requital is such that: *يَعْلَمُ خَائِنَةَ الْأَعْيُنِ وَمَا تُخْفِي الصُّدُورُ* "He knows the perfidy of the eye and that which the bosoms hide." ¹⁷⁷

2. In each affair they shall have to ensure that they do not take a decision repugnant to Quranic Teachings because "to enjoin what is right according to the Divine Laws and to forbid what is wrong", is their basic responsibility (22:41). Their decisions should not only fulfil the demands of justice but also that of Ihsaan. Thus it is said: *وَإِذَا حُكِمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ* *يَئْتِيَنَّكُمْ* "Whenever you decide the disputed affairs of the people, always

¹⁷⁶. Al-Qur'an-58:9

¹⁷⁷. Al-Qur'an- 40:19

do it with justice." ¹⁷⁸ At yet another place it is said: (16:90) *إِنَّ اللَّهَ يَأْمُرُكُمْ بِالْعَدْلِ وَالْإِحْسَانِ* "Indeed Allah Almighty commands you to do justice and make good the deficiencies of others." ¹⁷⁹

Justice means that every individual in a human society gets what is his due and Ihsaan means making up the abatements of the individuals to restore the disturbed balance in the society. ADL and IHSAAN are the two basic terms of the Quran which can be given a practical shape by pondering over the day-to-day affairs. For example a thief shall be punished according to law; this shall be a matter of justice. But the loss of one whose belongings have been stolen, is not compensated by this act. The Adl and Ihsaan demand that the loss of the victim should also be compensated.

3. You yourself must practice what you say to others; (61:2-3) *أَيُّهَا الَّذِينَ آمَنُوا لِمَ تَقُولُونَ مَا لَا تَفْعَلُونَ - كَبُرَ مَقْتًا عِنْدَ اللَّهِ أَنْ تَقُولُوا مَا لَا تَفْعَلُونَ* "O you who believe! You ought to present a practical proof of your belief (in the Divine Commands) by your own acts. You should never say to others what you do not do yourself. It is grievously odious in the sight of Allah Almighty that you say what you do not do." ¹⁸⁰ Harmony in what you say and what you do is the visible proof of what you profess.

4. All that belongs to the State (even the secrets of the State) are a trust with you. Do not betray this trust: (8:27) *يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَخُونُوا اللَّهَ وَالرَّسُولَ وَتَخُونُوا أَمَانَاتِكُمْ وَأَنْتُمْ تَعْلَمُونَ* "O you who believe! It is incumbent on you that you do not betray the trust placed in your hands by the Divine System (Allah Almighty and the Rasool) nor in the performance of the duties entrusted to you. You know what shall be the result of it."

¹⁷⁸. Al-Qur'an-4:58

¹⁷⁹. Al-Qur'an-16:90

¹⁸⁰. Al-Quran-61:2-3

5. Render back your trusts to whom they are due and fill up the vacancies in the government service on their merit. Both these concepts are present in the verse: (4:58) *إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا*

6. Never let people's confidence (trust) in you be shattered. Let the trustee faithfully discharge his trust: (2:283) *مَقْبُوضَةٌ فَإِنْ أَمِنَ بَعْضُكُم بَعْضًا فَلْيُؤَدِّ الَّذِي أُؤْتِمِنَ أَمَانَتَهُ* "If one of you places a thing in trust with another, let the trustee (faithfully) discharge his trust."¹⁸¹ Basically this command relates to properties entrusted to others but as a matter of principle this is applicable to all kinds of trusts. It means that no matter what is placed in your trust, you should always honor the trust reposed in you.

7. Do not take part in any type of intrigue and always stay conscious that: (35:43) *وَلَا يَحِقُّ الْمَكْرُ السَّيِّئُ إِلَّا بِأَهْلِهِ* "The evil plan besets none save its own authors."

8. You should co-operate with one another in constructive matters. Co-operate with each other in matters of benefit to humanity and in matters consistent with the Divine Laws, (5:2) *وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ* "is the Divine Commandment; and "Be with those who are veracious" (true to their commitments)."¹⁸² *وَكَوْنُوا مَعَ الصَّادِقِينَ* "Be with those who are true (in words and deed)", is an emphatic commandment."¹⁸³

9. If one finds that another officer is handing out a wrong decision on account of his being ill-informed, he should convey to him correct information. This act shall be called shafaa'at-e-hasanah commendable intercession. (4:85) *مَنْ يَشْفَعْ شَفَاعَةً حَسَنَةً يَكُنْ لَهُ نَصِيبٌ مِّنْهَا وَمَنْ يَشْفَعْ شَفَاعَةً سَيِّئَةً يَكُنْ* "If somebody stands in support of another person in a matter just and equitable (commendable intercession) he shall also share pleasant results. On the contrary, if one

¹⁸¹. Al-Qur'an-2:283

¹⁸². Al-Quran-5:2

¹⁸³. Al-Quran-9:119

*helps another person in matters of injustice and transgression (called evil intercession) he shall share its disastrous consequences."*¹⁸⁴

They shall neither take the side of those who are dishonest and betray the trust. (4:105) وَلَا تَكُنْ لِلْخَائِبِينَ خَصِيمًا "So be not (used) as an advocate by those who betray the trust, and never indulge in bribery", is Allah's Directive. The following verse is a comprehensive guide on the matter:¹⁸⁵

وَلَا تَأْكُلُوا أَمْوَالَكُم بَيْنَكُم بِالْبَاطِلِ وَتُدْخِلُوا بِهَا إِلَى الْحُكَّامِ لِتَأْكُلُوا فَرِيقًا مِّنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنتُمْ تَعْلَمُونَ "Do not eat up your property among yourselves by foul means, nor use it as bait for the judges, with the intent that you may eat up wrongfully a part of (other) people's property, although you know its results."¹⁸⁶

10. Investigate all disputed matters yourself: never rely on hearsays: (17:36) وَلَا تَقْفُ مَا لَيْسَ لَكَ بِهِ عِلْمٌ إِنَّ السَّمْعَ وَالْبَصَرَ وَالْفُؤَادَ كُلُّ أُولَئِكَ كَانَ عَنْهُ مَسْئُولًا

"And pursue not that of which you have no knowledge (i.e. of which you have not made an investigation or personal enquiry) collecting relevant information employing your faculties of hearing and seeing, and then make the knowledge thus obtained the basis of your decisions, so as to reach the correct conclusion. If a single link of this chain is missing, your enquiry shall remain defective. Think what a great responsibility lies upon you, because Allah Almighty has endowed you with the power of discretion and determination; He has not made you a constrained machine. For the use of your discretion He has bestowed on you the mediums of knowledge and ascertainment. The one, who does not make use of them, tries to escape from his responsibility."

¹⁸⁴ . Al-Quran- 4:85

¹⁸⁵ . Al-Qur'an- 4:205

¹⁸⁶ . Al-Qur'an- 2:188

11. Achieve prevention of evil with the beauty and proportion of your deeds. The principle is: (23:96) *أَدْفَعْ بِالَّتِي هِيَ أَحْسَنُ السَّيِّئَةَ نَحْنُ أَعْلَمُ بِمَا يَصِفُونَ* "Repel evil with that which is best."¹⁸⁷

12. If one does wrong by mistake and there is a possibility of his correction, he ought to be pardoned. Thus it is said: (6:54) *مَنْ عَمِلَ مِنْكُمْ سُوءًا مِّنْ عَمَلٍ مِّنْكُمْ سُوًّا بِجَهَالَةٍ ثُمَّ تَابَ مِنْ بَعْدِهِ وَأَصْلَحَ فَأَنَّهُ غَفُورٌ رَّحِيمٌ* "If there is an omission or negligence on somebody's part, thereafter he repents and makes amends in future; he ought to be given protection and forgiveness by the organization of the state."¹⁸⁸ If anybody's guilt demands the fulfillment of justice, the punishment should not exceed his crime. In this respect the principle is: (42:40) *وَجَزَاءُ سَيِّئَةٍ سَيِّئَةٌ مِّثْلُهَا* "The recompense of an evil is punishment equal thereto".

13. They should exercise self-control (maintain their composure) and not get enraged easily: (3:133) *وَالْكَاطِمِينَ الْغَيْظِ وَالْعَافِينَ عَنِ النَّاسِ وَاللَّهُ يُحِبُّ الْمُحْسِنِينَ* "To control tempers and to forgive others" has been called trait of the believers."¹⁸⁹ Self-restraint also implies talking in low and dulcet tones.

وَأَقْصِدْ فِي مَشْيِكَ وَأَغْضُضْ مِنْ صَوْتِكَ "Soft talking and moderation in walk (gait) are the symbols of trustworthiness and solemnity."¹⁹⁰ During discussions they should not try to compel others to accept their version on the basis of their awe-inspiring presence as an officer; but (16:125) *وَجَادِلْهُمْ بِالَّتِي هِيَ أَحْسَنُ* "Argue with them in ways that are best and most gracious."¹⁹¹

14. They should always fulfill their promise: (17:34) *وَأَوْفُوا بِالْعَهْدِ إِنَّ الْعَهْدَ كَانَ مَسْئُولًا* "And fulfill (every) commitment, for (every) commitment will be enquired into on the Day of Reckoning."¹⁹²

¹⁸⁷. Al-Quran-23:96

¹⁸⁸. Al-Quran-3:133

¹⁸⁹. Al-Quran- 6:54

¹⁹⁰. Al-Quran-31:19

¹⁹¹. Al-Quran-16:125

¹⁹². Al-Quran-17:34

15. They should not throw their responsibility on others. The principle is: (53:38) *أَلَا تَرَىٰ وَازِرَةً وَّزْرًا أُخْرَىٰ* "No bearer of burdens shall bear the burden of another." *Everybody shall bear his own burden.*"¹⁹³

16. They should never wish to be praised for what they do not do. That is being not like those who like flattery and are thus the most dangerous enemies. The way of hypocrites is described as: *وَيُحِبُّونَ أَنْ يُحْمَدُوا بِمَا لَمْ يَفْعَلُوا* "They desire to be praised for what they do not do."¹⁹⁴

Justice: Justice in All Islamic Laws

The purpose of these discussions on social justice is to mention those verses of the Holy Qur'an and the traditions through which the Holy Qur'an and our infallible Imams have given lessons of equality of mankind in the eyes of the law and of preservation of their rights. They have also forbidden undue discrimination, cruelties and exploitation. Apart from this we have cited the examples of just distribution of wealth, Islamic brotherhood and fraternity set by the Holy Prophet of Islam and his Holy Ahlul Bayt (peace be on them).

Islam is an institution of justice and moderation. It is a straight path and the Muslim fraternity is the nation which practices moderation and justice. The Islamic system is based on justice. If there are tears for the oppressed then there are swords for the oppressors. If it gives importance to preservation of physical health, it also stresses on our spiritual enlightenment and moral enlistment. If it ordains the offering of prayers, it also orders paying *zakat* (religious tax). If it asks us to love and respect the pious people, it also insists on hatred against the enemies of Allah. If it lays stress on acquiring knowledge it also considers the performance of noble deeds as compulsory. If it commands us to have faith and trust in Allah, it also advises us to make

¹⁹³. Al-Quran-53:38

¹⁹⁴. - Al-Quran-3:187

efforts to achieve our objects. If it allows acquisition of personal wealth and property, it also forbids taking undue advantage of ownership and damaging the interest of other people. If it recommends exclusive an offender it also insists on enforcement of punitive laws and making no remissions in punishments. When Imam Ali was told by the people about the piety and devotion of a person offering his prayers, he asked about the intention and the character of a person. Hence it means that if a person is a devout worshipper of Allah, we should judge him by his views and behavior.

Justice Plays Its Role in Individual and Collective Life

The faith in the Justice of Allah helps to lay the foundation of justice in individual and collective life. Such a person prepares himself to accept justice in his personal and social life.

1. To establish the rule of justice is a basic responsibility of an Islamic State. The demand for justice prevails in all walks of life, but here we shall talk only about the judicial justice (that which pertains to the domain of law). The Quran also provides the required guidance for justice-dispensing agencies i.e. the courts of law. It is necessary to understand one basic principle about justice. According to the common concept of justice in the world, the duty of a law-court is to decide the disputed affairs according to the code of law that is prevalent; therefore a decision made accordingly shall be considered as based on justice. But, if the law itself is not based on justice, then the decision based on it can never be considered just. Thus the principle laid down by the Quran is that the law of the land should also be based on justice. In this respect the Quran does not indulge in a philosophical debate as to what is meant by "law on the basis of justice" and what is the definition of justice. It addresses the

Islamic sovereign state decisively as follows: " *If any do fail to judge by what Allah Almighty has revealed, they are the infidels.*" ¹⁹⁵

It means that where the rule is based on Quranic Laws, it shall be an Islamic government and if it is not based on Quranic Law, it shall be a government of non-believers. Only that law shall be considered as based on truth which conforms to the Book of Allah; any law contrary to it shall be based on 'zulm' (injustice). Thus the judges are addressed as follows: (7:158)¹⁹⁶, "They guide people towards the Truth (the Quran), and dispense justice in accordance with what it dictates."

The real justice, in fact, is the justice based on Truth. If the law is not based on Truth, then any judgment according to this law cannot be considered as meeting the requirements of justice. Truth is, in fact, another name for the Book of Allah. The same is the difference between an Islamic state and a secular state. In Surah 'Saad' it is said: (38:26) *يٰۤاٰدٰوۤدُ اِنَّا جَعَلْنَاكَ خَلِيۡفَةً فِى الْاَرْضِ فَاَحۡكُمۡ بَيْنَ النَّاسِ بِالۡحَقِّ وَلَا تَتَّبِعِ الْهَوٰى فَيُضِلَّكَ عَنۡ سَبِيۡلِ اللّٰهِ اِنَّهٗ اِنۡ يَّضِلُّوۡنَ عَنۡ سَبِيۡلِ اللّٰهِ لَهُمْ عَذَابٌ شَدِيۡدٌۢ بِمَا نَسُوۡا يَوْمَ الْحِسَابِ* "O David! We did indeed give you the rule on the earth, so decide between men in truth, and do not follow the lust of their hearts, for they will mislead you from the path of Allah."

This makes clear two issues: firstly that the law of the land ought to be based on Truth (the Book of Allah); secondly, that the court of law should remain above its personal sentiments that is it should remain neutral. That is what is called 'a just decision'.

2. For a system of justice the Quran has ordained: (4:58) "And when you decide between man and man, you must do so with justice."

Even when you make peace between parties, do so with justice (49:9) In Surah Al-Hujuraat it is ordained that if two factions of Muslims develop a

¹⁹⁵. Al-Quran-5:44

¹⁹⁶. Al-Quran-7:158

dispute (and wage war against each other) "Sort out their mutual conflict with justice".

3. Even enmity with a nation should not incline you to act unjustly. (5:8) "Let not the enmity of others make you swerve from justice; be just, that is only nearer to (Taqwa) piety."

4. Not only the cases of Muslims, but the cases of non-Muslims also should be decided with justice. The Rasool was ordained: "Even if the non-Muslims come to you for the judgment of their cases: (5:42) "Judge between them with equity".

5. The Rasool was told: "We have sent this Book to you with the truth": (5:48) "So judge between them as Allah Almighty has revealed and follow not their vain desires."

6. Al-Kitab (The code of Divine Laws), power to enforce this code and scales of justice are the basic ingredients of an Islamic government as stated earlier. The various aspects of the subject are thoroughly discussed in Surah Al-Hadeed: (57:25) لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ أَلَمْ يَكُنْ لَكُمْ آيَاتٍ أَنْ تَقُولُوا لَوْلَا نُزِّلَ عَلَيْنَا الْكِتَابُ فَقُلْنَا لَا نَزَّلُ الْكِتَابَ إِلَّا لِلَّذِينَ أُخْتِئُوا وَإِنَّ فِي آيَاتِنَا لَلْآيَاتِ لَعَلَّكُمْ تَتَّقُونَ

"For this purpose Allah Almighty has so arranged that He sends His Messengers to different people (nations) with clear, unambiguous arguments and each one of the messengers brings with him a code of law. He establishes an Order in accordance with this Code wherein every-body's deeds produce their designated results and thus people adhere to the rule of justice and equity. For the stability and strength of such a society We have sent, along with the code of laws, steel (to provide the enforcing power) in which there is much of stiffness (strength); because power provided by (the strength of) this steel becomes instrumental in establishing an order based on justice and equity and providing protection to the oppressed. Therefore, instead of being harmful, it becomes greatly beneficial to mankind. The establishment of

this Order also brings into open those faithful and loyal persons who contribute towards achieving this goal (the establishment of the Order) which takes practical shape through the efforts of Allah's Messengers. Although the refulgent results of the establishment of this Order have not, as yet become visible, these faithful and loyal people, on the strength of their conviction only, offer every type of personal sacrifice and thus establish the system ordained by Allah, wherein lies inherent Power and Sovereignty."¹⁹⁷

7. During the course of justice, do not make any distinction between relatives and non-relatives or between your people and those of the other factions, neither the status of rich and poor, nor even your personal benefits, should affect your judgment. The judgments must be based on justice, even if it goes against you. Thus it is ordained: (6:153) "*When you say something, say it according to justice, even if the concerned person is your relative.*" (6:153)¹⁹⁸

Justice depends on evidence and for evidence the Holy Quran has set up such a high standard the like of which you may not find elsewhere. Thus it is said: (4:135) "In order to establish this system in which you find pleasures of the present life as well as of the future, the basic condition for justice is that you stand as a witness, neither from the plaintiff, nor defendant, but present your own evidence in all truth and equity, even if it goes against yourself or your parents or your other relatives. Do not differentiate between rich and poor in this respect: for Allah Almighty can best protect both, so much so that you must do justice even to your enemy (5:8). Do not favor anyone after swerving from what is just, as Allah Almighty himself takes care of them. Keep it in your mind that your sentiments may not come in the way of justice. Do not talk in a

¹⁹⁷. Al-Quran-57:25

¹⁹⁸. Al-Qur,an-6:153

crooked manner, nor try to avoid being a witness. Remember that Allah's law of requital is well acquainted with what you do. He knows the inclination of your mind as well as your sentiments."

8. As said earlier, Allah Almighty ordains both 'Adl' and 'Ihsaan' [(7:20); (16:90)]. To punish the criminal for his crime is 'Adl' (justice) and making good the loss of the claimant is Ihsaan. This is the basic responsibility of an Islamic state.

Basic orders about the Enforcement of Justice

1. To punish the criminal according to law is the duty of the government. This is called 'Qisaas'. In this lies the secret of the life of people. There shall be no distinction between small or big. Thus it is said: (2:178) "O you who believe! As regards punishment, it has been made incumbent upon you that the murderer must be punished. (It means that the crime should be considered as a crime against society or against the system itself and not against the victim only). Thus while giving punishment, the basic principles of justice and equality must be kept in mind, which means that there should be no distinction between big and small. It is not a question of the position of the murderer or the murdered; the real question is the enforcement of justice according to which every human life is of equal value. For example if the murderer is a free man he alone shall be punished for his crime; likewise if she is a woman she shall not be spared because of her sex. She will have to undergo punishment. Murder can be of two type's murder by intent or murder by mistake. In the case of willful murder, the punishment is death (not ransom money) or any other punishment proportionate to the nature of the crime, i.e. anything less than the capital punishment (4:93). But the punishment should not exceed the nature of the crime [(42:40); (17:33)]. *"But if it is not a willful murder but a murder by mistake, the punishment according to verse (4:92) is ransom money (blood money). But if a*

*remission is made by the heirs of the slain out of their own goodwill, they are allowed to do so (17:33). In such a case it is incumbent on the murderer to abide by what has been settled and pay it in a commendable manner. In determining the punishment of murder by mistake, Allah Almighty has provided facility for relaxation, so that the potentialities of all of you may keep developing. But if anybody transgresses after the settlement has taken place, he shall be punished heavily."*¹⁹⁹

Thus it is clear that a compromise can take place only in case of unintentional murder, not in willful murder. In willful murder the murderer shall be punished. This is the law of QISAAS about which it has been ordained: (2:179) "O you men of understanding! In the Law of Qisaas (Retribution) there is (saving of) collective life to you". It means that if you think over it dispassionately, the reality shall come to the surface that in the Law of Qisaas (Retribution) there is a secret of individual as well as collective life, so that society can be saved from the dangers inherent in lawlessness.

2. Only the criminal and not any other person in his place _ shall receive punishment, nor shall any innocent person be prosecuted in place of a guilty person. Everybody shall bear his own burden: *كُلُّ شَيْءٍ وَلَا تَكْسِبُ كُلُّ* *نَفْسٍ إِلَّا عَلَيْهَا وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ* "Every person draws the meed of his acts on none but himself; no bearer of burdens shall bear the burden of another."²⁰⁰

3. The system of justice ought to be such that nobody might provide any benefit to the criminal, nor the recommendation of any person be accepted, nor the criminal be released through bribery, nor anybody could help him to escape punishment by any other means. Thus it is said: (2:48) *وَاتَّقُوا يَوْمًا لَا تَجْزِي نَفْسٌ عَنْ نَفْسٍ شَيْئًا وَلَا يُقْبَلُ مِنْهَا شَفَاعَةٌ وَلَا يُؤْخَذُ مِنْهَا عَدْلٌ وَلَا هُمْ*

¹⁹⁹ Al-Qur'an- 42:40; 17:33

²⁰⁰ Al-Quran-6:165

يَنْصُرُونَ *"Then guard yourself against a day when one person shall not avail of another, nor shall the intercession be accepted for any person, nor any compensation is taken from somebody, nor shall anyone be helped (against the law)."*²⁰¹

[This will happen when the Quranic System of Justice is established in this world; and in the life. Hereafter, all affairs shall be settled subject to the Law of Requital].

4. The punishment of a criminal shall be proportionate to, and not exceed his crime. In this respect the principle is (42:40) "The recompense of an evil is punishment like it". This has been explained further in [(2:194); (10:27); (16:126); (22:60); (40:40)]²⁰².

5. If there exists possibility of mending one's self, he can be forgiven. (42:40) "But if a person forgives and makes reconciliation, his reward is due from Allah."

6. Before an offence is proved, the accused ought to be considered innocent. Thus during investigation he should not be treated with excess. To consider him guilty at this stage is against the Islamic Code. In Surah 'An-Noor' there is a tale about a woman during the time of Rasool. It is said that some evil-monger brought about a false accusation against a virtuous woman and gave it publicity. The Quran took strong notice of it and said: Evil-mongers had given publicity to a false accusation but what had happened to you that you accepted it as true, without any investigation When you had heard about it, you ought to have a favorable opinion about her and your first reaction ought to have been (24:12) "It is an obvious lie"; (This is an obvious lie) and (24:16)"This is most serious slander". From this the principle is deduced that unless a crime is proved against a person, he should not be considered guilty, i.e. an accused

²⁰¹. Al-Quran-2:48

²⁰². Al-Qur'an-2:194; 10:27; 16:126; 22:60; 40:40

should not be considered a criminal, but a favorable opinion should be formed about him until such time that he is proved guilty.

7. When legislation is passed none shall be held accountable for what he has done before its enactment. (4:23) "What has been done before (the enactment of a law) shall not be dealt with in accordance with this law." [Also see (2:275) and (5:95)].

8. Only a willful act shall be considered a crime. Thus it is said (33:5) "There is no blame on you if you make a mistake: what counts is the intention of your hearts". i.e., only an act committed intentionally is accountable; if someone commits an offence on account of ignorance and thereafter repents and amends (his conduct), he can be excused for it. (6:54) But that does not mean that people may become careless about the law. Carelessness itself should be considered a separate offence. For example the punishment for willful murder is death and the punishment for murder by mistake is ransom money (4:92-93). It means that carelessness is also a crime but not as serious as a willful act.

9. If one is forcibly made to commit a crime he shall not be considered a criminal (16:106). The use of force may be of varied types; however, this is not the place for giving details about them.

10. A small mistake by those who always avoid big crimes may be considered excusable. About Mumineen it is said: (53:32) "*These are the people who avoid major crimes, though they may fall into small slips*".

11. Anybody who puts another on the wrong path, he becomes a partner in crime. About such people it is said: (16:25) لِيَحْمِلُوا أَوْزَارَهُمْ كَامِلَةً يَوْمَ الْقِيَامَةِ وَمِنْ أَوْزَارِ الَّذِينَ يُضِلُّونَهُمْ بِغَيْرِ عِلْمٍ إِلَّا سَاءَ مَا يَزُرُونَ *"Let those bear on the Day of Judgments their own burden in full and also (something) of the burdens of those without knowledge, whom they misled. Alas! How grievous are*

the burdens they will bear!"²⁰³ Likewise is the one who commits a crime and throws it on another; he commits a double crime: (4:112) "And if any one commits a mistake or a crime himself and then foists it on to the innocent, he carries (on himself) (both) the burden of a calumny and a flagrant sin."

12. While declaring judgments, the circumstances, upbringing, mentality and psychological condition of the criminal must be kept in mind. That is why the punishment, for a slave woman who commits adultery (zina), is laid down as half of that for a free woman (4:25); and double for the consorts of the Rasoole (33:30). It should be clearly understood that this commandment pertains to that period of Arab history when slavery was still rampant. Since the Quran closed the door of slavery, the question of the captive women or of the consorts of Rasoole does not arise. However, principles can be deduced from such verses which could be applied to present-day society.

13. Remove evil by doing well. It means to create such an atmosphere in society that people shall avoid crime automatically. (28:54); (23:96); (11:114) is a universal principle of the Quran. It means that bad deeds ought to be countervailed by doing good. This principle serves as a means to bring about a pleasant and comprehensive resolution. Thus while declaring punishment for a crime; the prevailing conditions in the society ought to be kept in mind.

14. The object of justice is not only to punish the offenders but also to compensate the loss of the oppressed. In this connection the example of the crime of murder as laid down in the Quran, can be presented. The one who is murdered leaves this world but the compensation for the loss that his heirs suffer is also necessary. Thus it is said: (17:33) "*If anyone is slain wrongfully, We have given his heirs the right to demand (QISAAS)*

²⁰³. Al-Qur'an-16:25

or to forgive.)" From this example you can draw a principle which can be applied to other occurrences like this. As far as the compensation of the loss of the oppressed is concerned, the oppressed shall be the plaintiff and the government shall be the defendant in such a case. Thus it shall be incumbent upon the government to protect the life, property, honour of all who live within its territory. Moreover, except for the loss suffered by a person on account of his own neglect or carelessness, its compensation shall lie on the government and this loss includes not only life and property but also mental torture, because the government guarantees to the people to provide for them an atmosphere wherein (2:38) *"on them there shall be no fear nor shall they grieve"*. In fear the physical loss, is included and in grief, mental torture is included.

15. The government shall be answerable to the judiciary for each of its responsibilities, like other individuals. Even the Rasool, who was the first head of an Islamic state, was made to declare: (6:14) *"I am the first to submit to Divine Law; and If I disobey Divine Command, I indeed fear the penalty of the Mighty Day."* Therefore none is exempt from this law _ neither the government, nor its functionaries, nor even the head of state.

16. The Quranic philosophy concerning crime is as under:

a) every crime leaves an effect on the offender himself (as well), so that, to begin with, the offender inflicts injury on his own person: (4:111) *"If anybody earns a sin, he earns it against his own self"*. It means that the first effect of committing wrong is on the personality of the offender and this effect cannot be erased by punishment from the court.

b) The effect of some offences is limited to the personality of the offender; it does not affect another person e.g. the treachery of the eyes and evil intentions of the heart (40:19). These offences do not normally come under the jurisdiction of the courts of law: yet even such offences which affect only the personality of the offender (for example addiction

to narcotics) if declared as crimes by the law, shall come under the jurisdiction of the court.

c) Only those offences come under the jurisdiction of a court which the offender has actually committed. For example if one intends to commit theft but does not find an opportunity to do it, although the effect of his intention shall be imprinted on his own 'self', he shall not be considered as an offender in the eyes of the law. The Quran says that Allah's Law of Requitah takes account of even the ideas that pass in your mind. It means that such a person shall not be an offender in the eyes of the law-court, yet he shall be an offender according to Allah's Law of Requitah. That is why the Quran lays stress on the reformation of human ideas and intentions. If the human intentions are rectified, the crimes cannot occur. Thus it is the duty of an Islamic state to give wide publicity to educate its citizens on the philosophy of crime, so that the individuals of the society begin to comprehend the eventual loss for wrongdoing and the violation of law. Verses (4:107-112) are an eye-opener and provide effective guidance for eradication of crimes from society. As a matter of fact Eemaan on Allah's Law of Requitah and the life hereafter, substantiated by reason and argument is a great rectifying force.

17. In matters relating to punishment, it ought to be kept in mind that the punishments prescribed by the Holy Quran itself, are the maximum punishments and were proposed according to the socio-economic conditions that prevailed during the days of its revelation. These punishments shall be ordered only under similar conditions. If the conditions change, an Islamic Rule can make changes in them. An example of it is found in the Quran itself. The punishment for revolt

against the Islamic Rule is: 1, Beheading, 2. Crucification, 3. Cutting off hands and feet, or 4. Banishment (or detention) - ²⁰⁴

The object of prescribing a number of punishments is that these should be enforced according to the prevalent conditions. These punishments are neither abrogated, nor can they be annulled but these are conditional to the prevailing circumstances. On the other hand the Islamic Government itself shall determine punishments that have not been prescribed by the Quran, the Islamic Government shall also decide as to which of the social laws can be included in the list of penal laws.

CRIMES AND PUNISHMENTS

1. In the Holy Quran one finds two kinds of injunctions; (i) Moral, and (ii) Punitive. Punitive means those laws; the violation of which becomes a social crime and Moral means those laws which cannot be categorized as a social crime. For example - *ولا تَمْشِ فِي الْأَرْضِ مَرَحًا* "*do not walk arrogantly on the earth.*"²⁰⁵ The Quran ordains that the non-observance of this injunction is not a social crime. On the other hand there is injunction in which it is said: (17:32) *ولا تُقْرَبُوا الزُّنَىٰ* "*Do not go near adultery or fornication.*"²⁰⁶ It is apparent that the non-observance of this injunction is a social crime. However, the above said division is arbitrary only to understand the question under view, otherwise the basis of every Quranic Injunctions aims at correction and importance of the morals and 'morals' encompasses all the means of nurture of human personality.

2. The Punitive injunctions are also of two kinds:

(i) those in which the punishment has also been prescribed by the Quran, and (ii) those, the punishment of which is left to the Islamic Government to determine as per exigencies of particular circumstances. For example,

²⁰⁴ . Al-Quran-5:33

²⁰⁵ . Al-Quran-17:37

²⁰⁶ . Al-Quran-17:32

in the case of intoxicants (wine), its prohibition is ordained, but the punishment has not been prescribed for its non-observance. It is an issue which warrants deep pondering that out of those injunctions for which the punishment has not been prescribed by the Quran, which ones can be included in the list of punitive laws. It is apparent that no single person can answer this question nor it is the right of any single person to declare a person liable to punishment on the basis of the non-observance of a Quranic Injunction; its decision rests with the Islamic State. This also must be kept in mind that such decisions made by the Islamic State shall be liable to change as and when needed, based on the exigencies of the changing circumstances. This is not applicable to injunctions alone; even those issues described by the Quran as principles or in the matter of limitation [Hudood] lay down, by the Quran; it is only the Islamic State that can declare unlawful their violation in various forms. I have not used the word 'limitations' in the sense of punishment, rather, I mean by it the sphere of freedom to act, the trespassing of which is disallowed. The limits and the principles are the two facets of one reality.

3. It is the duty of an 'Islamic Order' to create such an atmosphere within the society, in which an individual considers each of his basic rights and each of his means of living perfectly safe in such a manner that he may not have the least anxiety or fear about it. Creation of such an atmosphere is the necessary result of the Quranic Social Order. The Quran says that in this order the state of the individuals shall be such that: *فَلَا خَوْفٌ عَلَيْهِمْ وَلَا هُمْ يَحْزَنُونَ* "On them there shall be no external fear nor shall they have any internal grief."²⁰⁷ Such an atmosphere comes into existence by educating the people and freeing them from the worries of meeting the basic necessities of life, according to the Permanent Values of the Quran. But in spite of all this, there can exist such people in society as are

²⁰⁷. Al-Qur'an-2:38

psychologically unsound and their insanity can take away the sense of comfort and satisfaction from the society. Such a sick person has to be treated and unless he does not recover completely from this condition, it is necessary to protect the society from the dangers created by his insanity. A majority of them can be treated by improvement in their psychological correction, but in some cases fear of punishment has to be resorted to as a final measure. There are many psychological patients who can be treated by putting in them the sense of fear. This type of treatment is called 'punishment'. Its objective on the one hand, is the correction of the criminal, and on the other, the rectification of those in whose subconscious mind the germs of crime are festering. The concept of punishment for revenge is un-Quranic. The above described is one objective of punishment. The other objective is the compensation for the loss suffered by the person inflicted on by the criminal. For example, a person has committed theft in somebody's house, and the court has punished him with ten years imprisonment; this shall not compensate the loss suffered by the victim. Justice demands that the loss be returned to the owner. If recovery could not take place, let the Social System itself compensate the loss in kind or by paying its cost. According to the Quranic concept of "Crime and Punishment", the plaintiff is not in fact the complainant against the criminal; he is rather a complainant against the government or Social System. It is the Social Order that had contracted to protect his property and if somebody has laid his hands on his property, it shall mean no fulfillment of the contract on the part of the Social System; and as such the offender is the Social System and not that particular person who had committed theft. It is up to the Social System to decide whether it compensates the loss by itself or gets it done by the offender; it is not the concern of the plaintiff. It is the duty of the Social System to stand by the victim or his heirs and to become the protector of

the plaintiff and his heirs: (17:33) If the Social Order does not compensate the loss of the offender, how can it become his protector and how can it claim to be his helper It is true that every loss cannot be compensated by the payment of money, yet the Social Order has got to provide compensation in any possible way, (except when the loss is the result of one's own negligence or carelessness). In addition to providing compensation, it shall be the duty of the Social System to make arrangements that such things do not happen again.

4. It has been stated above that the object of penal punishments is the treatment of the psychologically sick people. But the foremost condition for the success of the psychological treatment is that the patient develops a realization that he has done a wrong. The Quran explains that if he does develop a feeling of reproach, you can expect that he shall mend his ways. In such an event the Quran forgives him instead of inflicting punishment, and the authorities shall keep a watch that he corrects himself and shall help him in his self-rectification. This is the reason that the Quran has made provision for forgiveness (and thus correction) before the punishment. It proposes punishment only when no possibility of correction is left in the criminal except through punishment.

5. The Holy Quran proposes corporal punishments. It does not send the thief to prison, in which case the offender himself goes on getting his food and clothing but his wife and children die of hunger i.e. members of his household suffer instead of him. As a matter of fact, the fear, which can cause the habitual offenders to mend their ways, or which can keep the potential offenders away from committing crime, can only be aroused by corporal punishments. 6. Now look at the principles which, according to the Quran, are basic in this respect:

a) Qisaas: It does not mean to inflict punishment on the offender; rather it means to pursue the criminal in such a way that he does not remain

unpunished. It means that in the Quranic System, no crime shall remain untracked. The Quran calls a flawless and firm system of investigation, a means of providing security and safety of the social living. (2:179)

b) Justice: It means that while deciding a case, the status of the criminal should not affect the demand of justice in any way; *أَلْحُرُّ بِالْحُرِّ وَالْعَبْدُ بِالْعَبْدِ* "Free for the free and slave for the slave"²⁰⁸ shall remain its principle.

c) The punishment for a crime should be proportionate to the nature of the crime, not more. (42:40) and that too, in case where there is no chance of the offender's correction.

d) Until a crime has been established, the accused should be taken as innocent and the society ought to have a favorable opinion about him. An incident in Surah 'An-Noor' (24th Chapter of the Quran) sums it up as follows "Some people in Madina brought an allegation against a chaste woman who the people spread it further. On this, the Quran instructed that after hearing this scandal your first reaction ought to have been that (24:12-16) it is a fabrication, an open and grievous calumny".

It provides a permanent guidance, not to have an adverse opinion about the accused. e) If a crime has been committed prior to promulgation of a law declaring it as such, it should not be considered a crime. In other words the application of a law cannot be made retrospectively; this shall be applicable only after its enforcement. Regarding many such injunctions the Quran has said: (4:22) *إِلَّا مَا فَذَّ سَلَفًا* "Except what has foregone",²⁰⁹ i.e., what happened before the enforcement of law shall not be accountable?

f) An act not committed willfully shall not be considered cognizable. It is said in Surah 'Ahzaab' (33rd Chapter of the Quran): (33:5) *وَلَيْسَ عَلَيْكُمْ جُنَاحٌ*

²⁰⁸. Al-Quran-2:178

²⁰⁹. Al-Quran-4:22

فِيمَا أَخْطَأْتُمْ بِهِ وَلَكِنْ مَا تَعَمَّدَتْ قُلُوبُكُمْ
"There is no blame on you if you make a mistake therein: (what counts) is the intention of your hearts."

But carelessness (inattention) is also a crime in itself and punishable, that is why the Quran has also prescribed punishment in case of murder by mistake; although it is not as severe as for premeditated murder; rather it is by way of atonement.

g) Some small mistakes on the part of people who always avoid big crimes are pardonable. In Surah An-Najm, (53rd Chapter of the Quran) it is said: الَّذِينَ يَجْتَنِبُونَ كَبَائِرَ الْإِثْمِ وَالْفَوَاحِشَ إِلَّا اللَّعَمَ
*"For those who avoid major sins and shameful deeds, falling into small errors, are pardonable."*²¹⁰

h) While prescribing punishment, the offender's intellectual level, education and upbringing, and social environments must be kept in mind. It is on this account that the Quran had ordained punishment for fornication with women (of that period) half that of the free believing women (4:25), because in view of the circumstances under which they were brought up, high morals could not be expected from them. On the contrary the wives of the Rasool were told that if any one of them commits a crime, their punishment should be twice that of an ordinary believing woman. (33:30)

i) The kind of Social Order that the Quran establishes, and the way in which its individuals are brought up, it expects of them to come forward voluntarily and accept their slips if ever they occur, and to tell the truth, even if it goes against themselves (4:135). In this verse, the Holy Quran has presented such a lofty principle regarding evidence, in the presence of which there remains no difficulty in the administration of justice. (See chapter on 'Testimony').

7. The Holy Quran aims at correction of the criminal: therefore it adopts all possible means to stir up in his mind the sense of contempt for crime;

²¹⁰. Al-Quran-53:32

and in this connection presents an extraordinary (and strange) principle. It says: (4:111) *وَمَنْ يَكْسِبْ إِثْمًا فَإِنَّمَا يَكْسِبُهُ عَلَىٰ نَفْسِهِ* "And if anyone commits an excess or oppression, he does so against his own self"²¹¹. That is, if anyone commits crime or excess against anybody, he thinks in his own mind that he has harmed somebody else, but in reality he commits the crime against his own person and thus harms his own self. Here it is said that it is the criminal's own personality that is affected and that it cannot be made good by an external punishment. It also means that if the criminal, somehow or the other, escapes punishment, even then he cannot escape the harm which he has inflicted on his own personality; because Allah's Law of Requitel is such that: (40:19) *يَعْلَمُ خَائِنَةَ الْأَعْيُنِ وَمَا تُخْفِي الصُّدُورُ* "He knows the dishonesty of the eyes and that which the bosoms hide."²¹² Such are the teachings which make a criminal feel guilty and by so doing provide him means for self-rectification. Yet another question arises here and it is, that after a criminal gets punishment by a court of law, does he escape accountability in the life Hereafter For this we ought to comprehend what is meant by accountability in the Hereafter The effect of every human action (even an idea) is engraved on his 'Self'; and his life Hereafter takes shape on the basis of these accumulated effects. One effect of crime falls on the society and the other on his own 'self'. Punishment by the court of law can annul the crime against the society, but it cannot obliterate the effect of the crime on his own personality. He himself shall have to make it good. For it, the first step is the feeling of guilt which results into Tauba or his determination to keep away from the crime. The second step is that of correction; which means to perform such constructive deeds which can compensate the loss which resulted from the crime he had committed: *إِنَّ الْحَسَنَاتِ يُذْهِبْنَ السَّيِّئَاتِ* "Those deeds that are

²¹¹. Al-Qurn-53:32

²¹². Al-Quran-4:111

good, remove the effects of those that are evil."²¹³ This is the basic principle of the Quranic Law of Requit. As a matter of fact, one who firmly believes in Allah's Law of Requit seldom commits a crime.

The Relationship between Crime and Punishment: The details of the Quranic Code of Laws have all been stated but often it is being asked, "What is the relationship between crime and punishment and what is the Quranic philosophy of punishment" In reply to this question I had published a short treatise in the monthly 'Tolu-e-Islam'. I deem it proper to include in this book the relevant parts of that article, so that this topic may become complete from this angle of vision as well.

Corporal Punishment

The Holy Quran has prescribed corporal punishments for crimes. Imprisonment as punishment is nowhere mentioned in the Quran. (For general immodest behaviors on the part of women which leads towards adultery, the punishment prescribed is "confinement to houses"): (4:15) "If any of your women are guilty of an immodesty (which can result in leading towards adultery) take the evidence of four reliable witnesses from amongst you against them; and if they testify, confine them to houses until death do claim them or the law of Allah Almighty creates a situation which takes them away from such shameful acts; such as she gets married". [Punishment for fornication is mentioned in (24:2) and punishment for making a false accusation in (24:4)]. Internment can also be imposed as a punishment in crimes relating to disorder and rebellion as has been previously explained (5:33-34). In Surah "Ahzaab" (33rd chapter of the Quran) a verse points towards banishment also. It starts with address to the Nabie: (33:59) "O Nabi! Tell your wives and daughters and the believing women, that they should cast (a loose) outer garment over their persons when going out, (24:31). It is necessary for their recognition

²¹³. Al-Qur'an-11:114

as honorable women, so that no vulgar people may molest them. According to the Divine Law this shall serve as a means of their protection as well as training. - فِي الْمَدِينَةِ لَشْعَرِيَّتِكَ بِهِمْ ثُمَّ لَا يُجَاوِرُونَكَ فِيهَا إِلَّا قَلِيلًا - مَلْعُونِينَ أَيْنَمَا تَقِفُوا أَخَذُوا وَقَتَلُوا تَقْتِيلًا ' *"So (You be careful to this extent but if after this) the hypocrites, whose hearts are diseased with wickedness and those who stir up sedition in the city desist not, then force shall have to be used against them; thus after a while they shall not be able to stay amongst you. They shall be deprived of all the privileges (they received, on account of their being the citizens of an Islamic State). In case they still persist in their rebellion, they shall be prosecuted and put to death."*²¹⁴ In the above passage the words points to the possibility of their banishment.

Testimony (Evidence)

1. in evidence be just. In Surah Al-Maaidah (5th Chapter of the Quran) it is said: (5:8) "O you who believe! Stand out firmly as witnesses to maintain and perpetuate justice and do not do it for personal gain but merely for the sake of Allah." The singularity of believers has been described as: (70:33) "Those who stand firm in their testimonies."
2. Always come forward with just narration even if it goes against you or your parents or other relatives, in your testimony do not differentiate between the rich and the poor, nor should your sentiments be allowed to prevail upon you. Never speak in a crooked way. Do not evade standing as a witness. Stand not as a witness for the plaintiff or for the respondent, but do so for Allah Almighty alone. (4:135) "In order to establish a system in which you can receive the pleasant things of the present, as well as of the future, the basic condition is that you should become the custodians of justice in this world (5:8); and for justice the basic element is truthful evidence. Therefore stand out firmly for justice as witnesses for

²¹⁴ Al-Quran-33:60-61

Allah, even as against yourself, or your parents, or your kins, and whether it be (against) rich or poor; do not become their well-wishers at the cost of leaving the course of truth, for Allah Almighty can best look after them. Follow not the behest of your passions lest you swerve. Nor say anything deceitful or refuse to present your testimony; verily Allah Almighty is well acquainted with what you do (even with your passions and inclinations)."

3. Do not conceal testimony; (2:283) "And do not intermix truth with falsehood in your evidence".(2:42) "Nor present untrue (false) testimony". The singularity of the believers has thus been stated: (25:71) "They never present false (untrue) testimony."

4. You should present your testimony only on matters that you personally know: Allah Almighty ordains: (17:36) وَلَا تَقْفُ مَا لَيْسَ لَكَ بِهِ عِلْمٌ إِنَّ السَّمْعَ وَالْبَصَرَ وَالْفُؤَادَ كُلُّ أُولَئِكَ كَانَ عَنْهُ مَسْئُولًا *"And pursue not that of which you have no personal knowledge, for every act of hearing, or of seeing or of feeling in your mind, will be questioned into."*²¹⁵ It means that you reach conclusions through personal enquiry by the use of your sense and mind. If any link of this chain is broken, your enquiry shall remain defective. This is a great responsibility that Allah Almighty has laid upon you. Allah Almighty has endowed you with "discretion and choice, so that you can choose between right and wrong; you are not a helpless machine, and with this, He has provided you with means to investigate; and not to use such means is to avoid your responsibility."

5. Witnesses should not refuse to attend when called for: (2:282) On the other hand stress has been enjoined upon: (2:282) "Let neither scribe nor witness be harmed."

6. If the testimony of certain witnesses is doubtful, the court can call other witnesses: (5:107-108) "If it is found that the witnesses are guilty of

²¹⁵. Al-Qur'an-17:36

perjury, let two others (from the party against which the wrong evidence has been presented) stand forth in their places and swear by Allah Almighty that their testimony is truer than those who appeared earlier and that they will not exceed (beyond the truth); and if they do so they shall become guilty. (In the Divine Law, testimony over and above the first testimony is allowed because) therein lies the possibility of witnesses giving true evidence for fear of contradiction in which case they shall be considered as criminals and this shall bring them a bad name in society. Now it is necessary for you, therefore, to remain conscious of the Divine Law and listen carefully that if you leave the right path and take up the wrong instead, it would never lead you to your destination."

7. Witnesses ought to be from amongst your own people except where it is not possible to do so: (5:106) "O you who believe! When death approaches any of you, take witnesses amongst yourselves while making a will, because making a will has been made incumbent upon you (2:180) Take two just men as witnesses of your own (brotherhood), or others from outside if you are journeying through the land (or where your own people are not available) and the probability of death befalls you. Then at the time when their testimony is needed, if you doubt their truth, let your judges detain them both, after prayers (in the mosque) and let them both swear by Allah: We wish not in this for any worldly gain; even though our (beneficiary) be our near relatives; and that we shall hide not the true evidence. If we do that, then the sin will be upon us, i.e. we shall be considered as offenders."

8. In transacting financial matters take two male witnesses and if two male witnesses are not available, take one male and two females. The Holy Quran has even given the bylaws in this respect to the minutest details for the reason that it gives utmost importance that matters of financial transactions should be clear and firm. We therefore consider it

necessary to append below complete guidance given by the Quran in this regard: (2:282) "O you who believe! When you borrow money for a fixed period, reduce the agreement to writing. Let a scribe write down this mutual transaction faithfully: let the scribe not refuse to write; as Allah Almighty has given him the knowledge; but he should keep the Divine Law before him and not make any alterations in it (nothing more or less). If the one who takes the loan is mentally deficient or weak or is unable himself to dictate, let his guardian dictate faithfully; and take two witnesses out of your own men and if there are not two men, then a man and two women such as both parties agree to: the purpose behind taking two women in place of one man, so that if one of them errs or is confused, the other can remind her. The witnesses should not refuse when they are called on (for evidence), disdain not to reduce to writing your contract whether it is small or big, it is closer to the demands of justice in the sight of Divine Laws. This is the best method to make the testimony firm and free of any doubts among you. But if it be a transaction which you carry out on the spot among yourselves (which you do normally), there is no blame on you if you reduce it not to writing, but even then take witnesses whenever you make such a deal; and let neither scribe nor witness suffer harm. If you do (such harm) it would be tantamount to flouting the Divine Law. So guard Allah's Law well, for it is He Who makes these laws known to you. And Allah Almighty is well-acquainted with all things. And after this it is said: (2:283) وَإِنْ كُنْتُمْ عَلَىٰ سَفَرٍ وَلَمْ تَجِدُوا كَاتِبًا فَرِهَانٌ مَّقْبُوضَةٌ فَإِنْ أَمِنَ بَعْضُكُم بَعْضًا فَلْيُؤَدِّ الْأَذَىٰ أَوْثِمِينَ أَمَانَتَهُ وَلْيَتَّقِ اللَّهَ رَبَّهُ وَلَا تَكْفُرُوا أَلْسِنَاهُمْ

"If you are on a journey and cannot find a scribe, a pledge with possession (may serve the purpose). And if one of you deposits a thing on trust with another let the trustee (faithfully) discharge his trust and thus abide by the Law of the One Who is his Sustainer. Conceal not evidence, for whoever conceals it, his heart gets

tainted with sin. Even if other people do not know of it and he continues to be a reliable person among others, his 'self' does get injury and its nurturing forces do diminish and get weakened; because nothing can remain hidden from Allah's Law of Requitat."²¹⁶

As far as the question of two women in lieu of a man is concerned, the Quran itself has explained the reason; i.e., if one woman forgets or is confused, the other shall remind her. This clarifies two points: i) Firstly that in that period the women were such (due to illiteracy) that they were not able to describe their own case properly (43:18) and that it was seldom that a chance arose for them to take part in the collective affairs; it was not unexpected of them to get confused before a court of law:

ii) Secondly the need for a second woman arose only when the first one got confused and forgot. If the first woman remained free of confusion and forgetfulness, the second woman could neither interfere nor was her testimony needed. This fully explains that, in fact, two women are not appearing as separate witnesses; one would suffice provided she does not suffer confusion in the court. It makes clear that women are not considered unreliable as against men on the basis of being women. It is only the special conditions that are kept in view. When such conditions remain no more, the testimony of one man and one woman shall be considered equally trustworthy.

9. As explained in item (7), at least two witnesses are required while making a will (5:106).

10. For acts of immodesty (leading towards adultery or fornication) at least four witnesses are required: (4:15) "Remember! This testimony is for cases of general shameless acts (leading towards adultery) and not for adultery itself."

²¹⁶. Al-Quran-2:283

11. In cases of calumny against chaste woman, (at least) 4 witnesses are required (24:4) "And those who make an accusation against chaste women and provide not four witnesses (to support their accusation), scourge them eighty times and reject their evidence ever after; for such men are wicked transgressors. (Also deprive them of such privileges that are available to the citizens of an Islamic State, and if they still continue with their nefarious designs inflict upon them a more grievous penalty (24:23) because these people go astray leaving the right path.

But if the charge (of adultery) is against one's own wife and other witnesses are not available, it is sufficient to take an oath. Thus it is said; (24:6-9) *"And for those who raise a charge (of adultery) against their spouses and have (in support) no evidence but their own _ the solitary evidence of the husband (can be received) if he bears witness four times (with an oath) by Allah Almighty that he is solemnly telling the truth. And the fifth (oath should be) that he solemnly invokes the curse of Allah Almighty on himself if he tells a lie. But it would avert the punishment from the wife, if she bears witness four times (with an oath) by Allah Almighty that (her husband) is telling a lie. Again the fifth (oath) should be that she solemnly invokes the imprecation of Allah Almighty on herself if (her accuser) is telling the truth. With this she shall be acquitted."*

12. Two witnesses for the last stage of divorce: (65:2) "When they complete their Iddat (term of counting) ('Iddat' shall be discussed in detail under injunction 12 of the family laws) _ either take them back on equitable terms or part from them on equitable terms and take for witness two persons from among you, endued with justice who stand as witnesses (to this last stage of divorce) as a duty towards Allah."The detailed injunctions about divorce shall be described later on; the issue described here is regarding 'Evidence'.

13. Circumstantial Evidence: Testimony can be deduced from circumstantial evidence; like it was done in the accusation against Joseph. Here the witness was not an eye-witness, but he argued: (12:26-28) *"If it be that his shirt is rent from the front, then her tale is true and he is a liar, but if it be that his shirt is torn from the back, then she is the liar and he is telling the truth; so when he saw his shirt torn at the back, (her husband said) Behold! It is the guile of you women; how deep are your treacheries and how dangerous are your deceptions."*²¹⁷ (It should be understood clearly that the Quran has described it only as an incident).

Methods of solving the misfortunes

(i) To Have a Divine Outlook of the Universe: The Holy Qur'an has praised the people who show patience. Since they consider the worldly affairs subservient to Divine control, and when they were in difficulties they say that they are for Allah, and they are only short-lived; they do not demand anything from Him; their coming in this world and all the bounties are from Him alone. They are only His trustees. This world is not their permanent abode; it is a passage for the next world (the Hereafter). On arrival of death they shall return to Him, and shall not be perished. They exist in this world but there will be no change in their existence after death; only a place of their abode will be changed. This type of outlook on Universe prepares the man to face the hardships and difficulties in an appropriate manner. This outlook is reflected by the following Qur'anic verse: *We are the servants of Allah and to Him we shall all return.* (Surah al-Baqarah, 2:156)

(ii) Familiarity with the Ways of Allah the Holy Qur'an asks us whether we should like to attain Paradise bearing hardships and making efforts like the other former nations who exercised patience in the extreme state of unpleasantness! Would we think that without experiencing all these

²¹⁷. Al-Qur'an- 12:26-28

things we would attain Paradise though like the people of the former nations, we have not yet experienced the ordeals like hunger, poverty, sickness, earthquakes, etc.! The Prophets as well as the believers only awaited Allah's Mercy to rescue them from all their troubles. The Holy Qur'an assured them of Allah's help to come to them ultimately and says: *Do you think that you will find your way to Paradise without experiencing the kind of suffering others have experienced before you? Distress and afflictions battered them until the Messenger and the believers sadly said, 'When will Allah send help?' Certainly Allah's help is near.* (Surah al-Baqarah, 2:214) This verse of the Holy Qur'an points out to the fact that in the long period of history believers in Allah had to undergo great sufferings. Now that it is our turn to suffer as it is evident that the grinding wheel of time has to repeat its cycle anyway. It is the normal way of history that it has to repeat the events. The Holy Qur'an at a number of places says to the Holy Prophet to look into the condition of such and such groups of people so that they may not get the impression that they are not the only persons to be afflicted by sufferings.

Indeed, if man understands that the afflictions and sufferings are the result of a process of a general rule; he will be in a better position to accept them and exercise patience. You observe fast during the month of Ramazan without any difficulty because it is commonly done by everybody during that month. But if in other months you have to observe fast, you will find it difficult to do so. The Holy Qur'an which gives command for observing fasts says that other nations before you also observed fasts. The knowledge of the past events of history helps man to bear things with patience and similarly the knowledge of the future happenings too helps to strengthen one's capacity of exercising patience. The Holy Qur'an says: *Prophet Khizr said to Prophet Musa: How can*

you remain patient with that which you do not fully understand. (Surah al-Kahf, 18:68)

Thus the thing that enhances man's power of exercising patience is the knowledge about the patient people and their method of exercising patience. Knowledge about the patience and steadfastness of the previous people is an effective means to face misfortunes and afflictions. The Holy Qur'an has mentioned number of such things and has cited the examples of patience of the people of former nations. The Prophets of Allah used to say to their adversaries as follows: *We shall bear with patience the hardships you inflict upon us.* (Surah Ibrahim, 14:12) When the magicians, who were called by Fir'aun to humiliate Prophet Musa, realized his righteousness they embraced his faith and despite Fir'aun's threats and intimidations replied as follows: *We cannot choose you in the face of the clear testimony we have received, and over Him who created us. So do what you are determined to do. All that you would do will only be confined to our short-lived life on earth.* (Surah Ta Ha, 20 72)

Hence, they meant to tell Fir'aun to do whatever he wanted. They would endure all the misfortunes that he inflicted upon them as they had discovered the right course leading to Paradise and were determined not to give up their stand.

(iii) Depending only on Allah: The remembrance of Allah and the belief that He hears our implorations, watches our deeds and solves our problems by rescuing us from afflictions is like looking only at Allah. Allah in the Holy Qur'an says to Prophet Musa and Prophet Harun as follows: *Be not afraid; I am verily with you all the time and I hear and see.* (Surah Ta Ha, 20:46)¹⁰² *Allah commanded Prophet Nuh: To build the Ark under the supervision and guidance of his Lord.* (Surah Hud, 11:37) As soon as Prophet Nuh started building the Ark, the crowd of the infidels which passed by him made a fun of him and passed sarcastic

remarks by saying that the Prophet had turned a carpenter but Prophet Nuh paid no heed to their taunts which became the means of his steadfastness, and reminded him that he was present before Allah and that Allah was supervising his work. Such firm determination and spirit of steadfastness instills a new life in man.

(iv) Concept of Reward and Punishment: The fourth thing that inculcates in man the spirit of steadfastness is the concept of reward and punishment because for bearing the hardship in this world ensures a big reward in the Hereafter. The Holy Qur'an gives frequent examples in this regard.

(v) To Seek Help through Prayers and Patience: The fifth thing which makes a man steadfast is to seek help by Prayers, supplications and patience. The following verses of the Holy Qur'an ask us to take the support of prayers and patience: *Help yourselves (in your affairs) with patience and prayers.* (Surah al-Baqarah, 2:45) *Believers, help you through patience and prayers. Allah is with those who have patience.* (Surah al-Baqarah, 2:153) In Surah al-A'raf, 7:128, also it is said that we should seek help from Allah. Besides; the traditions too indicate that in the face of difficulties Imam Ali used to get himself busy in prayers. Prayers bring the small one nearer to the great one and makes the Weakest one the strongest, and creates serenity and satisfaction. The following verse says that remembrance of Allah creates serenity of the heart: *Remembrance of Allah certainly brings comfort to all hearts.* (Surah ar-Ra'd, 13: 28)²¹⁸ The gist of this discussion is that Allah is Just and whatever hardships befall us are from Allah; and they are for the purpose of putting us on trial and as already mentioned before, the people who face hardships are divided into four different categories. The course of action which leads us to success has also been stated.

²¹⁸. Al-Quran-13: 28

(v) The fifth point is that the doubt about the Justness of Allah arises out of our misgiving and wrong conclusions as without pondering over the thing in its right perceptive we attribute our objections to Allah. As for example we know that death is the ultimate end of man's life and yet we object to Allah as to why such and such man died? Sometimes we assume that this world is an everlasting abode and yet we complain as to why people die of floods, earthquakes, diseases etc.? Then we assume that this world is the place of comfort and we complain as to why we are afflicted with hardships and difficulties. We are like a man who enters a lecture hall and starts questioning as to why tea and snacks are not available because of one particular thinking, which is a wrong one, it was thought that the hall was meant for a reception function. If we tell him that the hall was meant for delivering lectures he will withdraw his objections and will feel sorry for that. Therefore, we should consider this world as it is. We should know the purpose of our existence and in that case all our objections will be nullified. We must be certain of the fact that this world is not a place of our permanent abode but it is a passage of our life. If we adhere to this conviction then all our objections such as with regard to the dying of people on account of disease, floods, and earthquake etc. will be removed because we have come over here not to live for ever but for departing from here. It is a different matter by what means we happen to depart from here, either through disease, floods or earthquakes etc.

Example: A customer entered a glassware shop where the glasses were arranged in an upside-down position. He looked at them minutely and said the mouth of the glass was closed. He picked up a glass in that condition and remarked that it had not even its bottom. The shopkeeper laughed at this and took the glass from his hand and put it into upright position and said, "Sir, the glass has its bottom as well as the mouth".

In the same way our objections are due to our wrong thinking and defective approach of things. So to say we see all things with colored glasses. If we put on red glasses on our eyes we will take turnips as beets. In short, all our objections originate from wrong thinking and incorrect interpretations. First we think that the world is a place of comfort and then we start making objections when we are faced with disappointments. As a matter of fact this world is a place of development and progress. This is a place where we sow the seeds. Obviously such a process involves hard work, hardships and difficulties.

Chapter-2

Americas: In Early Pre-History, Pre-Islam, Influence of Islam on America and Its Muslim Community

*Chapter-2***AMERICAS: IN EARLY PRE-HISTORY AND PRE-ISLAM**

America- the two vast divisions of this continent (North America & South America) are joined by the narrow Isthmus of Panama Area-8,700,000 Sqm. (North America), 7,300,000 Sqm (South America). Columbus, Christopher (1451-1506), Italian Spanish Navigator who sailed west across the Atlantic Ocean in search of a route to Asia but achieved fame by making landfall in the Americas instead. So, it is well known to all that Columbus has discovered America. In America Islam has spreaded since before Columbus long years ago.

Knowing about Native American religion before arrival of Islam is a challenging task to tackle with at any level, if only because the Indian systems of belief and ritual were as legion as the tribes inhabiting North America. So it's recognized by trimming down that bewildering variety to manageable proportions with three glittering generalizations (which might, with luck, prove more useful than misleading)¹.

First, at the time of European contact, all but the simplest indigenous cultures in North America had developed coherent religious systems that included cosmologies creation myths, transmitted orally from one generation to the next, which purported to explain how those societies had come into being.

Second, most native peoples worshiped an all-powerful, all-knowing Creator or "Master Spirit" (a being that assumed a variety of forms and both genders). They also venerated or placated a host of lesser supernatural entities, including an evil god who dealt out disaster, suffering, and death.

¹. Christine Leigh Herman, *Native American Religion in Early America*, Divining America, Department of History, National Humanities Center.1986-87, University of Delaware.

Third and finally, the members of most tribes believed in the immortality of the human soul and an afterlife, the main feature of which was the abundance of every good thing that made earthly life secure and pleasant.²

Like all other cultures, the Indian societies of North America hoped to enlist the aid of the supernatural in controlling the natural and social world, and each tribe had its own set of religious observances devoted to that aim. Individuals tried to woo or appease powerful spiritual entities with private prayers or sacrifices of valuable items (e.g., furs, tobacco, food), but when entire communities sought divine assistance to ensure a successful hunt, a good harvest, or victory in warfare, they called upon shamans, priests, and, in fewer tribes, priestesses, whom they believed to have acquired supernatural powers through visions. These uncommon abilities included predicting the future and influencing the weather matters of vital interest to whole tribes but shamans might also assist individuals by interpreting dreams and curing or causing outbreaks of witchcraft.

As even this brief account indicates, many key Indian religious beliefs and practices bore broad but striking resemblances to those current among early modern Europeans, both Catholic and Protestant. These cultures, too, credited a creation myth (as set forth in Genesis), venerated a Creator God, dreaded a malicious subordinate deity (Lucifer), and looked forward to the individual soul's immortality in an afterlife superior in every respect to the here and now. Important as it is to appreciate the affinities between the religious cultures of Indians and early modern Europeans (and Euro-Americans), there were real differences that must be kept in mind. The most important is that Indians did not distinguish between the natural and the supernatural. On the contrary, Native Americans perceived the "material" and "spiritual" as a unified realm

². Joseph-François: *Customs of the American Indians compared with the customs of primitive*

of being a kind of extended kinship network. In their view, plants, animals and humans partook of divinity through their close connection with “guardian spirits,” a myriad of “supernatural” entities who imbued their “natural” kin with life and power. By contrast, Protestant and Catholic traditions were more inclined to emphasize the gulf that separated the pure, spiritual beings in heaven God, the angels, and saints from sinful men and women mired in a profane world filled with temptation and evil.

Early Pre-history of America: More than forty thousand years ago the Paleo-Indians began migrating into North America across the great land bridge that connected the continent to Asia. How they taught their children the skills necessary for survival in the Ice Age environment is unknown. Based on studies of ancient stone tools, refuse sites, and skeletons, archaeologists have forwarded several suggestions about the kind of culture the earliest immigrants had. It is fairly certain, for example, that men and perhaps women hunted in large groups’ mammals such as mammoths and giant sloth’s. Extending such inferences to the care and rearing of children, however, is quite difficult.

Archaic America:Over time changes in the climate of North America and improvements in Paleo-Indian hunting skills decimated the continent’s large mammal population. In the absence of big-game animals, Paleo-Indian groups had to adapt to the various local environments across the continent. Some of the groups, whom archaeologists call Archaic Indians, hunted deer or bison while others fished; foraged for roots, berries, and seeds; or killed small game. The methods parents used to teach their children in this phase of American prehistory are as murky as for the Paleo-Indians.

Classical America: The Indians of North America learned how to cultivate crops from the Indians of the central Valley of Mexico. By approximately 1500 B.C. the knowledge and skills to cultivate plants such as corn, squash, and beans had spread over much of North America, and the innovation sparked a transformation from Archaic to Classical cultures. The Classical cultures that arose with horticulture shared remarkably similar lifestyles with the Indian tribes that formed after the diseases introduced by Europeans to North America killed approximately 90 percent of the continent's aboriginal population. For this reason it is possible to infer how Classical Indians might have educated their children based on records left by later European observers.

The Southeast. The Southeast was home to the Mississippians, whose culture was characterized by the construction of ceremonial mounds, the production of agricultural surpluses, and the occupation of towns and small villages. In Mississippian society kinship was traced through the mothers and not the fathers, so the mother's clan had the responsibility of teaching her children. A boy's maternal uncles would provide him at an early age with a blowgun to practice hunting squirrels, birds, and other small game. Mothers and aunts likewise showed young girls how to sow seed, to weed gardens, to manufacture pottery and clothing, and to prepare food. The most important dates in young people's lives involved the shedding of blood. When a boy killed his first enemy, he was accorded the titles and privileges that separated men from boys. When a girl had her first menses, she was taken to one of several menstrual huts that stood on the outskirts of Mississippian settlements. Here she probably learned the lore and magic that distinguished women from girls.

The Northeast America: Horticulture was common among many of the native groups that inhabited the Northeast. The ancestors of groups we know

as the Iroquois, the Narragansett's, and the Powhatans shared a division of labor and, presumably, a method of education that was similar to that of the Mississippians. There were, however, important differences. Mississippian societies were more stratified than northeastern ones, so whereas the children of Mississippian chiefs may have been excluded from mundane chores or privileged to learn more sacred arts, northeastern children probably shared a more common educational experience. Warfare and menstruation were also equally important as markers for the transition from adolescence to adulthood. One northeastern group, the ancestors of the Abenakis, did not farm. Young girls instead probably learned how to gather nuts, berries, and plants from their mothers just as their female counterparts in horticultural societies learned to farm.

The Great Plains: Early Plains peoples mixed aspects of settled and migratory lifestyles. They grew crops in permanent villages but left them during the summer months to hunt buffalo on the plains. Just as among the horticultural southern and northeastern societies, women farmed and probably instructed young girls to do the same. Boys probably followed their fathers on the hunt and sought by feats of bravery to slay their first bison or their first enemy. Because of their mobile pattern of residence, Plains groups may not have had the same institutionalized method of isolating menstruating

Women, so much of what women had to teach girls was probably passed on in the fields, in the homes, and on the migratory hunt.

The Southwest. Southwestern ceremonial life revolved around earthen sweat lodges called *kivas*. Here religious leaders and medicine men honored their gods and spirits and probably taught young boys the secrets of the sacred world. Because women oversaw the crops that grew in their irrigated fields, they probably spent a lot of time with their daughters and nieces and instructed

them not only how to grow corn but also how to ensure through magic their crops' success. Among the horticultural Indians of California sweat lodges were also important places in the education of males. Elders also taught boys how to make bows, arrows, and arrowheads. Menstruation marked an important transition in the lives of young females. They were secluded at this time, prohibited from eating meat, and visited by their female relatives, who lectured them on the responsibilities of being women.

The Northwest America: The Indians of the Pacific Northwest subsisted on fishing, hunting, and gathering. Maternal uncles took their nephews to fish and hunt around age seven or eight. Uncles also toughened boys with icy baths, sweating ceremonies, and hard work. After their first successful hunt boys were feasted and accorded the respect of adults. Girls' lives centered on their first menses, at which point they were confined for perhaps two years. During their seclusion female relatives taught them everything they needed to know to enjoy a prosperous home life and a beneficial relationship with the spiritual world. Among the inhabitants of the drier Great Basin, families foraged together for food, and perhaps children learned how to collect plants and hunt for animals. Parents did not differentiate their children by sex; however, a female's first menses ended her existence as a gender-neutral person and made her socially and culturally a woman.³

The Maya: In the Vedas Maya is the magic power of a god or spirit. In the Upanishad Maya is illusion or the mundane world which is ultimately unreal because of its impermanence.⁴ The Maya Civilization lived in Central America, including south Mexico, Belize, Guatemala, El Salvador and

³. Michael S. Nassaney and Kenneth E. Sassaman, eds., *Native American Interactions: Multiscalar Analysis and Interpretations in the Eastern Woodlands* (Knoxville: University of Tennessee Press, 1995); and William Sturtevant, ed., *Handbook of North American Indians*, volumes 7, 8, 9, 11 (Washington, D.C.: Smithsonian Institution, 1978, 1979, 1986, 1990)

⁴. *The Macmillan Encyclopedia*. Macmillan London limited, London-1981, p.792

Honduras between 2500 BCE and 1500 CE. The Classic Maya Civilization 250-900 CE developed a hieroglyphic writing system. They studied astronomy and mathematics, calculated highly accurate calendars, predicted eclipses and other astronomical events. They built elaborate temples and pyramids and had a complex social order.

They were a religious society and held festivals throughout the year to ensure the favor of the gods. They sacrificed to the gods and made ritual offerings. Part of religious ceremony involved drinking an intoxicant called *belched*. The Mayans believed that the universe was made up of two separate worlds. The everyday world and the other world. The everyday world was the world in which they lived. The otherworld, they believed, were gods, spirits, and their dead ancestors lived.⁵

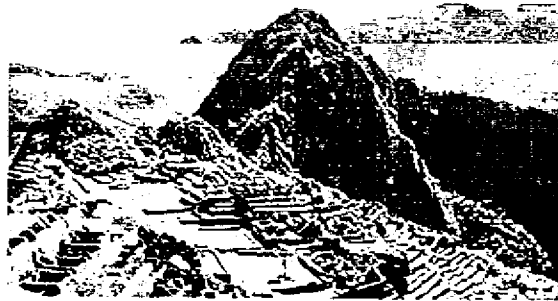


Picture: Mayans priest

The village chief acted as the leader of political life, as well as the priest. He was responsible for standing between his people, and the otherworld. He performed important religious ceremonies that the Mayans believed would earn the favor of those in the otherworld, and bring about their blessings. These ceremonies included the sacrifice of humans, as well as the blood letting of the priest.

⁵ Joel W. Martin, *Sacred Revolt: The Muskogees' Struggle for a New World* (Boston: Beacon Press, 1991), www.historywiz.com

The Inca Civilization: A Quechua speaking South American Indian people of the Peruvian Andes.⁶ The Inca were a tribe around the 12th century who formed a city-state, Cuzco which became a major city and capital of a powerful and wealthy empire in Peru, Bolivia and Ecuador. They conquered their neighbors, or brought city-states in peacefully with promises of benefits and/or threats of conquest. They ruled their empire with a centralized government and four provincial governments Inca Creation Myth.⁷



Picture: Inca Site Machu Picchu

The Aztecs: Nahuall speaking people who ruled and empire in central and South Mexico before there defeat by Harman Cortes in the 16th century.⁸ The Aztecs were a people who came into the Valley of Mexico in the 12th century and quickly rose to become the dominant power in Mesoamerica. The capital of the Aztecs, Tenochtitlan, was built on Lake Texcoco on raised islands. The Aztecs formed an empire commanding tribute from other city states in Mesoamerica. A religious society, the Aztecs practiced human sacrifice, like other Mesoamerican civilizations.⁹

⁶. *The Macmillan Encyclopedia*, Macmillan London limited, London-1981, p.611

⁷. James Merrell, *The Indians' New World Chapel Hill: Early American History and Culture*, The University of North Carolina Press-1989. Williamsburg, Virginia,

⁸. *The Macmillan Encyclopedia*, Macmillan London limited, London-1981, p.103

⁹. McLaughlin, William G. *The Cherokees and Christianity, 1794-1870: Ed., Walter H. Conser, Jr. Athens Essays on Acculturation and Cultural Persistence: University of Georgia. Press, 1994*



Picture: Aztec Chacmool, Tenochtitlan

MUSLIM CONTACTING AND CHRISTOPHER COLUMBUS

Islam and Spanish culture have been interlocked for many decades after the Prophet's (saws) death. Islam was first introduced into Spain by the North African Moors who ruled over Spain (which they renamed Al-Andalus) for close to eight centuries. From 710 to 1492, the Muslim Moors spread Islam throughout the European continent. Regardless of what some people think, historians are now admitting that this was not done through violence as was once believed, but through peaceful meetings and word-of-mouth

There are numerous historical written accounts of Muslims from Africa and from Spain traveling to lands across the Atlantic Ocean as part of geographical explorations from as early as 889 CE (275 AH). At this period Muslims dominated the sea routes, and were experienced ship builders

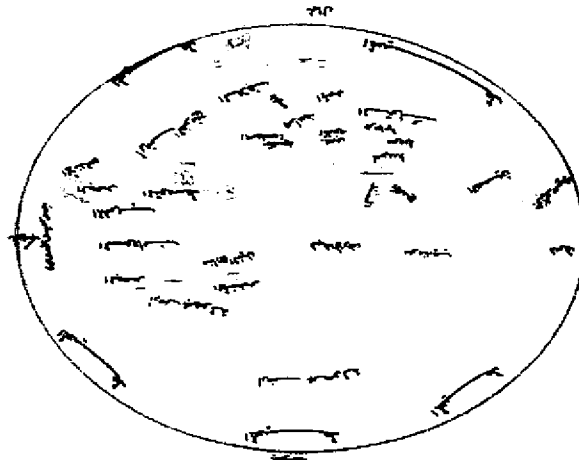
Estevanico of Azamor may have been the first Muslim background to enter the historical record in North America. Estevanico was a Berber originally from North Africa who explored the future states of Arizona and New Mexico for the Spanish Empire.¹⁰

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¹⁰. Rayford W. Logan. "Estevanico, Negro Discoverer of the Southwest: A Critical Reexamination." *Phylon* (1940-1956), Vol. 1, No. 4 (4th Qtr., 1940), pp. 305-314

Abu al-Hasan Ali ibn al-Husayn al-Masudi (أبو الحسن ، علي بن الحسين المسعودي) was One of them an Arab historian, geographer and philosopher. Born in Baghdad, he traveled to Spain, Russia, India, Sri Lanka and China and spent his last years in Syria and Egypt.

He was a Mutazilite and a descendant of Abdallah Ibn Masud, (Ra.) a companion of the Prophet Muhammed. His *Muruj al-Dhahab wa-Ma'adin al-Jawahir* (مروج الذهب ومعادن الجواهر) (Meadows of Gold and Mines of Jewels), written in 943 CE (331 AH), is a compilation of his travel observations and studies. It embraces social and literary history, discussions of religions and geographic descriptions. It also describes the journey of a Muslim navigator who sailed from Palos to the Americas in 889 CE (275 AH).¹¹ He wrote the *Al-Tanbih wa-l-Ashraf* (التنبيه والاشراف).



At the height of Moorish rule, the marvelous cities of Cordova, Toledo, Seville and Granada were respected by scholars from around the world. People would travel from far off distances just to study in one the cities. Education was universal in Moorish Spain. It was even given to the poorest people, while in Christian European countries ninety-nine percent of the people were illiterate, and even some kings could neither read nor write.

¹¹ Agha Hakim, Al-Mirza; *Riyadh Al-Ulama (Arabic)*, Vol.2 P.386 / Vol.4 P.175

At a time when the rest of the Western world was debating whether women were even human or not, many Islamic countries educated girls as well as boys, and numerous Moorish women became prominent in literary and artistic fields; there were Moorish women who were doctors, lawyers, professors and librarians (so much for the claim that Islam is misogynistic). Ever since the Moors first entered Europe, Islam has grown to influence almost every facet of Spanish culture, from architecture and science down to language and clothing. For instance, as far as Spanish food is concerned, rice, tortillas, fajitas and salsa all have Islamic origins. The Spanish word for rice (arroz) actually comes from the Arabic word al-Aruzz, and it was first introduced into Europe by the Muslim Moors. Even Christopher Columbus, the so-called "discoverer" of the Americas, in his own words considered Arabic to be "the mother of all languages." In fact, nowadays it is said that Columbus wouldn't even have been able to make it over to the Americas if it wasn't for the advancements in navigation that the Muslim Moors brought to Spain centuries before him.

A Muslim historian and geographer Abu Hassan Ali ibn Al-Hussain al-Masudi 871 CE (257 AH) -957 CE (345 AH) wrote in his book *Muruj adh-dhahab wa maadin aljawhar* (*The meadows of gold and quarries of jewels*) that during the rule of the Muslim caliph of Al-Andalus Abdullah Ibn Mohammad, a Muslim navigator, Khashkhash Ibn Saeed Ibn Aswad, from Cordoba, Spain sailed from Delba (Palos) in 889 CE (275 AH), crossed the Atlantic, reached an unknown territory (ard majhoola) and returned with fabulous treasures. In Al-Masudi's map of the world there is a large area in the ocean of darkness and fog which he referred to as the unknown territory.¹²

¹². Ibid.

In The Western Hemisphere, many historians are now realizing that Muslims had direct contact with Latin America way before Columbus's arrival. But the documents that have survived will often have names like "Muhammad" or "Abdul," which are Arabic names given for the most part to Muslims. Areas like Morocco and East Africa were areas that had been conquered by the Muslims and thus people from these areas were usually followers of Islam. They were often sold into slavery and were not allowed to practice their religion. It is documented as early as 1880 that the first Muslim immigrants arrived in America by way of ships. They were mostly from Lebanon, Syria, and Palestine.

These early immigrants were Arabic-speaking peoples who for the most part came as traders and laborers. Many paid for their trip to America by becoming servants to the upper-class citizens who paid for them to come over. More often than not, this was not the best situation, since the debt to be paid often required many years of hard labor and an enormous effort.

There are still communities of Muslims descended from these immigrants, such as in Cedar Rapids, Iowa. This community is over 100 years old, and the descendents of the first immigrants to Cedar Rapids still live in the town.

Many people are unaware of the number of Muslims in America. They are estimated at 6 million, making Muslims the second largest religious group in America after Christians. There are Mosques in every large city in America, filled to the brim on Friday, the Muslim Sabbath, with Muslims from every nationality. It is known that many Muslims from India, Pakistan, the Middle East, Africa, Asia, etc., as well as a growing number of American Muslims. Islam a very fast growing religion worldwide, and in every country it will see Islamic centers and schools. Muslims in America live the same as their non-Muslim neighbors, other than the fact that it has been seen the Muslims

observe 5 daily prayers, fast during Ramadan, give alms to the poor, and make pilgrimages to Mecca. They love to do many of the things other people do. They watch movies; go to the market, run errands, etc.

The fallacy that all Muslims are terrorists is a daunting stereotype that often makes Muslims the target of hate crimes. It have seen Muslims get assaulted and called names by people who think all Muslims are violent criminals. Not ail Muslims are fundamentalist fanatics who bomb innocent people. Muslims that they love all kind people who are genuinely caring and warm individuals who love the opportunities they have been given by living in this great country.

Now Living in America has given many Muslims the chance to practice this religion with freedom, whereas many other countries do not, Muslims in America have many large communities, stores, and businesses that being in America is hard due to the religious discrimination, but in time people will Being a Muslim American are also Americans, and deserve the rights given to any other American.

Estevanico of Azamor may have been the first Muslim to enter the historical record in North America. Estevanico was a Berber originally from North Africa who explored the future states of Arizona and New Mexico for the Spanish Empire.¹³

From Moorestown New Jersey, to Islamorada Florida; from Medina Ohio to Lahore Virginia, from Palestine Texas, to Al-Hambra California... more than 500 American towns are named after Muslim cities in the old world.

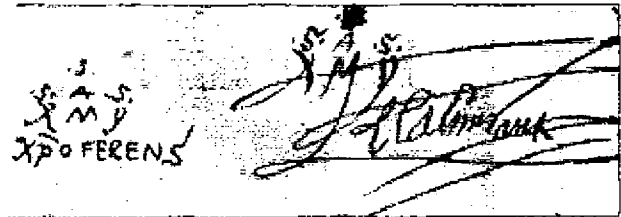
Christopher Columbus: Columbus, Christopher (1451-1506), Italian Spanish navigator who sailed west across the Atlantic Ocean in search of a route to Asia but achieved fame by making landfall in the Americas instead.

Christopher Columbus Italian-born explorer Christopher Columbus broke with tradition in 1492, sailing west in an attempt to find a shorter route to India and China.¹⁴

On October 12, 1492, two worlds unknown to each other met for the first time on a small island in the Caribbean Sea. While on a voyage for Spain in search of a direct sea route from Europe to Asia, Christopher Columbus unintentionally discovered the Americas. Columbus's explorations had a profound impact on the world.¹⁵



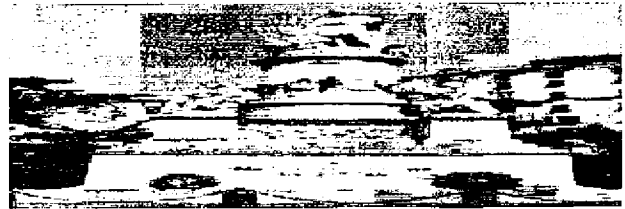
Columbus, Christopher (1451-1506)



Columbus' signature prior to 1492¹⁶



Columbus Coat of Arms¹⁷



Columbus monument in Genoa¹⁸

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- ¹³. Rayford W. Logan. "Estevanico, Negro Discoverer of the Southwest: A Critical Reexamination." *Phylon* (1940-1956), Vol. 1, No. 4. (4th Qtr, 1940), pp. 305-314
- ¹⁴. Columbus, Ferdinand. *The Life of Admiral Christopher Columbus*, p. 232 Rutgers Uni. Press, 1959. John Boyd. *Christopher Columbus*, p. 380, New York: 1950
- ¹⁵. Dr. Leo Weiner, *Africa and the Discovery of America*; Vol.2 p. 365-366, Philadelphia: 1920, and Trento, Salvatore Michael. *The Search for Lost America*, Penguin Books, New York: 1978. p.15
- ¹⁶. Ibid.
- ¹⁷. Obregon, Mauricio. *The Columbus Papers, the Barcelona Letter of 1493*
- ¹⁸. J Boyd Thatcher, *Christopher Columbus, His Life, His Work, His Remains*. Vol.1 New York: GP Putnam's Sons.1903-04, pp 380-459,

Columbus statue Belgrave Square, London ¹⁹Columbus's Ships- Santmaria, pinta & Nina²⁰

HISTORIC GEOGRAPHIC EXPLORATIONS MUSLIM SOURCE & WESTERN SOURCES PROOF ABOUT MUSLIM PRESENCE IN AMERICA BEFORE COLUMBUS

Many historians are now realizing that Muslims had direct contact with Latin America way before Columbus's arrival. Historians have found Islamic inscriptions throughout Cuba, Mexico and Texas that date back before 1492. In fact, the name "Cuba" comes from the same Arabic root as the word "Ka'bah." There is a significant amount of evidence that shows that African Muslims traveled to the Americas centuries before Columbus was even born. According to a careful study of the names of the native Indian tribes revealed that many names are derived from Arab and Islamic roots and origins, i.e. Anasazi, Apache, Arawak, Arikana, Chavin Cherokee, Cree, Hohokam, Hupa, Hopi, Makkah, Mahigan, Mohawk, Nazca, Zulu, Zuni, etc." Scientists have found Native American tablets with the Kufic inscriptions "Laa ilaaha illa llaah" on them. Also, other tablets found have Soorah al-Fatihah inscribed on them. All of these date back before the supposed "discovery" of the Americas. Numerous evidence suggests that Muslims from Spain and West Africa arrived in the Americas at least five centuries before Columbus. It is recorded, for example that in the mid-tenth century during the rule of the Umayyad Caliph Abdurrahman III (929-961), Muslims of American origin sailed

¹⁹. Ibid.

westward from the Spanish port of Delba (Palos) into "the Ocean of darkness and fog." They returned after a long absence with much booty from a "strange and curious land." It is evident that people of Muslim origin are known to have accompanied Columbus and subsequent Spanish explorers to the New World.²¹

The last Muslim stronghold in Spain, Granada, fell to the Christians in 1492, just before the Spanish inquisition was launched. To escape persecution, many non-Christians fled or embraced Catholicism. At least two documents imply the presence of Muslims in Spanish America before 1550. Despite the fact that a decree issued in 1539, by Charles V, King of Spain, forbade the grandsons of Muslims who had been burned at the stake to migrate to the West Indies. This decree was ratified in 1543, and an order for the expulsion of all Muslims from overseas Spanish territories was subsequently published. Many references on the Muslim arrival in the Americas are available. They are summarized in the following notes:

Historic Documents: A Muslim historian and geographer Abul-Hassan Ali Ibn Al-Hussain al-Masudi (871–957) wrote in his book 'Muruj Adh-dhahab wa Maadin al-Jawhar' (The Meadows of Gold and Quarries of Jewels) that during the rule of the Muslim Caliph of Spain Abdullah Ibn Muhammad (888–912), a Muslim navigator Khashkhash Ibn Saeed Ibn Aswad of Cordoba, Spain sailed from Delba (Palos) in 889, crossed the Atlantic, reached an unknown territory (Ard Majhoola) and returned with fabulous treasures. In Al-Masudi's map of the world there is a large area in the ocean of darkness and fog (the Atlantic Ocean) which he referred to as the unknown territory (the Americas).

²¹. *The Voice of Islam* – April-1999, USA.

A Muslim historian Abu Bakr Ibn Umar Al-Gutiyya narrated that during the reign of the Muslim Caliph of Spain, Hisham II (976–1009), another Muslim navigator Ibn Farrukh of Granada sailed from Kadesh (February 999) into the Atlantic, landed in Gando (Great Canary Islands) visiting King Guanariga, and continued westward where he saw and named two islands, Capraria and Pluitana. He arrived back in Spain in May 999.

Columbus sailed from Palos (Delba), Spain. He was bound for Gomera (Canary Islands) Gomera is an Arabic word meaning 'small firebrand' – there he fell in love with Beatriz Bobadill, daughter of the first captain General of the island (the family name Bobadilla is derived from the Arab Islamic name Abouabdilla). Nevertheless, the Bobadilla clan was not easy to ignore. Another Bobadilla (Francisco), later as the royal commissioner, put Columbus in chains and transferred him from Santo Domingo back to Spain (November 1500). The Bobadilla family was related to Abbadidi dynasty of Seville (1031 – 1091).

On October 12, 1492, Columbus landed on a little island in the Bahamas that was called Guanahani by the natives. Renamed San Salvador by Columbus, Guanahani is derived from Mandinka and modified Arabic words. Guana (Ikhwana) means 'brothers' and Hani is an Arabic name. Therefore the original name of the island was 'Hani Brothers.' Ferdinand Columbus, the son of Christopher, wrote about the blacks seen by his father in Honduras: "The people, who live farther east of Pointe Cavinias, as far as Cape Gracios a Dios, are almost black in colour." At the same time in this very same region, lived a tribe of Muslim natives known as Almamy. In Mandinka and Arabic languages Almamy was the designation of "Al-Imam" or "Al-Imamu," the person who leads the prayer, or in some cases, the chief of the community, and/or a member of the Imami Muslim community. A renowned American

historian and linguist Leo Weiner of Harvard University, in his book *Africa and The Discovery of America* (1920) wrote that Columbus was well aware of the Mandinka presence in the New World and that the West African Muslims had spread throughout the Caribbean, Central, South and North American territories, including Canada, where they were trading and intermarrying with the Iroquois and Algonquin Indians.

Geographic Explorations: The famous Muslim geographer and cartographer Al-Sharif Al-Idrisi (1099 – 1166) wrote in his famous book ‘*Nuzhat al-Mushtaq fi-Ikhtiraq al-Afaq* (Excursion of the longing in crossing horizons) that a group of seafarers (from Northern Africa) sailed into the sea of darkness and fog (the Atlantic ocean) from Lisbon (Portugal), in order to discover what was in it and what were its limits. They finally reached an island that had people and cultivation...on the fourth day, a translator spoke to them in the Arabic language.

Muslim Sources: The Muslim reference books mentioned a well-documented description of a journey across the sea of fog and darkness by Shaikh Zayn-eddine Ali ben Fadhel al-Mazandarani. His journey started from Tarfay (south Morocco) during the reign of the King Abu Yacoub Sidi Youssef (1286 – 1307) sixth of the Marinid dynasty, to Green island in the Caribbean Sea in 1291 (690 AH). The details of his ocean journey are mentioned in Islamic references, and many Muslim scholars are aware of this recorded historical event. The Muslim historian Chihab Addine Abul-Abbas Ahmad ben Fadhl Al-Umari (1300 – 1384, 700–786 AH) described in detail the geographical explorations beyond the sea of fog and darkness of Male’s sultans in his famous book ‘*Massalik al-absaar fi Mamaalik al-amsaar* (The Pathways of Sights in The provinces of Kingdoms).

Sultan Mansa Kankan Musa (1312 – 1337) was the world-renowned Mandinka monarch of the West African Islamic Empire of Mali. While travelling to Makkah on his famous Hajj in 1324, he informed the scholars of the Mamluk Bahri Sultan court (an-Nasir-eddin Muhammad III, 1309 – 1340) in Cairo that his brother, Sultan Abu Bakari I (1285 – 1312) had undertaken two expeditions into the Atlantic Ocean. When the sultan did not return to Timbuktu from the second voyage of 1311, Mansa Musa became sultan of the empire.

Columbus and early Spanish and Portuguese explorers were able to voyage across the Atlantic (a distance of 24,000 Kilometres) thanks to Muslim geographical and navigational information, in particular maps made by Muslims traders, including Al-Masudi (871 – 957) in his book ‘Akhbar Az-Zaman’ (History of The World) which is based on material gathered in Africa and Asia. As a matter of fact, Columbus had two captains of Muslim origin during his first transatlantic voyage: Martin Alfonso Pinzon was the captain of the Pinta, and his brother Vicente Yanex Pinzon was the captain of the Nina. They were wealthy, expert ship outfitters who helped organise the Columbus expedition and repaired the flagship Santa Maria. They did this at their own expense for both commercial and political reasons. The Pinzon family was related to Abuzayan Muhammad III (1362 – 66), the Moroccan sultan of the Marinid dynasty (1196 – 1465).

Arabic (Islamic) Inscriptions: Anthropologists have proven that the Mandinkas under Mansa Musa’s instructions explored many parts of North America via the Mississippi and other rivers systems. At Four Corners, Arizona, writings show that they even brought elephants from Africa to the area.²²

²². Ibid

Columbus admitted in his papers that on Monday, October 21, 1492 while his ship was sailing near Gibara on the northeast coast of Cuba, he saw a mosque on the top of a beautiful mountain. The ruins of mosques and minarets with inscriptions of Qur'anic verses have been discovered in Cuba, Mexico, Texas and Nevada. During his second voyage, Columbus was told by the Indians of Espanola (Haiti), that Black people had been to the island before his arrival. For proof they presented Columbus with the spears of these African Muslims. These weapons were tipped with a yellow metal that the Indians called Guanine, a word of West African Derivation meaning 'gold alloy.' Oddly enough, it is related to the Arabic world 'Ghinaa' which means 'Wealth.' Columbus brought some Guanines back to Spain and had them tested. He learned that the metal was 18 parts gold (56.25 percent), six parts silver (18.75 percent) and eight parts copper (25 percent), the same ratio as the metal produced in African metal shops of Guinea.

In 1498, on his third voyage to the New World, Columbus landed in Trinidad. Later, he sighted the South American continent, where some of his crew went ashore and found natives using colorful handkerchiefs of symmetrically woven cotton. Columbus noticed that these handkerchiefs resembled the headdresses and loincloths of Guinea in their colors, style and function. He referred to them as Almayzars. Almayzar is an Arabic word for 'wrapper,' 'cover' apron' and or 'skirting,' which was the cloth the Moors (Spanish or North African Muslims) imported from West Africa (Guinea) into Morocco, Spain and Portugal. During this voyage, Columbus was surprised that the married women wore cotton panties (bragas) and he wondered where these natives learned their modesty. Hernando Cortez, Spanish conqueror, described the dress of the Indian women as long veils and the dress of Indian men as 'breechcloth painted in the style of Moorish draperies.' Ferdinand Columbus

called the native cotton garments 'breechcloths of the same design and cloth as the shawls worn by the Moorish women of Granada.' Even the similarity of the children's hammocks to those found in North Africa was uncanny.

Dr. Barry Fell retired professor of Harvard University discovered the existence of Muslim schools at Valley of Fire, Allan Springs, Logansport, Keyhole Canyon, Washoe and Hickson Summit Pass (Nevada), Mesa Verde (Colorado), Mimbres Valley (New Mexico) and Tipper Canoe (Indiana) dating back to 700-800. Engraved on rocks in the old western US, he found texts, diagrams and charts representing the last surviving fragments of what was once a system of schools at both an elementary and higher levels.

The language of instruction was North African Arabic written with old Kufic Arabic script. The subjects of instruction included writing, reading, arithmetic, religion, geography, history, mathematics, astronomy, and sea navigation. The descendants of the Muslim visitors of North America are members of the present Iroquois, Algonquin, Anasazi, Hohokam and Olmec native people.²³

Muslims reached the shores of Americas in the following instances: Data on the early history of Islam in the Americas is fragmentary and riddled with controversy. Not all scholars accept the fragmentary evidence that exists. There is, however, evidence that Muslims or persons believed to be Muslims visited North America in the pre-Columbian past.²⁴ In 1312 Mansa Abu Bakr of Mali is believed to have traveled from the Senegambian region of the African coast to the Gulf of Mexico. This account captured the attention of distinguished scholars such as Basil Davidson of Britain and others in Africa, America and Europe. It has come to us by way of the writings of al-Omari, a

²³. Fell, Dr. Barry. *Saga America*, p. 190, Time Books, New York: 1980

²⁴. Abdullah Hakim Quick, *Deeper Roots: Muslims in the Americas and the Caribbean from before Columbus to the Present* (London, England: Ta-Ha Publishers Ltd., 1996), pp.13-37

Muslim historian whose work has shed much light on medieval African kingdoms in the sub-Saharan regions of the African continent.²⁵

This piece of historical evidence received support indirectly from the writings of Leo Wiener, the Harvard University professor who wrote a tome on Africa and the Discovery of America. His book provides data on ethno-linguistic connections between certain peoples of the West African coast and the Native Americans living in the Gulf of Mexico region of the Americas. Though Leo Wiener's study was not accorded much attention by his contemporaries, towards the end of the nineteen seventies Ivan Van Sertima of Rutgers University in New Jersey reminded his colleagues that there were indeed other peoples who came to America before Columbus. His book capturing this argument was the topic of academic debates throughout the United States of America. The timeliness of his book was underscored by the fact that Alex Haley's successful book and television series on Roots had already planted in the popular American imagination that Kunta Kinte was a Muslim slave and that he came from the Senegambian coast. Until we come across new evidence in this field, the evidence for Muslims in the pre-Columbian Americas depends on a narrative passed to our generation by a fourteenth century Arab writer and on a Harvard University Professor's comparative linguistic analysis of African and native American languages.

Muslims in the “New World”: Dr. Barry Fell, a noted New Zealand archaeologist and linguist of Harvard University showed detailed existing evidence in his work, “Saga America” that Muslims were not only in the Americas before Columbus arrived, but very active there as well. The language of the Pima people in the South West and the Algonquian language

²⁵. Basil Davidson, *Lost Cities of Africa* (Boston: Little Brown, 1959), pp. 74-75. This story of an African visit to the New World in pre-Columbian times is based on chapter ten of ibn Fadi

had many words in their vocabulary that were Arabic in origin, and Islamic petroglyphs were found in places such as California.

Dr. Barry Fell's work, "Saga America", provides evidence of Muslim presence in the Americas as they traded and exchanged knowledge and ideas with the natives. An example is the language of the Pima people in the South West and the Algonquian language that share many words with Arabic. Furthermore, one of the Islamic petroglyphs discovered in the Inyo County of California states "Yasus bin Maria", literally "Jesus son of Mary", which is not a Christian phrase but is found a number of times in the Qur'an.

Furthermore, in the Western states, Dr. Fell has found texts, diagrams, and charts that were used for schoolings. These texts date back to 700-800 CE and cover subjects such as mathematics, astronomy, and sea navigation with the instruction written in North African Kufic Arabic.

Ivan Van Sertima's book, *They Came before Columbus*, cites great detail as to why he believes Arab Muslim trade was active in America and the marvelous culture the Native Americans shared with the Islamic World. Sertima also narrates a description of the Moorish Muslim expeditions across the Atlantic to an "unknown land". A Muslim historian and geographer Abul-Hassan Ali Ibn Al-Hussain Al-Masudi (871 – 957 CE) wrote in his book 'MurujAdh-dhahab wa Maadin al-Jawhar' (The Meadows of Gold and Quarries of Jewels) that during the rule of the Muslim Caliph of Spain Abdullah Ibn Muhammad, a Muslim navigator Khashkhash Ibn Saeed Ibn Aswad of Cordoba, Spain sailed from Delba (Palos) in 889 CE, crossed the Atlantic, reached an unknown territory and returned with fabulous treasures. In Al-Masudi's map of the world there is a large area in the ocean of darkness and fog (the Atlantic

Allah al-Omari's *Masalik al-absar fi absar fi mamalik amsar* (Cairo, C.1342 AH). The Arabic original was translated and published in Paris by Gauthier-Demombynes in 1927

Ocean), which he referred to as the unknown territory. This indicates a historical presence of Muslims in the Americas before Christopher Columbus. The German art historian, Alexander Von Wathena, also provides evidence that Islamic peoples were in America, in the time between 300 and 900 C.E. This was at least half a millennium before Columbus was born! Carved heads that were described as “Moorish-looking” were dated between 300 and 900 C.E. and another group of heads dated between 900 and 1500 C.E. An artifact found in the earlier group was photographed, and when later examined was found to resemble an old man in a Fez, like the Egyptians.

Ivan Van Sertima is widely renowned for his work, “They Came Before Columbus” which showed that there was definitely contact between the ancient and early African people with the Native Americans. This and another of his works, “African Presence in Early America” both prove that there were African Muslim settlements in the Americas, before the expedition of Columbus was even conceived. His research has shown that Arab Muslim trade was active in America and one can only imagine that the marvelous culture that the Native Americans had that shared so much with Islamic teachings was of great attraction to the Muslims that came so far across the sea.

And for the record, Christopher Columbus, the man who so-called discovered America, himself declared that his impression of the Carib people (i.e., Caribbean people) were “Mohammedans.” He knew of the Mandinka presence in the New World (Muslims) and that Muslims from the West coast of Africa had settled down in the Carribean, Central, South and North America. Unlike Columbus, they had not come to enslave the populations or plunder the land; they had come to trade and they married among the Natives. Columbus further admitted that on October 21st, 1492, as he was sailing past Gibara on the coast

of Cuba, he saw a mosque, and remnants of other Masjid have been found in Cuba, Mexico, Texas and Nevada. On the second voyage Columbus took to the West Indies, the people of Haiti told him that "black" people had been there before him. They showed him spears of these visitors, and further study of the metals involved in their construction showed that they could have been made only in one place: Guinea.

Another historian, P.V. Ramos, also showed in his essay in "African Presence in Early America" that the dietary regulations of the Carib were similar to Islamic teachings. But let us say that we are wrong. Perhaps it is all just a coincidence; after all, there are no living survivors of the Native American Muslims, are they? Wrong. And this last part is what originally drew me into this quest for knowledge: an exposé written by a Native Muslim.

1. In the year 889 AD, Muslim sailor Khashkhash ibn Said ibn Aswad Al-Quotably (of Cordoba) set sail from the port of Palos in Muslim Spain and reached a certain land in the west. He returned home with huge treasures. He drew a world map calling these areas in the Atlantic Ocean "the unknown land". The Muslim geo-historian Al-Masoudy records this in his book "Muruj-al-Dhahab wa Maadin Aljawhar"(956 AD);"Some people feel that this ocean is the source of all oceans and in it there have been many strange happenings. We have reported some of them in our book Akhbar az-Zaman. Adventurers have penetrated it on the risk of their lives, some returning safely, others perishing in the attempt. One such man was art inhabitant of Andalusia named Khishkhash. He was a young man of Cordoba who gathered a group of young men and went on a voyage on this ocean. After a long time he returned with a fabulous booty. Every Spaniard (Andalusian) knows his story."

2. In Feb. 999 AD, Ibn Farukh from Granada in Muslim Spain landed in Gando (Great Canary), visited King Guanariga and continued his journey

westwards till he found two islands, which he called Capraria and Pluitana. He arrived back in Spain in the month of May that year. Abu Bakr b. 'Umar al Qutiyya relates the story of his voyage.

3. In twelfth century AD, a group of North African sailors: According to the famous Arab geographer Al Sharif al Idrisi (1097-1155); "A group of seafarers sailed into the sea of Darkness and Fog (the Atlantic Ocean) from Lisbon in order to discover what was in it and to what extent were its limit. They were a party of eight and they took a boat, which was loaded with supplies to last them for months. They sailed for eleven days till they reached turbulent waters with great waves and little light. They thought that they would perish so they turned their boat southward and travelled for twenty days. They finally reached an island that had people and cultivation but they were captured and chained for three days. On the fourth day a translator came speaking the Arabic language! He translated for the King and asked them about their mission. They informed him about themselves, and then they were returned to their confinement. When the westerly wind began to blow, they were put in a canoe, blindfolded and brought to land after three days' sailing. They were left on the shore with their hands tied behind their backs, when the next day came; another tribe appeared freeing them and informing them that between them and their lands war a journey of two months." From "The Geography of Al Idrisi".

4. In 1310 AD, Abu Bakari (Abu Bakar), King of the Malian Empire: The predecessor of the world-renowned ruler of the African Islamic Empire of Mali, Mansa Musa set off on a voyage to discover the limits of the neighboring sea (Atlantic Ocean). The emperor narrated this on his famous Hajj pilgrimage in 1324.(See his narration below). There are ample proofs that African Muslims from Mali and other parts of West Africa (Mandinga) arrived

in the Gulf of Mexico around 1312. They used the Mississippi River as their access route for exploring the interior.

5. In 1421, Zheng He The legendary Chinese admiral: Zheng He (A Muslim) travelled around the world in the fifteenth century. British marine historian Gavin Manzi's proves in his book "1421 - The year China discovered the World" that Zheng He beat Columbus by 71 years. A Chinese historical document known as the Sung document records the voyage of Muslim sailors to a land called as Mu-Lan-Pi (America) in 1178. This document mentioned in another publication - the Khotan Amiers - published in 1933 after the Zheng He voyages.

6. The first map of Americas by Piri Muhyid Din Re'is in 1513. The famous Turkish admiral in charge of the Ottoman Red Sea and Indian Ocean fleets made this map and presented it to Sultan Selim I. Even though Columbus has been to the Caribbean by then, the areas accurately depicted in the map had not been "discovered". Therefore it is logical that the Ottoman admiral was well aware of the areas. (Refer figure). He was a famous navigator and mapmaker and wrote a handbook on the Aegean and the Mediterranean Seas, known as Piri Re'is Bahriye. The map was discovered by chance in the library of Serrallo, Istanbul in 1929 by Khalid Edhem Bey.

7. The "First" to see the Americas became Muslim. May be as a divine justice on a false historical claim, the first Christian to see the American land, Rodrigo de Triana or Rodrigo de Lepe, became a Muslim on his return to Spain, "because Columbus did not give him credit nor the King any recompense, for his having seen before any other man, light in the Indies."²⁶

The Companions of the Prophet Went To America: Muslims, beginning from 650 CE, made their way to the continent for settlement, during which

²⁶. Ibid. p. 276

time they erected mosques and schools, Research conducted in the West during the twentieth century has proven the existence of Muslims on the American mainland approximately seven centuries before Christopher Columbus. Similarly, archeological excavations, linguistic, and philological analyses of languages and settlement names in the region, the fact that coins, household tools and other utensils were discovered there that were similar to those of the Abbasids in the eighth and ninth centuries are all justifications of the theory that Muslims, beginning from 650 CE, made their way to the continent for settlement, during which time they erected mosques and schools, leaving a prolonged impact on the natives, i.e. American Indians.

The Islamic sources carry no information as regards Muslim settlement in America, although research undertaken by Professor Barry Fell of Harvard University confirms that Muslims reached the continent at the time of Uthman, the third Caliph, concomitantly indicating the significant possibility that some of the Companions could have arrived there as well.

Many Western researchers acknowledge the famous map of Piri Reis as proof of Muslim presence in America long before the endeavors of Columbus, as it minutely comprises the map of America, as well as extremely accurate measurements of the distance between America and Africa. "Before embarking on his first voyage to America, Columbus had read the book of Roger Bacon of Oxford University, which comprised information, compiled from a variety of Arabic resources, about geographical regions on the other side of the Atlantic; hence Columbus' previous knowledge of the islands in the Atlantic Ocean and other places."²⁷

Western Sources: 1. Professor Barry Fell, retired lecturer from Harvard University and also a member of the American Academy of Science and Arts,

²⁷. Ibid.

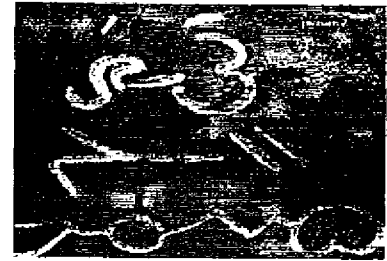
the Royal Society, the Epigraphy Society and the Society of Scientific and Archeological Discoveries, is adamant about the arrival of Islam in America in the 650s,² predicating this argument upon the Cufic calligraphy belonging to that era found in various diggings across America. If the words of Professor Fell have truth-value, then the Muslims had arrived in America during the era of Uthman, or at least that of Ali, the fourth caliph. Such information, however, is not found in Muslim sources.

Professor Fell again uses the results of various archeological diggings undertaken across many regions in the states of Colorado, New Mexico, and Indiana to assert the construction of Muslim schools during 700-800 CE. Writings, drawings, and charts inscribed on rocks discovered in the most remote and untainted terrains of Western America are relics bestowed by the elementary and intermediate systems of Muslim education at the time. These documents were written in the old Cufic letters of North African Arabic, covering subjects such as reading, writing, arithmetic, religion, history, geography, mathematics, astronomy, and navigation. The descendants of these settlers are thought to be the current native tribes of Iroquois, Algonquin, Anasazi, Hohokam, and Olmec.²⁸

2. The second evidence offered by Professor Fell is that the inscription of “In the Name of God” (picture 1), found on a rock during archeological work in Nevada, and belongs to the seventh century, when the haraka sign system had not yet been developed. Likewise, the stone bearing the inscription “Muhammad is the Prophet of God” (picture 2) is pertinent to the same era. As seen by comparison of the two pictures, the inscriptions are not in the style of Modern Arabic; conversely they are in a Cufic style relevant to the seventh century.



Picture: 1

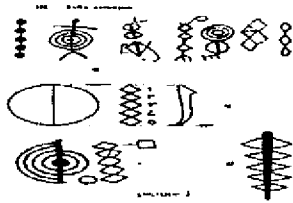


Picture: 2

The Arabs, according to the findings of Professor Fell, settled in Nevada during the seventh and eighth centuries. The earlier existence of a school, which taught Islam and science, particularly navigation, has come to light following the archeological investigation undertaken by Professors Heizer and Baumhoff of California University around site WA 25 in Nevada. The excavations in Nevada have uncovered writings in Naskhi Arabic and Cufic style that are inscribed on rocks which carry information about this school (picture 3). The application of the mathematical formula “five diamonds equal an alif” (alif is the first letter of Arabic alphabet) may be seen in this picture (pictures 3b and 3c). The Arabic letters in pictures 3b and 3c, found amid excavations in Nevada, are in exactly the same style as North African Arabic. Again similarly, another rock was found in Nevada bearing the name “God”, the style of which is yet again reminiscent of the prevalent technique of seventh and eighth-century North Africa. The calligraphically similarities between various writing styles of the Prophet’s name over diverse periods, particularly those relating to Africa and America, found during archeological investigations are striking indeed. Figure A of picture 4 was found in al-Ain Lahag, Morocco and figure B in East Walker River; both are currently at the University of California. Figure C was discovered in Nevada and figures C and D were located in Churchill County and are also currently preserved at the University of California; likewise figure F was discovered in al-Haji Minoun,

²⁸. Trento, Salvatore Michael. *The Search for Lost America*, p.15, Penguin Books, New York:

Morocco, while figure G, inscribed on ceramic, was revealed in al-Suk, Tripoli, Libya and figure H, at the University of California, was discovered at Cottonwood Canyon, while finally figure I was located on the border of Morocco and Libya. All these inscriptions belong to the eighth and ninth centuries, clearly illustrating the resemblance in style between North America and North Africa, as well as overtly suggesting a migration that occurred from Africa to America.²⁹



Picture: 3



Picture: 4

Arabic and Cufic style-7 AD

3. In the twelfth century the Athapcan Tribe, comprised of native Apaches and Navajos, raided the area inhabited by the Arabs, who either ended up fleeing or were exiled toward the South. These illiterate natives were spellbound by the schools founded by the Arabs, and, perhaps with the assistance of captives, attempted to imitate the same subjects, transforming the geometrical shapes into mythical beasts, which carried on for centuries.³⁰

4. Picture 5 is the Cufic writing found in 1951 in the White Mountains, close to the town of Benton on the border of Nevada. The words Shaytan maha mayan, i.e. the Devil is the source of all lies, have been written in a Cufic style peculiar to the seventh century.³¹

1978

²⁹. Fell, Dr. Barry. *Saga America*, p. 190, Time Books, New York: 1980

³⁰. *Ibid.* p. xiv

³¹. *Ibid.* pp. 332-333



Picture: 5

5. Once more, a rock inscription belonging to post-650 CE, bearing the Cufic letters H-M-I-D of the word Hamid (picture 6), is another Arabic script discovered on the Atlata rocks in the Valley of Fire in Nevada.³²



Picture: 5

6. While traveling from Malden to Cambridge in the state of Massachusetts in 1787 (on what is now RT. 16), the Reverend Thaddeus Mason Harris noticed some coins discovered by workers during road construction. The workers, not putting much value on these coins, presented him with a handful. Consequently, Harris decided to send these coins to the library of Harvard College for examination (picture 7). The study yielded that these were in fact Samarqand dirhams from the eighth and ninth centuries. As can be seen in the picture, the coins manifestly display the inscriptions La ilaha ill-Allah Muhammadun Rasulullah (There is no deity but God, and Muhammad is His Messenger) and Bismillah (in the name of God).³³



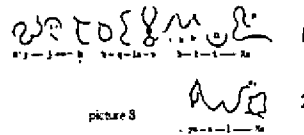
picture 7

Picture: 6

³². Ibid. pp. 333-334

³³. Ibid. p.182

7. Picture 8 shows a piece of rock discovered in a cave in the region of Corinto in El Salvador, bearing the inscription *Malaka Haji mi Malaya*; this has been identified as belonging to the thirteenth century, suggesting a possible arrival of Muslims in South America, perhaps coming from somewhere near Indonesia.³⁴



Picture: 7

8. During his second voyage, Columbus was told by the natives of Espanola (Haiti) of black men who had appeared on the island before him and they showed him the lances that had been left there by these Africans to support their assertions. The tips of the lances were of a metal, an alloy of gold, which they called *guanin*, a word which is semantically remarkably similar to the Arabic word *ghina*, meaning richness. Columbus had in fact brought some of this *guanin* back to Spain, recording that it was composed of 56.25% gold, 18.75% silver and 25% copper, ratios that were prevalent in African Guinea as standards for the processing of metals.³⁵

9. On his third voyage to the New World, Columbus visited Trinidad, where the sailors noticed the symmetrically patterned cotton and colorful handkerchiefs of the natives. Afterward, Columbus realized that the handkerchiefs, which the natives called *almayzar*, were all much the same in color, style, and use as the headscarves and waist bands used in Guinea. The word *almayzar* is Arabic, and denotes a cover, tie, apron, or skirt, and is a component of the regional costumes of the Moors, Arabs and, Berbers of North Africa, who had conquered Spain in the eighth century. Columbus

³⁴. Ibid. p.243

³⁵. Ibid. p. 26

observed that the local women wore cotton garments and wrote in astonishment that they had learned of the concept *namus*, i.e. chastity. In much the same vein, Hernan Cortes, another Spanish explorer, later recorded that the clothing of local women consisted of long veils and skirts decorated with ornaments that were similar to those of the Moors. Ferdinand, Columbus' son, was also quick to notice the resemblance between the cotton dresses of the natives and the ornamented shawls fashioned by Moorish women in Granada. The cradles used by the natives, furthermore, very closely resembled those of North Africa.³⁶

10. Columbus recorded on 21 October 1492 that he had noticed a mosque on top of a mountain while sailing around Cibara on the northeast coast of Cuba. Relics of mosques carrying Qur'anic inscriptions on their minarets have been found in Cuba, Mexico, Texas, and Nevada since these times.³⁷

11. Leo Weiner, a well-known Harvard historian and linguist, stated in his book *The Discovery of Africa and America*, written in 1920, that Columbus was aware of the existence of Mandinka, an ethnic group of West Africa, in the New World. The same book also affirms that Columbus was aware that West African Muslims were living across North America, including the south, middle regions and Canada, as well as in the Caribbean, and that they had marital and commercial ties with the native tribes of Iroque and Algonquin.

12. A preponderance of the voyages embarked upon by Columbus and other Spanish and Portuguese explorers toward the other side of the Atlantic were undertaken only in the light of the geographical and navigational knowledge prepared by Muslims. Al-Masudi's (871-957 CE) work *Muruj'uz-Zahab*, for instance, was written with this sort of data compiled by Muslim traders from

³⁶. Teacher, John Boyd. *Christopher Columbus*, p. 380, New York: 1950.

³⁷. Columbus, Ferdinand. *The Life of Admiral Christopher Columbus*, p. 232 Rutgers Uni. Press, 1959

across Africa and Asia. Two of Columbus' captains on the first voyage, in actual fact, were Muslims: Martin Alonso Pinzon was in charge of the Pinta, while his brother Vicente Yanez Pinzon was the designated captain of Nina; both were from the Moroccan Marinid dynasty, descendants of Sultan Abu Zayan Muhammad III (r. 1362-1366). Formerly well-to-do ship riggers, they assisted Columbus in organizing his voyage of exploration, preparing the Santa Maria, the flagship, and covering all its expenses.

13. Christopher Columbus has recorded the custom of nose piercing, which used to be and still popular in the Middle Eastern and Arab countries, as being prevalent in some islands across the Atlantic also mentions the writing of letters in Arabic.³⁸

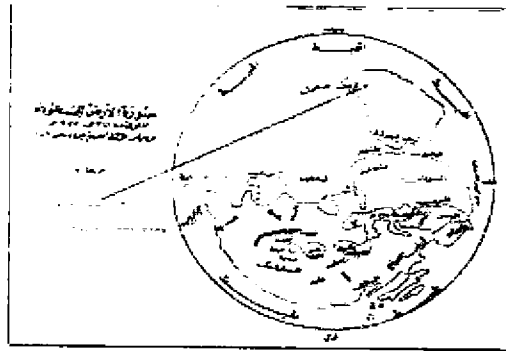
14. In the account of sixteenth century missionaries in America, the local copper mines, found particularly in Virginia, Tennessee, and Wisconsin were not operated by the natives, but instead by people from the Middle East, towards whom the natives nurtured a profound sympathy³⁹

15. A sum of 565 names, 484 in America and 81 in Canada, of villages, towns, cities, mountains, lakes, rivers and etcetera, are etymologically Arabic, designated by locals long before the arrival of Columbus. Many of these names are in fact the same as names of Islamic places; Mecca in Indiana, Medina in Idaho, Medina in New York, Medina and Hazen in North Dakota, Medina in Ohio, Medina in Tennessee, Medina in Texas, Medina and Arva in Ontario, Mahomet in Illinois and Mona in Utah, are just a few noticeable names at the outset. A closer analysis of the names of native tribes will immediately reveal their Arabic etymological ancestry; Anasazi, Apache, Arawak, Arikana,

³⁸. Trento, 1978, p. 23

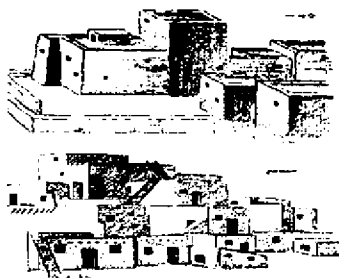
³⁹. Ibid. p. 29

Chavin, Cherokee, Cree, Hohokam, Hupa, Hopi, Makkah, Mohician, Mohawk, Nazca, Zulu, and Zuni are only a few.⁴⁰



Ancient map of the world by Al-Mas'udi "Ard Majhoola" refers to the Americas 1000 AD
(10th century Arab map showing America as the Unknown land Ard a Majhoola)

House and Building Structures: House and Building Structures probes about Muslim presence early. Archeological excavations conducted throughout North America and North Africa reveals a corresponding architectural resemblance between ninth century buildings. The structure of a Berber house of the Atlas Mountains, Morocco (picture 9), for instance, is exactly the same as that of a house in New Mexico (picture 10). The same similarity can be traced between the Castle of Montezuma discovered in Arizona and the remnants found in Mesa Verde in Colorado and the general structure of Berber buildings (picture 11-12).



Picture: 8 & 10



Picture: 91 & 12



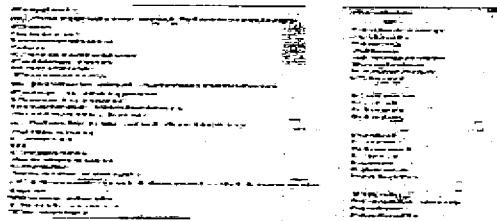
Picture: 103

The research undertaken by Professor Cyrus Thomas of the Smithsonian Institute shows that a small cabin built from piles of rock found in Ellenville,

⁴⁰. Ibid. p. 65

New York is virtually the same as the cabin, again of rock, found around Aqabah, Southern Arabia, both of which are thought to have been built around the start of the eighth century (picture 13) Arabic words prevalent among natives prior to the arrival of Europeans.

The pervasiveness of many Islamic words across the continent prior to European influx is verified by the following terms discovered in the regions currently known as New England and Nova Scotia, in America and Canada respectively. Fell pointed to some words as example of Arabic influence on Native Americans. All of the words listed below are derived from the Arabic language. However, time had eroded their original meanings and most are not used in Arabic today.



Spanish Muslim Immigration to America: The last Muslim stronghold in Spain, Granada, fell just before the Spanish Inquisition was established in 1492. Non-Christians were forced to either convert to Catholicism to save themselves from the tyranny of the Inquisition or were exiled from the country. Documents exist which prove the existence of immigrant Muslims in Spanish America before 1550. In 1539 an edict from Spanish King Charles V was put into practice which forbade the immigration of Muslims to settlements in the West. This edict was later expanded to expel all Muslims from overseas Spanish colonies in 1543. The existence of Muslims in overseas islands and regions was known along with the fact that the Spanish king issued such an edict. Again, in many Islamic sources, it is noted that Muslims living in Spain and North Africa made overseas voyages during the Andalusia period. Scientific research on this subject will bring out many documents into the

daylight, documents which have escaped the notice of both Muslims in America and those throughout the world, which will perhaps serve, in the future if not immediately, as a starting point for a re-evaluation of the history of America.

THERE ARE MORE THAN 500 NAMES IN USA AND CANADA WHICH DERIVED FROM ARABIC-ISLAMIC WORD

There are 565 names of places (villages, towns, cities, mountains, lakes, river, etc.) in USA (484) and Canada (81), which are derived from Islamic and Arabic roots. Their places were originally named by the natives in pre-Columbian period. Some of these names carried holy meanings such as: Mecca (Indiana) – 720 inhabitants, Makkah Indian tribe (Washington), Medina (Idaho) – 2100, Medina (NY) – 8500, Medina and Hazen (North Dakota) – 1100 and 5000, respectively, Medina (Ohio) – 12,000, Medina (Tennessee) – 1100, Medina (Texas) – 26,000, Medina (Ontario) – 1200, Mahomet (Illinois) – 3200, Mona (Utah) – 1100, Arva (Ontario) – 700. Many others. A careful study of the names of the native Indian tribes revealed that many names are derived from Arab and Islamic roots and origins, i.e. Anasazi, Apache, Arawak, Arikana, Chavin Cherokee, Cree, Hohokam, Hupa, Hopi, Makkah Mahigan, Mohawk, Nazca, Zulu, Zuni, etc.⁴¹ Other cities with possible Islamic and African root names are Allakaket, Alakanuk, and Soloman, Alaska; Ali Chuk, Ali Molina, Ali Oidak, Arizona; Cushman, Arkansas; Alameda, and Malcolm X Square, California; Abeyta, and Medina Plaza, Colorado; Liberia Historical, Connecticut; Medulla, and Sallee Heights, Florida; Mecca Historical, Tallulah Falls, and Zaidee, Georgia; Aliamanu, and Maili Hawaii; Hagerstown, Samaria, and Syria, Indiana; Cairo Junction, Egypt Shores, Egyptian Hills, Egyptian Acres, Hagarstown, Media, Medinah, and

⁴¹. *The voice of Islam*; www.dawacenter.com

Shabbona, Illinois; Mingo, Ollie, Palestine Historical, Sabula, Salem, Tama, Makee, and Malak, Iowa; Assaria, Kansas; Gamaliel, Kentucky; Jordan Hill, and Tallulah, Louisiana; Hagerstown, and Yarrowburg, Maryland; Egypt Beach, Massachusetts; Almira, Hagar Township, and Zilwaukee, Michigan; Amiret, Amor, Isanti, Mesaba, Kanaranzi, Quamba, and Suomi, Minnesota; Egypt Hill, and Itta Bena, Mississippi; Ameera Historical, Ebo, Egypt Grove, Egypt Mills, Sabula, and Yarrow, Missouri; Madrid, Nebraska; Alhambra Historical, New Mexico; Cairo Junction, Hague, Nunda, Salem, Salamanc, and Unadilla, New York; Babylon Historical, Nevada, Amenia, North Dakota; Ashtabula, Damascus Historical, Kalida, Sabina, and Toledo, Ohio; Damascus Heights, Jordan Creek, Jordan Valley, and South Lebanon, Oregon; Aliquippa, Egypt Corners, Egypt Mills, Jordan Valley, and Media, Pennsylvania; Jordan Village, Utah; Bagdad Historical, Cairo Bend, Isham, Palestine Historical, and Zu Zu, Texas; Ahmedabad, Egypt Bend Estates, and Jordan Springs, Virginia; Bagdad Junction, Illahee, Shuwah, and Yarrow Point, Washington; Algeria Historical, Egypt Historical, Jordan Run, and Jumbo, West Virginia; Medina Junction, and Mecan, Wisconsin, and Holy Islam Ville, South Carolina.⁴²

Based on the above historical, geographical and linguistic evidence, a call to celebrate the millennium of the Muslim arrival to the Americas (996-1996), five centuries before Columbus, has been issued to all Muslim nations and communities around the world. We hope that this call will receive complete understanding and attract enough support.

It is an established, but not much publicized knowledge among historians that Muslims had very early contacts with the people of the lands now called Americas. There are plenty of records and evidences for the arrival of Muslims in America, not less than 600 years before Columbus.

⁴². *Collections & Stories of American Muslims*; www.muslimsinamerica.org- 2005,

SOME OFFICIAL RECORDS OF MUSLIMS IN USA

The 1700's: in 1713, the Reverend John Sharpe reported from New York the existence of what he called "Negro marriages" he described a situation familiar to new Englanders. The marriages of the blacks, he explained, "are performed by mutual consent without the blessing of the Church," Some slaves, he went on, were kept from Christian marriage "because of polygamy contracted before baptism where none or neither of the wives will accept a divorce. *From Black Kings and Governors of New England.*

In 1719 The Reverend Peter Thatcher of Milton, Massachusetts complained about his slave woman Hagar sexual life. She was a slave that was married to Sambo, a slave of Mr. Brightman of Boston, in 1716. She apparently had another child after Samba's death or departure from the area by 1719. Hagar had three children Sambo, Jimmie, and Hagar. *From Black Kings and Governors of New England.*In 1730 Ayuba (Job) Suleiman Diallo, a well educated Muslim merchant was kidnaped and enslaved from 1730-1733. Job ibn Solomon Dgiallo (Jallo) came from Bundu, Senegal. He was captured in 1730 in Gambia and brought to Annapolis, MD in 1731, where he was delivered to Mr. V. Denton, factor to Mr Hunt. Mr Denton sold Job to Mr. Alexander Tolsey in Kent Island in Maryland. He was a Fulani who lived near the banks of the Gambia River in Senegal. Job was one of the first Muslims written about in America. While in Maryland Job wrote a letter to his father, who came to the attention of James Oglethorpe, the founder of Georgia, who helped purchase his freedom and sent him to London where he was finally set free and sent back home to work for the Royal African Company of London in his homeland. While in London Job wrote down three copies of the Quran from memory.In 1730 Lamine Jay came from Futa-Toro, Senegal. He was

captured along with Job ibn Soliman ibn Dgiallo (Jallo) trading on the lower part of the Gambia River. Lamine was also brought to Annapolis, Maryland where he became known as a Linguist. In less than five years Jay was able to win his freedom and return home with the help of his friend Job. In 1737 a Muslim child named Bakir Turro 1729-1805 spelled in America as Broteer Furro came from Dubreka spelled (Dukandarra) Futa Torro, in present-day Guinea. He was born around 1729. He was born with the name Bakir Torro (Broteer Furro). In his narrative of his life he recalled being from Dukandarra, which is today called Dubreka named after the famous ABubakar Sire of the 1716. Venture (Bakir) tells in his narrative that his father had three wives and his name was "Saungum Furro" which is Sambegu Torro the Prince of Dubreka, Guinea, meaning his father was the son of the King. This area was part of the great Mali Empire of the Muslims in Futo Jalon and Futo Torro areas. This is the same area where Ibrahima Sory Sambegu came from. Bakir (Broteer) was captured and enslaved at the age of 8 in 1737; he was given the name Venture by Robert

In the winter of 1741 in New York City, three Moorish crewmembers of a captured Spanish ship were sold into bondage and protested their condition, swearing revenge. After several fires flared across town during March and April of 1742, hysterical residents feared that a slave revolt was imminent and suspected that the Spanish Negroes "Moors" were deeply concerned and active in the protest. The episode ended with the public executions of twenty-three people and the exile of seventy-one others. *From the Seaport New York's History Magazine*. In 1750, true to legend, the Melungeons were already in the area of Knoxville, TN; Camden, SC; and Marion, NC when the first Europeans arrived. In 1750 in the royal burial ground of the Mohegans Indians in Norwich, CT one of the memorial state's "In memory of Elizabeth Joquib,

the daughter of Mahomet, great-grandchild to the first Uncas, great sachem of Mohegan, who died July 5th, 1740 at 38 years old. Mahomet was the rightful heir of Qwenoco but Ben, the youngest son of Uncas, of illegitimate birth, succeeded Caesar, the successor as sachem after Owenoco. *From Indian Races of America / The New England Coast.* March 3, 1753 Muslims from North Africa appear in the records of South Carolina. Two men by the name Abel Conder and Mahamut (Mahomet) petitioned the South Carolina royal authorities in Arabic for their freedom. They came from Asilah (Sali) on the Barbary Coast of Morroco. Their story is that they were in a battle in 1736, with the Portuguese when they lost the battle and was captured. An officer named Captain Henry Daubrib asked them would they be willing to serve him for five years in Carolina. When they arrived in South Carolina they were transferred to Daniel LaRoche, who then enslaved them for fifteen years until 1753. In 1767, Kunta Kinte was captured and enslaved. Kunta Kinte was a Muslim born in 1750, in the village of Juffure in Gambia. He was shipped to Annapolis, Maryland on the ship Lord Ligonier and sold to a Virginia planter. Kunta Kinte fought hard to hold on to his Islamic heritage. Having learned the Qur'an as a boy Kunta scratched Arabic phrases in the dirt and tried to pray every day after he arrived in America. Kunta Kinte was Alex's Haley Mandingo forbearer, who he talks about in his book *Roots*.

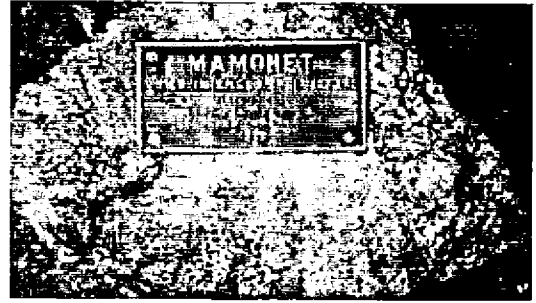


Figure: Chicken George, Kunta's Grandson⁴³ & In memory of Elizabeth Joquib, the daughter of Mahomet,⁴⁴

In 1768 a Muslim named Charno, living in South Carolina, wrote four Surahs from the Quran. He was the slave of Captain David Anderson. There are at least nine different people reported to have written Arabic text during this period. In 1769 Savannah Georgia Gazette advertises for three runaway Muslim women from Guinea by the names of Jamina, Belinda, and Hagar. From 1769 –1790s more than a dozen Muslim names appear in runaway slave advertisement ads like Jamina, Hagar, Mahomet, Armer, Osman, four Sambo's, Quamie, Ishmael, Mingo, Mustafa, and others who were described as of the Moorish breed or from a Moorish country

In 1770 the Wahhab brothers were shipwrecked on the coast of North Carolina. Once there they settled, married, and started a farm. Their descendents had owned one of the largest private hotel chains in Ocracoke Island, off the North Carolina coast. Between 1785 and 1815, over a hundred American sailors were captive in Algiers for ransom. Several wrote captivity narratives of their experiences that gave most Americans their first view of the Middle East and Muslim ways, and newspapers often commented on them. The result was a collage of misinformation and ugly stereotypes. Royall Tyler wrote *The Algerine Captive* (1797), an early American novel depicting the life of an American doctor employed in the slave trade who becomes himself

⁴³ . Ibid.

⁴⁴ . The South Carolina Council Journal, No-21, Pt.1, pp. 298-299

enslaved by Barbary pirates. Finally Washington sent in the Navy to confront the pirates, and ended the threat in 1815.⁴⁵ In the late 1770s Salim the Algerian was a Muslim from a royal family of Algiers. He was captured by Spanish men of war and later sold into slavery to the French in New Orleans. He eventually got his freedom after running away from slavery. He lived a while among the Native American Indian tribes and settled in Virginia. Salim eventually met Thomas Jefferson, attended the 1st Continental Congress, and died an insane man after having given-up his family and religion for America.

From 1774-1775 many runaway slave advertisements were of Muslim runaway slaves. Like the one in the Savannah Georgia Gazette, in September 7, 1774 for a runaway Negro fellow named Mahomet. On June 17, 1775, Peter Salem (Saleem) born (1750?-1816) a former slave who fought in the Battle of Bunker Hill. The battle was fought at Breed's Hill according to one story, the colonial troops were near defeat, and British Major John Pitcairn ordered them to surrender. Salem then stepped forward and shot Pitcairn. Pitcairn later died of the wound. Peter Salem got awarded for fighting in the Revolutionary War, and he also fought at Lexington. Peter Salem and Salem (Saleem) Poor were honored for their bravery. Peter Salem was born a slave in Framingham, Massachusetts. Salem (Saleem) remained in the army for several years, long enough to fight in the battles of Saratoga and Stony Point. After the war he settled in Leicester, Massachusetts where he barely earned a living weaving cane seats for chairs. He died in the poor house in Framingham in 1816. Postage stamps have been made of Peter Salem and Salem Poor as American Revolutionary war Heros.

⁴⁵. Robert Battistini, *Glimpses of the Other before Orientalism: The Muslim World in Early American Periodicals, 1785-1800,* Early American Studies: Vol.8/2, pp-446-474

From 1774–1783 there were at least six people with Islamic names who fought in the Revolutionary War as colonial soldiers. One of them was Yusuf Ben Ali, also known as Joseph (Benenhali) Benhaley, who fought with General Sumter in South Carolina. After the war, General Sumter took Joseph Benhaley with him inland to Staatsburg where they settled down. Joseph Benhaley's name appeared in the 1790 census of Sumter County. Revolutionary records also show that there was a Bampett Muhamed who was a Corporal in the Revolutionary Army, from 1775-1783 in Virginia. Francis Saba was listed as a sergeant with the Continental Troops in roll 132, 1775-1783, and Joseph Saba was listed as a Fifer in the Continental Troops roll 132, 1775-1783. In 1777 Morocco becomes the first country to acknowledge America's independence as a new country. In 1784 Thomas Jefferson, Benjamin Franklin, and John Adams was commissioned to negotiate a treaty with the Emperor of Morocco. In 1786 Morocco became the sixth and the first Muslim country to sign a Peace Treaty with the United States in 1786. Algeria in 1795, Tripoli in 1796, Tunis in 1797, and Muscat (Oman) in 1833 followed. In 1786 two Muslim men appeared in Charleston, SC "dressed in the Moorish habit" and aroused a great deal of suspicion by their strange ways. An officer of the law attempted to question them and found they were Moors who did not speak English. They were taken to an interpreter who found out they came from Algeria and sailed to Virginia where they had been arrested. Then they traveled overland to South Carolina.⁴⁶

In 1788 Abraham Abdul Rahman ibn Sori (1762-1829) born in Timbo, West Africa (In present day Guinea) was captured. He was known as the "Prince of Slaves." He was a Fulbe from the land of Futa Jallon. Abraham was captured

⁴⁶. James Hagy *Muslim Slaves, Abducted Moors, African Jews, Misnamed Turks*; The South Carolina Historical Society -93

by warring tribes and sold to slave traders in 1788 at the age of 26. He was bought by a Natchez, Mississippi cotton and tobacco farmer, where he eventually became the overseer of the plantation. In 1788-1789 The Sultan Mohammed III and President George Washington exchanging letters about peace and asking the Sultan to intercede with authorities in Tunis and Tripoli to obtain the right of free navigation for American ships in the Mediterranean. August 20, 1789 the Savannah Georgia Gazette runs an advertisement for a Muslim women runaway describing her as "A Young Negro Wench, named Hagar, has on oznabrig clothes, and wears a handkerchief on hear head. She has been seen a day or two ago selling watermelons near town." In 1790 in South Carolina a group of "Moors" by the names of Francis, Daniel, Hammond, and Samuel, along with their wives four Muslim women named Fatima, Flora, Sarah, and Clarinda, asked the South Carolina House of Representatives to treat them as free whites. They stated that while they had been fighting for the emperor of Morocco against an African King they had been taken prisoners. A Captain Clark had the Moors delivered to him on the promise he would take them to England where the Ambassador from Morocco would purchase their freedom. Instead, Clark brought them to South Carolina where he sold them as slaves.⁴⁷

In 1790 Joseph Benenhaly or Yusuf Ben Ali from North Africa appears in the 1790 census in Sumter, county. General Thomas Sumter recruited Benenhaly, of Arab descent, and another man known as John Scott to fight with him in the American Revolution. Originally, it is believed that they were pirates. After the war, Sumter took them inland with him to near Staatsburg where they settled down and many of their descendents have remained. His dark-skinned

⁴⁷. *The Journals of the House of Representatives, 1789-1790*.UK

descendants became known as the Turks of Sumter County because of their Moorish background.

In 1791 Thomas Jefferson led the fight for religious freedom and separation of church and state in his native Virginia. This brought him into conflict with the Anglican Church, the established church in Virginia. After a long and bitter debate, Jefferson's statute for religious freedom passed the state legislature. In Jefferson's words, there was now "freedom for the Jew and the Gentile, the Christian and the Mohammedan, the Hindu and infidel of every denomination." The bill guaranteed, in Jefferson's own words, "that no man shall be compelled to frequent or support any religious worship, place or ministry whatsoever." It guaranteed, too, that no one should suffer in any way for his "religious opinions or belief." Introduced in 1779, the bill did not become law until 1786, when, through the leadership of Legislator James Madison, it was enacted by the General Assembly. When the First Amendment to the Constitution went into effect in 1791, Jefferson's principle of separation of church and state became part of the supreme law of the land.⁴⁸

In 1792 the South Carolina legislature passed a law, which stopped the importation of slaves in the state. One provision stated that Moors could not be brought into South Carolina from other states in the Union either by land or sea. In the 1790 census there were 59,000 free blacks in the United States. There were slightly more than 27,000 in the Northern states and 32,000 in the Southern States.⁴⁹

In the closing of the 1700s two groups of people are found, the Guineas and Males of West Virginia. Some of them lived in northern Barbour and southern Taylor counties. Many of them have the last names of Adams, Collins, Croston, Dalton, Kennedy, Mayle, Newman, Norris, and Prichard. Prior to

⁴⁸. Ibid.

1800s the names Male, Norris, Dorton, Harris, Canaday, Newman, and Croton were the most common. Some reports say the name Males comes from the infusion of Mali blood into the area. By 1810 the degree of non-white mixture was so great that the census records record the Males and Guineas as Mulattos or mixed race. The 1700s saw the arrival and appearance of at least nine Muslims Ayub (Job) Ibn Djallo 1730, Lamine Jay 1730, Venture Smith (Bakir) 1737, Kinta Kinte 1767, Charno in 1768, Yusuf Ben Ali and Bampett Muhamed 1774, and Abel Conder and Mahmout 1753. Indeed, in 1788 many opponents of the Constitution pointed to the Middle East, especially the Ottoman Empire as a negative object lesson against standing armies and centralized state authority.⁵⁰

Soon after the formation of the United States, privateering in the Mediterranean Sea and Atlantic Ocean from the nations of the Barbary Coast prompted the U.S. to form a series of so-called "peace treaties", collectively known as the Barbary Treaties. Individual treaties were negotiated with Morocco in (1786), Algeria in (1795), Tripoli in (1797) and Tunis in (1797). In 1792 the South Carolina legislature passed a law which stopped the importation of slaves in the state. One provision stated that Moors could not be bound for terms of years of service and could not be brought into South Carolina from other states in the Union either by land or sea.⁵¹ In 1796 Brooke Beall's inventory listed Yarrow's age at about 60 years old. Yarrow (Mamout) Marmood 1736-1844 was enslaved and brought from Guinea, Africa before the Revolutionary War.⁵²

⁴⁹. Ibid.

⁵⁰. Robert J. Allison, *The Crescent Obscured: The United States and the Muslim World, 1776-1815* (1995), pp 57-59

⁵¹. James Hagy, *Muslim Slaves, Abducted Moors, African Jews, Misnamed Turks*. The South Carolina Historical Society -93

⁵². Ibid.

In 1797-As the Government of the United States of America is not, in any sense, founded on the Christian religion; as it has in itself no character of enmity against the laws, religion, or tranquility, of Mussulmen; and, as the said States never entered into any war, or act of hostility against any Mahometans nation, it is declared by the parties, that no pretext arising from religious opinions, shall ever produce an interruption of the harmony existing between the two countries. The treaty was signed at Tripoli on November 4, 1796 and at Algiers on January 3, 1797, finally receiving ratification from the U.S. Senate on June 7, 1797 and signed by President John Adams on June 10, 1797.⁵³ The 1800's: The 1800s ushered in at least six Muslim personalities who transformed themselves into people known for practicing their faith, business skills, freedom, leadership, and knowledge. In 1803, Bilali (Ben Ali) Muhammad and his family arrived in Georgia on Sapelo Island. Bilali Muhammad was a Fula from Timbo Futa-Jallon in present day Guinea-Conakry. By 1806 he became the plantation manager for Thomas Spalding, a prominent Georgian master. Bilali and his wife Phoebe had 12 sons and 7 daughters. One of his sons is reported as being Aaron of Joel Chandler Harris' work, author of Uncle Remus and Br'er Rabbit stories. His daughters' names were Margaret, Hester, Charlotte, Fatima, Yoruba, Medina, and Bint. All his daughters but Bint could speak English, French, Fula, Gullah, and Arabic. Bilali was well educated in Islamic law. While enslaved Bilali became the community leader and Imam of at least 80 men. During the War of 1812 Bilali told his slave master that he had 80 men of the true faith to help defend the land against the British.

Bilali was known for regularly wearing his fez, a long coat, praying five times a day facing the east, fasting during the month of Ramadan, and celebrating

⁵³. *The Treaty of Tripoli*; Article 11

the two holidays when they came. Bilali was buried with his Qur'an and prayer rug. In 1829 Bilali wrote a 13 page hand written Arabic text book called a "Risala" about some of the laws of Islam and Islamic living. The book is known as Ben Alis"Diary, housed today at the University of Georgia in Athens. In 1803, Salih Bilali (Old Tom) came from a powerful family of Massina in the Temourah district in West Africa. He was captured around 1782, sold in the Bahamas at first and then in the US around 1803. He lived from 1770-1846. He was sold to John Couper in the Bahamas and brought to St. Simon Island, Ga. From 1816-1840 Salih Bilali was the trusted head slave manager of more than 450 slaves of John and Hamilton Couper. It was reported by his master's son, that while Salih was on his death bed that his last words were "Allah is God and Mohammed his Prophet."

In 1805, a slave named Sambo who knew Arabic had escaped from a plantation on the Ashley River, in South Carolina. The announcement in the Courier on February 9, 1805 offered a reward of \$5 for his recovery. It stated that he was about 5' 5", slender body and writes the Arabic language. In 1807, Yarrow (Mamout) Marmood was given his freedom. Yarrow was enslaved and brought from Guinea, Africa before the American Revolution. Yarrow was given his freedom by Upton Beall of Montgomery County in the Washington, DC area. On April 13, 1807, Upton Beall's deed was recorded that the Negro Yarrow was given his freedom because he was more than forty-five years old and that he would not become a bother to the County of Washington. On April 12, 1844; Yarrow's estate was administered by probate court in Washington, DC, under the name Negro Yarrow. Yarrow lived to be more than 100 years old. The dates of his birth and death have been record as 1736-1844. In 1807, Omar Ibn Sayid (ca. 1770-1864) is among the best documented examples of a practicing-Muslim slave. He lived on a colonial

North Carolina plantation and wrote many Arabic texts while enslaved. Born in the kingdom of Futa Tooro (modern Senegal), he arrived in America in 1807, one month before the US abolished importation of slaves. Some of his works include the Lords Prayer, the Bismillah; this is How You Pray, Quranic phrases, the 23rd Psalm, and an autobiography. In 1857, he produced his last known writing on Surah 110 of the Quran. In 1819, Omar received an Arabic translation of the Christian Bible from his master, James Owen. Omar converted to Christianity in 1820, an episode widely used throughout the South to "prove" the benevolence of slavery.⁵⁴ Hajj Omar Ibn Sayyid was captured at the age of 37. Omar was a Fula born in Fur Tur in present day Senegal. He was born from a Serahule family. Omar lived from 1770-1864. He had studied in Bundu, Senegal where he learned how to read, write, Arabic, Islamic studies, and made Hajj in Mecca before his capture. Omar was enslaved in Charleston, SC where he labored for a short period of time before he escaped in 1810 to Fayetteville, NC where was caught and imprisoned. While in prison Omar persuaded James Owen, a general in the state militia and brother of John Owen (who later became Governor of North Carolina), to purchase him, which he did for \$900.00. Omar was also known as Uncle Moreau.

Omar ibn Seia (Sayyid) wrote many items in Arabic while enslaved. He wrote his own autobiography in 1831, the Lords Prayer, the Bismillah, this is How You Pray, Quranic phrases, and the 23rd Psalm. Omar's latest known writing was in 1857, in which the Surah 110 of the Holy Qur'an was. In 1836 Omar's ibn Seid wrote his manuscript in Arabic in 1831 to Sheikh Hunter. Omar's manuscript had his autobiography and a summary of Quranic verses done in an admonishing way or as reminders from a Muslim man expressing a heart of

⁵⁴. Thomas C.Parramore,"*Muslim Slave Aristocrats in North Carolina*" *North Carolina*

faith in God's power and mercy in all of life's changes. This manuscript was sent to Lamine "Old Paul" in 1836. Below is the translation of the Quranic verses or Omar's Kutbah in how he viewed his life's journey and enslavement. In 1808, Mathias Sawyer of Edenton N.C. owned an enslaved man named Mustapha. A white man named Arthur Howe convinced Mustapha to runaway. Their plan was to sell and resale Mustapha on their journey northward. Mustapha would escape each time and team backup with Howe. When they reached Richmond, Virginia they would depart company and Mustapha would head north. In The War of 1812, Abraham joined the British Colonial Marines who had occupied Spanish Pensacola. Abraham lived from 1787-1870. He was well known as a very gifted individual, soft spoken, and intelligent. Abraham came to Pensacola, Florida sometime in the early 1800s. Abraham returned to Florida in 1852, ten years after the government officially declared an end to the Seminole war. The government had hired Abraham to take chief Billy Bowlegs, his father-in-law, and some other chiefs to Washington, DC. In order to convince them to leave Florida. They met with Millard Fillmore who became President after Zachary Taylor died. The chiefs still refused to move to Oklahoma. They went back to Florida and disappeared in the everglades. Abraham went back to his ranch in Oklahoma where he died years later, sometime after the Civil War in 1870. He was buried in an unmarked grave in today's Seminole county.

In 1818 Medina, Ohio was organized. It was originally called Mecca, later the name changed to Medina making it the seventh place on the globe at the time called Medina. Twelve other cities in America bear the name Medina such as-

Medina, New York; Medina, Michigan; Medina, Wisconsin, Medina, Washington, Medina, Tennessee, and Medina, Texas are among them.⁵⁵

In 1828, Abraham Abdul Rahman ibn Sori (1762-1829) was set free by the order of the Secretary of State Henry Clay and President John Quincy Adams. He was born in Timbo, West Africa (in present day Guinea). He was known as the "Prince of Slaves." He was a Fulbe from the land of Futa Jallon. Abraham left Futa in 1774 to study in Mali at Timbuktu. In 1832, The Village of Mahomet, IL was laid out. Mahomet, IL was originally named Middletown. Sometime during the 1840s it was changed to Mahomet, IL.

In 1839, Oman's ruler, Sayyid Sa'id, ordered his ship "The Sultana" to set sail for America on a trade mission. The ship touched port in New York on April 30, 1840. The voyage was not a commercial success. The ship's commander, Ahmed bin Nauman bin Muhsin Al-k'abi Al-Bahraini came from Zanzibar. Ahmed bin Nauman bin Muhsin Al-k'abi Al-Bahraini's photo hangs today on the third floor of City Hall in New York, NY. In 1845, Osman Rockman died. His tombstone was found in Connecticut. From 1845-1847 records of James Hamilton from the Hopeton and Hamilton Plantations in Georgia list many families with Muslim names, like the family of Billy (Bilal) age 50, wife Fatima age 41, and their children Mahomed age 17, and Hester age 15. Another family that was recorded was Bacchus age 51, his wife Kitty age 36, and their children Fatima age 5, and Adam age 3. Listed also was Jeffery a carpenter age 41, his wife Peggy age 36, and their children Quash age 15, Sarah age 13, Pender age 6, Ishmael age 5, Margaret age 3, and Belale age 1. There was another family that was lead by a man named Mahomet age 25, his wife Memba age 21, and one child named Jettafa age

⁵⁵. Ibid

1. There were people with the name Fatima, Solomon, Michael, Binah, Ishmael, Taywah, Balaam, Cuffy, Bella, Quamina, Amey, London, Baraca, Hannah, Cato, Abraham, Jemima, Tenah, Sambo, Billy, and Mingo appear more than three times in the list. In 1846 Elkader, Iowa at the time a village in the Missouri territory was named after the Emir of Algeria Abd el-Kader. The Suez Canal may not have been built in 1869 if it was not for the help and influence that Abd el-Kadir had among the Arabs. President Abraham Lincoln also honored Abd el-Kader as a great humanitarian for saving thousands of Christians in 1860.

In 1848 Bridgeport, Connecticut was the home to the first house built in the US with an Islamic architect style. It was called "The Iranistan." In 1848 P.T. Barnum, the famous circus entertainer had the house built after the 'Royal Pavilion' in Brighton, England in which P.T. Barnum had visited. The Royal Pavilion got its design style from the Muslims of British Islamic India. Today there is still a street dedicated to the Iranistan house called "Iranistan Avenue."⁵⁶ In the early 1850s Mahomet, Texas was founded and by 1857 to 1916 they had a post office. In 1879 August Mahomet was the Postmaster. An historical marker state's that some reports have it that the town was named after an Arabian Egyptian camel driver who came with 75 camels in 1856 and 1857 for use as pack animals for the US Government. While others suggest that the belonged to an "Arabian Footpad" or Peddler who was an early settler and merchant.⁵⁷ In 1852, Osman known as "General Osman" became the leader of the North Carolina Dismal Swamp community from 1852-1862. Osman was a runaway slave from Virginia and lived in the dismal swamp. At one time the dismal swamp was partly owned by George Washington, the first

⁵⁶. Ibid.

⁵⁷. Ibid.

President of the United States. The swamp was drudged out by slave labor in the mid.⁵⁸

In 1859, in Savannah, Ga, many slaves were sold from the Butler plantation in Darien, Ga. Some of the slaves sold were Muslims. It was reported that some of the women wore gorgeous turbans and one of them had a string of beads. At the auction a Muslim named Abel age 19 was sold for \$1,295, and one named Hagar, age 50, was sold for \$300. In 1860, a Muslim lady known as "Old Lizzy Gray" died in Edgefield County. Her obituary appeared on the front page of the Edgefield Advertiser, on September 12, 1860. Her physician and owner Dr. E.J. Mims wrote that according to the best computations she was 127 years of age. She had four children in Africa before being taken prisoner. During the revolution she was a prisoner on board an English ship. Before her capture she was educated as a Muslim. As a slave she seems to have combined both faiths and became a member of the Methodist Church. She was known to have always said "Christ built the first Church in Mecca."

In 1860, Muhammad Ali ibn Said (1833 - 1882), known as (Nicholas Said) arrived in America as a free man. Muhammad was born in the Kingdom of Bornoo, West Africa near Lake Chad to a well-educated merchant family. Said was kidnapped and enslaved when he was 16. His first slave master was an Arab named Abdel Kader who took him to Tripoli and Fezzan. Muhammad was then sold to Alexander Menshikov, an aide to the Russian Czar, then to Nicholas Trubetzkoy with whom he traveled to many places during his years of slavery from Russia, Rome, Persia to France. In 1860 he left Liverpool, England with a man from Holland to travel to Boston, New York, Kingston, New Providence, Toronto, Quebec, and other places in North America as a freed man. 1861-1865 During the Civil War the Union troops were burning

⁵⁸. Ibid

down the city of Tuscaloosa, Alabama when the librarian asked could he save some books. The librarian was told he could only save one book and that book was a George Sale 1853 English translation of the Holy Koran. 1864-1865 Max Hassan was another Muslim from Africa who fought in the Civil War. His war record shows he came from Africa and worked as a porter in the service. After Max Hassan's service days he moved to New York where he worked as a White Washer and lived with his wife Emma (Lena) Hasan who was born in Germany. In 1864, a monument was erected in New England for a Mr. Smith and it is crowned with three slain Muslim's heads that were slain by Mr. Smith. From the Isles of Shoals. In 1864, Captain Harry Dean was born. He was the son of Susan Cuffe Dean whose brother was Paul Cuffe. Captain Dean's family came from Quata, Morocco. For three generations the family was wealthy merchants in Philadelphia. Captain Dean found the first black nautical training school in America. Dean maintained his family's Islamic tradition during his seafaring days on the ship "Pedro Gorino" and in southern Africa where he tried to build an African empire. He was also associated with the Muslim Mosque of London. In the United States he distributed Islamic literature in Chicago, Los Angeles, Seattle, and Washington State. In 1866, The Cherokee chief had a Muslim name, Chief Ramadan ibn Wati. Muslims were known to live among many of the different Indian tribes. They lived among the Seminole Indians, The Delawares, The Nanticokes, The Cherokees, and many others. In 1869, a number of Muslims from Yemen arrived in the United States after the opening of the Suez Canal. Most Yemenis came through New York to Buffalo, and Detroit. Many Yemenis jumped shipped in San Francisco and settled on the West Coast. In 1875, the first small wave of Muslim immigrants arrived, mainly from Greater Syria (Syria, Lebanon, and Palestine). Some of the Syrian-Lebanese Arabs settled on Manhattan's lower

Washington Street and in Brooklyn across the East River around Atlantic Avenue and South Brooklyn. A smaller number came from the Punjab area of India. In 1876, The Centennial Exposition in Philadelphia attracted Arab merchants and peddlers, where they sold an assortment of merchandise, and some set up centers to import goods.

In 1877, Seven Algerian escapees from French Guyana were admitted by the Mayor of Wilmington, Delaware, and held as exiles. In 1884, Sambo Swift died. He was born in 1811, and lived in Darien, GA. He was buried with his tombstone facing northeast. Engraved on his tombstone is a hand pointing with one finger up as the Islamic symbol of God's oneness. This symbol was used by Muslims dating back more than 1400 years. It is believed that Sambo was one of the slaves left on the Butler plantation at the time of the great slave sale of 1859 in Georgia. Sambo was a carpenter and had at least three children named Abraham, Mollie, and Alonzo. He said the tribe has been called by various names "the sons of skirting Ishmael," (meaning skirting the settlements), "the sons of Ishmael," "the tribe of wandering Ishmael," (referring to their nomadic way of life), and "Grasshopper Gypsies."

Mahomet, Illinois is the oldest settlement of Champaign County. According to Leaming in 1870 ten percent of the settlers of Mahomet township and the adjoining townships had unusual family names like Babb, Basore, Boormer, Chadden, Dalama, Gamel, Hamella, Hayar, Hissany, Lumen, Manser, Menealla, Nebeker, Osman, Pankar, Pusha, Tobaka, and Turk. He sites Islamic similarities in some of the names like Basorah for Barsa; Manser for Mansour; Osman for Usman, Babb is Arabic meaning gate; Lumen for Luqman; Hayar for Hagar; Aimen for Amin; Nebeker for Abu Baker; Booromer for Omar; and Hamella and Menealla with the compounded name ending with 'alla' for 'Allah'. In 1855 a stage route was established from

Austin to Lampasas and in 1857 George After was granted permission to open a post office location in his house. The post office remained in his house for twenty-five years. In 1882 the railroad had bypassed Mahomet by at least two miles. The post office was then moved to the house of Alex M. Ramsey in the Sycamore Springs community, which later became known as Mahomet in 1884. Mahomet had a steam cotton gin and a corn mill. By 1896 the mill had closed and the population had declined. By the 1980s the population has stayed between forty to forty-seven people. These are:

29 towns and cities have the name Lebanon, 19 towns and cities have the name Cairo, 17 towns and cities have the name Egypt, 13 towns and cities have the name Jordan, 12 towns and cities have the name Medina, 12 towns and cities have the name Palestine, 12 towns and cities have the name Damascus, 8 towns and cities have the name Mecca, 7 towns and cities have the name Mina, 6 towns and cities have the name Alhambra, 6 towns and cities have the name Bagdad, 6 cities and towns have name Arabia, 4 towns have the name Andalusia, 4 towns and cities have the name Jerusalem, 4 towns and cities have the name Alger, 3 towns and cities have the name Lebanon Historical, 2 towns and cities have the name Alida, 2 towns and cities have the name Algiers, 2 towns and cities have the name Arabi, 2 towns and cities have the name Aquilla, 2 towns and cities have the name Turkey, 2 towns and cities have the name Mahomet, 2 towns and cities have the name Lebanon Heights. 2 towns and cities have the name Sultan, 2 towns and cities have the name Soudan, 2 towns and cities have the name Sudan, 2 towns and cities have the name Syria, 2 towns and cities have the name Turkey, 1 town has the name Africa, 1 town has the name Africa Historical, 1 town has the name Ali Ak Chin, 1 town has the name Ali Chukson, 1 town has the name Allah, 1 town has the name Arab, 1 town has name Arabian Acres, 1 town has the name

Babylon,1 town has the name Dafur,1 town has the name Dahomy. 1 town has the name Elkader,1 town has the name Ishmael,1 town has the name Islamorada,1 town has the name Islam berg,1 town has the name Mahtomedi,1 town has the name Media,1 town has the name Mesopotamia. 1 town has the name Mōrocco, 1 town has the name New Medina. 1 town has the name New Palestine,1 town has the name New Lebanon,1 town has the name Lebanon Junction,1 town has the name Lebanon Lake Estates,1 town has the name Lebanon Center,1 town has the name Lebanon Independent,1 town has the name Lebanon Springs.⁵⁹

In 1893, Mohammed Alexander Russell Webb (1846-1916) appeared at the First World Exposition Conference on World Religions in Chicago, where he delivered two lectures, "The Spirit of Islam" and "The Influence of Islam on Social Conditions." Among the audience was Mark Twain. Webb converted to Islam in 1888 while he was serving as the American Consul to the Philippines. He was also a Journalist. Webb is known as the first white American convert to Islam. In 1893, Mohammed found the first Islamic organization in America called "The American Moslem Brotherhood" in New York. In 1897, The Federal government allotted free land, and consequently Syrians started moving to Rugby and Williston, North Dakota. From 1899-1914 a total of 86,111 Syrians arrived in America. In 1897, Elijah Muhammad (1897-1975) is born in Sandersville, Georgia. He became the leader of The Nation of Islam from 1934 to 1975. In 1899, Hassen Juma had settled in Ross, North Dakota with 160 acres of free land. By 1902 twenty families had followed his path from Birey, Syria. In the early 1920s they built one of the Nations first Mosques.

⁵⁹. Op.cit. *North Carolina Historical Review*;

In the late 1800s many people and former slaves used the Islamic symbol of God's oneness on their tombstones. The 1900's: Alexander Russell Webb is considered by historians to be the earliest prominent Anglo-American convert to Islam in 1888. In 1893 he was the only person representing Islam at the first Parliament for the World's Religions.⁶⁰ From 1900-1917 Wills are found in Washington, DC Archives beginning with Islamic salutations "With the Name of God Amen" with names like Hannah Henderson, Fontaine Mahmood, James Moore, Mary Newman, Edward Quader, and Anne Yarrow. In 1903, Mohammed Asa Abu-Howar arrives in New York. Moves to Washington, DC. He becomes a successful builder as A. Joseph Howar, who backed the construction of the Islamic Center. In 1904, at the St.Louis Exposition and World Fair, merchants and visitors came from the Arab world at which time an Arab used a waffle to create an ice cream cone. In 1905, The US General Land Office grants land title to one MahmudAli. In 1907, The Polish Tartars establish "The American Mohammed Society" in Brooklyn, NY. In 1908, Muslim immigrants from the Arab provinces of the Ottoman Empire, Syria, Lebanon, Jordan arrive in North America. They are mainly Turks, Kurds, Albanians, and Arabs.

In 1913, Noble Drew Ali established the Canaanite Temple in Newark, NJ. Noble Drew Ali was born Timothy Drew, January 8, 1886 on a Cherokee reservation in Sampson, North Carolina. There were immediate challenges to Noble Drew Ali's leadership from within the Moorish community, and by 1916 internal disagreements caused a division of the Moorish-American nation into two groups. One group stayed in Newark, changing its name to the Holy Moabite Temple of the World. Moabite is the ancient name for Moroccans. Noble Drew Ali and his followers moved to Chicago in 1925 and

⁶⁰. M'Bow, Amadou Mahtar; Kettani, Ali. *Islam and Muslims in the America*

established the Moorish Science Temple of America. By this time, Drew Ali had established temples in Charleston, WVA; Milwaukee, WI; Lansing and Detroit, MI; Philadelphia and Pittsburgh, PA; Pine Bluff, AR; Newark, NJ; Cleveland and Youngstown, OH; Richmond and Petersburg, VA. Noble Drew Ali was murdered in 1929 in Chicago, IL and buried in Burr Oak Cemetery. In 1915, Albanian Muslims in Biddeford, Maine established the first effective Mosque in North America. Most were bachelors working at the Peppermell Mills. Muslim Albanian families still reside in Biddeford and nearby Saco. In 1919, The Albanians established another Mosque in Connecticut. In 1919, an Islamic association established in Highland Park, Michigan. The organization dismantled after 5 years. In 1920, the first Ahmadiyya Muslim missionary to arrive in America was Dr. Mufti Muhammad Sadiq, who arrived in Philadelphia on Sunday, February 15, 1920, on board the Haverford. For religious reasons he was detained on Ellis Island, New York on February 25, 1920. On May 20, 1920 he was released by the order of the Secretary of the State. Dr. Sadiq stayed in New York for some time and continued to preach Islam. Later, he moved to Chicago and in 1921 established the first headquarters of the Ahmadiyya Muslim Community, at 4448 Wabash Avenue, giving it the name "Al Majid."⁶¹

In 1920, The Red Crescent, a Muslim charity modeled after the International Red Cross, is established in Detroit in 1922; an Islamic association was established in Detroit, Michigan. By 1923, Hassen Mohamed became a successful businessman in Downtown Belzoni, Mississippi. He had a general merchandise store. Hassen settled in the Belzoni area in 1911 he came from the Lebanese Shiite village of Sir'een. Hassen was married to Ethel Wright together they had eight children one of their sons Ollie Mohamed became a

⁶¹. Ibid.

State Senator. Hassen Mohamed past away in 1965, In 1925, a Muslim group in Michigan City, Indiana purchased land designated as their cemetery. In the thirties, these Muslims added a Mosque/Community Center. The building is still in use. In 1926, Duse Muhammad Ali (1866-1945), mentor of Marcus Garvey, helped establish an organization in Detroit known as the "Universal Islamic Society." Its motto was "One God, One Aim, and One Destiny." He was born in Alexandria, Egypt, the son of a Sudanese mother and an Egyptian army officer. He was brought to London at a young age by one of his fathers' friends. He was known to be a frequently in the company of Muhammad Pickthall, the English Muslim scholar who translated the Holy Qur'an into English. Duse Ali had considerable influence upon Garvey's when they work together in London when Duse Ali was the Editor African Times and Orient Review. In 1926, Polish speaking Tartars opened a Mosque in Brooklyn, NY. In the 1900s Polish Muslims came to Brooklyn, NY. In 1931 they purchase a New England church-style-meeting hall and an adjacent three-story residential building which is still in use today. The community is made up of Asian Tartars whose nomadic ancestors helped Vitautas, Grand Duke of Lithuania, in his victory against the Teutonic Order in 1410. They settled in Lithuania and Poland with the status of nobility, while remaining Muslim. They were nearly annihilated during World War II.⁶² In 1928, The Islamic Propagation Center of America opened up on State Street in Brooklyn, New York, under the leadership of Shaikh Al-Haj Daoud Ahmed Faisal. He also started the Islamic Mission Society, which was active from 1934-1942. Shaikh Faisal was granted a charter by Shaikh Khalid of Jordan and King Saud of Saudi Arabia to propagate Islam in America. In 1928, the early beginnings of the first Mosque of Pittsburgh were rooted in Noble Drew Ali's teaching. Several

⁶². Ibid.

years after its foundation, the main teacher of the community, Walter Smith Bey, invited Dr. Yusef Khan an Ahmadi to speak and teach the community. During this time of growth and development by 1935 there emerged a new conflict pertaining to Dr. Khan's teachings. Most of the community members concluded against Dr. Khan and the community divided for a second time. Today the community follows the Sunnah of the Prophet.

In 1929, Muslim farmers built one of America's first Mosques (Masjid) in Ross, North Dakota. The homesteader Hassen Juma had settled there with 160 free acres in 1899. By 1902, twenty families had followed his path from Birey, Syria. The U.S. objected to their naturalization until 1909 when it withdrew the ban and the Syrians began claiming citizenship. Many fought and died in the two world wars. In 1929 the community built a Mosque, and performed Jumah (Friday) prayer service. The farmhouse/mosque was destroyed in 1978. The cemetery on its grounds remains and there is an arched gate with a crescent and star on it. In 1929, "The Lost-Found Nation of Islam in the Wilderness of North America" in Detroit was founded by W.D.Fard. Fard was known as (Wali D. Fard, Wallace Fard, and W.F. Muhammad) mystery surrounds his origins some identify him as half-Syrian, half-Jamaican some say half-Persian, half-Turkish, and the FBI says he was half-Polynesian, half-Scottish. Fard claimed he was half-European, half-Meccan genealogy. On July the Fourth, he announced the beginning of His mission which was to restore and to resurrect his lost and found people, who were identified as the original nation of Muslims of Asiatic-African descent from the tribe of Shabazz, who were captured, exploited, and dehumanized and enslaved. In 1931, Fard was preaching in Detroit, Michigan where after hearing his first lecture Elijah Poole was overwhelmed by the message and immediately accepted it. The founder of the Nation of Islam gave him the name "Karriem" and made him

minister. Later he was promoted to the position of "Supreme Minister" and his name was changed to Muhammad.

Mr. Muhammad quickly became an integral part of the Temple of Islam. For the next three and a half years, Mr. Muhammad was personally taught by his teacher Wali D. Fard. Elijah was taught some Islamic beliefs, a self-independence and empowerment concept, a history, a superior cultural belief, was inspired to read and respect the Holy Qur'an. There were about 8,000 followers at that time. In 1933, Fard told Elijah Muhammad that he was the Mahdi "The Saviour", the one who had come in the early morning dawn of the New Millennium to lay the base for a New World Order of Peace and Righteousness on the foundation of truth, justice, freedom, and to change the world into a Heaven on Earth. In 1934, The Honorable Elijah Muhammad (1897-1975) becomes the leader of "The Lost-Found Nation of Islam in the Wilderness of North America" which later became known as "The Nation of Islam." The Nation of Islam, was an indigenous African American Islamic expression founded. Nation of Islam had developed many Temples of Islam, and the University of Islam across the country, they had businesses, farms, property, rental property, transportation fleets and more. He produced many great Muslims leaders like Al-Hajj Malik El-Shabazz (Malcolm X), Muhammad Ali, Louis Farrakhan, and Imam W.D. Mohammed.

In 1934, The Muslim community of Cedar Rapids, Iowa built the first Masjid (Mosque) specifically designed and built as a Masjid. The earlier community was predominantly Lebanese under the leadership of Abdullah Ingram. Cedar Rapids' community has grown and has been able to maintain their Islamic identity. In 1934, The First Mosque of Cleveland was developed by a major community of Ahmadis headed by Wali Akram from 1934-1937. By the 1940s there were two hundred people in the Masjid. As the twentieth century

progressed, the direct personal influence of the Ahmadi missionaries declined. Many of the early members left the movement for a variety of reasons. In the 1930's, three other Mosques (Masjid) was started in Dearborn, MI., Sacramento, CA. and Michigan City, MI.⁶³ In the late 1930s, "The Addeynu Allah Universal Arab Association" a Sunni community was established in Newark, NJ under the leadership of Professor Ezeldeen who was second in command in Noble Drew Ali's movement and was known as Brother Lomax Bey. As one of the first African-American to master the Arabic language and to go aboard to study Islam in Egypt. When Professor Ezeldeen returned to the States, he rejected the teachings of the Moorish Science Temple and developed orthodox Islamic communities in several cities throughout the United States. A community was developed in upper State New York and in Southern part of New Jersey outside of Camden in a community called Ezaldeen Village. Professor Ezeldeen was responsible for establishing the first National Islamic Organization among the Sunni Muslims called "United Islamic Communities", which included Sheikh Dawud, members of the First Mosque of Cleveland and Pittsburgh along with others. In 1939, The Islamic Mission Society is founded in New York by Sheikh Dawud. In 1940, the first official Nation of Islam Temple # 4 in Washington, DC was setup by Elijah Muhammad. Three other cities had Temples in Detroit, MN #1, Chicago, IL #2, and Milwaukee, Wn #3. In 1941, The FBI begins its' program of harassment on the members of the Nation of Islam. In 1942, John Ben Ali Haggin was known as Captain Johnny Haggin who became famous for his valor as the pilot of the famous submarine sinking flight, off the coast of New Jersey. John Ben Ali Haggin was born of Irish-Arabian descent on August 19, 1916, in New York City.

⁶³. Ibid.

In 1942, The Nation of Islam begins preaching in the US prison systems in Petersburg, VA. William X Fagin, Harry X Craighhead, and Benjamin X Mitchell. In Benjamin's book he states that "Inmates began to ask us questions about our religion. The three of us began to explain to the inmates the teachings of Islam." In 1946, The Nation of Islam bought their first Temple called Temple #2 in Chicago, Illinois. In 1946, the first Young Muslim Women's Association was chartered in Pittsburgh, Pennsylvania. They had a sub-charter in Missouri that provided services such as aid for dependent children, widows, and the elderly. 1947-60, A third wave of Muslim immigrants, coming from Palestine, Yugoslavia, Lebanon and Egypt. In 1949, The Albanian-American Muslim Center of Detroit was founded by Imam Vehbi Ismail. By the late 1940s, a few jazz musicians became Muslims. Art Blakey, Talib Dawoud, Mohammed Sadiq, Sahib Shihab, Ahmad Jamal, Dakota Staton, Yusef Lateef, Idrees Sulieman, and McCoy (Sulieman Saud) Tyner to name a few. In 1950, the first mosque in the nation's capital is established as the "American Fazl Mosque" at 2141 Leroy Place, Washington, DC. It served as the Headquarters of the Ahmadiyya Muslim Community from 1950-1994. In 1952, Muslim service men sue the federal government and were allowed to identify themselves as Muslims. In 1954, The Federation of Islamic Associations (FIA) of the US and Canada was established. In 1955, The State Street Masjid in New York City was established by Sheikh Dawud Ahmed Faisal. It is still in use today. From this Masjid came the Dar-ul-Islam movement in 1962. In 1955, A Mosque was established by Yugoslavians in Chicago. These Muslims arrived in the early 1900s and have evolved into an organized ethnic group with several institutions, including the Bosnian-American Cultural Association. In 1956, Malik Shabzz (Malcolm X) (1925-1965), becomes an active preacher for the Nation of Islam. While in prison, he

was introduced to Elijah Muhammad teaching. In the early 1950s he converted and took his X. He started working with the Nation of Islam in 1952 when he was released from jail. He eventually rose to a position of leadership and was assigned to New York City Temple #7. In the late 1970s Temple #7 was renamed Masjid Malcolm Shabazz in honored of him. In 1957, The Islamic Center of Washington, D.C. opens. The Islamic Center of Washington, DC was open on June 28th 1957. The center was built as a traditional Islamic architect structure. President Dwight Eisenhower gave the opening remarks at the opening of the Islamic Center. In his statement he says, "Under the American Constitution this Center, this place of worship is as welcome as could be any similar edifice of any religion. Americans would fight with all their strength for your right to have your own church and worship according to your own conscience." In 1960, Masjid Muhammad of Washington, DC was built as the first Mosque built under the leadership of Elijah Muhammad. During its" first ten years the building was used as a Temple. For more than twenty years since 1975 Masjid Muhammad has functioned as a Masjid under the Sunnah or orthodox way of Al-Islam. The community has a rich history that expands more than sixty years since the mid 1930s and was known as Temple #4 in its early beginnings. In 1962, the first Muslim American Newspaper "Muhammad Speaks" is launched. It later became the largest minority weekly publication in the country and reached more than 800,000 readers at its peak. It has undergone various name changes' Bilalian News, The A.M. Journal, to its current name Muslim Journal. In 1963, The Muslim Student Association (MSA) was founded. It's an organization to aid foreign Muslim students attending schools in the United States. MSA now has more than 100 branches nationwide. In 1965, internationally known Muslim leader Al-Hajj Malik al-Shabazz (Malcolm X) is assassinated in New York. In 1965,

Muhammad Ali the three times world boxing champ makes the name Muhammad Ali and the Islamic faith a household name in America. In 1968, The Hanafi Movement is founded by Hamas Abdul-Khaalis. The Hanafi Madhab Center was established in New York but later moved to Washington, DC. At its peak the community had a membership of more than 1,000 in the United States. Kareem Abdul-Jabbar, the famous basketball player helped bring attention to the community. From 1960's-1980, a fifth wave of Muslim students and immigrants came from all over the Muslim World. From 1970-1973, Dr. Fazlur Rahman Khan, a Muslim from Bangladesh, designed the Chicago's John Hancock Center in (1970), the One Shell Plaza in Houston (1971), and the Sears Towers in Chicago in (1973). In 1972, the Honorable Elijah Muhammad opened a \$2 million Mosque and school in Chicago. In 1973, a unique event took place. A descendant of the Beall's Family sold some property to Masjid Muhammad, then known as Muhammad's Holy Temple of Islam # 4. The Beall's is the same family that had owned and freed Yarrow Marmood in the 1800s. In 1974, The Muslim World League was granted non-governmental organizational status at the United Nations. In 1975, Elijah Muhammad, leader of the Nation of Islam, dies February 25th. In 1975, Warith Deen Mohammed becomes the leader of the Nation of Islam. He moved the Nation of Islam from nationalism into the Sunnah path of Islam. Under his leadership the community made many positive transitions and name changes from The World Community of Islam in the West, to the American Muslim Mission, Ministry of W.D. Mohammed, and now Muslim American Society. In 1978, Warith Deen Muhammad is named as consultant/trustee by the Gulf States to distribute funds for Islamic missionary activities in the U.S. In 1981, the first Islamic library was established in Plainfield, Indiana. In 1982, The Islamic Society of North America (ISNA) was established in

Plainfield; IN. ISNA is now an umbrella organization for many active Islamic groups seeking to further the cause of Al-Islam in the United States. In 1985, Warith D. Muhammad decentralizes the old N.O.I community structure. In the 1990s, A Somalian born Muslim working as an employee for the US Post Office invented the new self-adhesive stamp. In the 1990s A National Shura developed in North America which comprises Imam W.D. Mohammed, Dr. Abdullah Idris Ali, President of ISNA, Imam Jamil Al-Amin, and Dr. Abdul Malik Mujahid, the Amir of ICNA. In 1991, Imam Siraj Wahhaj, became the first Muslim in U.S. history to offer the invocation (opening prayer) to the United States House of Representatives. In 1991, Charles Bilal, of Kountze, Texas, became the nation's first Muslim mayor in an American city. In 1992, Imam Warith Deen Mohammed, became the first Muslim in U.S. history to offer the invocation (opening prayer) to the United States Senate. In 1993, Captain Abdul Rasheed Muhammad became the First Muslim Army Chaplin (Imam) in the U.S. Army was installed. In 1991 according to the United States Department of Defense, there are more than 5,000 Muslims in uniform on active duty in the military. In 1994, Council on American-Islamic Relations (CAIR) is established, a leading Islamic Human and Civil rights organization. In 1994, Abdul-Hakeem Muhammad, a computer specialist with the IRS, won the Department of the Army's Commander's Award for Civilian Service. For his work in the field of Open systems standards and architectural environment. In 1996, Monje Malak Abd Al-Muta"Ali ibn Noel, Jr. became the First Muslim Naval Chaplin (Imam) in the U.S. Navy. In 1996, The American Muslim Council sponsored the first Iftar Dinner Celebration on Capitol Hill. In 1996, The White House and the first lady, Hillary Rodham-Clinton, recognized the completion of Ramadan by hosting a group of Muslim families at a White House reception for Id al-Fitr.

In 1999, The New York City Police Department appoints the first Muslim Chaplain, Imam Izak-El M. Pasha. In 1999; The U.S. Post-office published a stamp to honor the Muslim leader Malik Shabazz (Malcolm X). There are two other postage stamps honoring achievements of Muslims the revolutionary heroes Peter (Salem) Saleem, and Saleem (Salem) Poor. Malcolm is the first well-known Muslim to be put on the stamp. In 1999; The U.S. State Department hosted its first Iftar for Muslim Americans at the State Department. In August 1999, the first Muslim US Ambassador, Osman Siddique (Bangladeshi origin) was sworn in as the Ambassador to the Fiji Islands. Throughout the 80's and 90's it has seen much growth in the Muslim community. Today Islam is the fastest growing Religion in America today and has now become the second largest religion in the United States. Today there are many Muslims across the country that are holding elected offices as local City Council m

embers, State representatives, a Mayor, and Judges. We find Muslims in every profession today as Doctors, Lawyers, Teachers and others. Lt. Saif-ul-Islam is the first Muslim chaplain assigned to the Marine Corps. Technically, he is a Navy chaplain (the Navy supplies chaplains for the Marines). He was commissioned in July and reported to his first assignment in September at the South Mesa Chapel at Camp Pendleton, north of San Diego. Interreligious duties like other military chaplains, however, Saif-ul-Islam will be, in many respects, an interreligious representative. The tradition is for interfaith cooperation, tolerance and acceptance. Roughly 4,000 Muslims are in the armed forces.⁶⁴ If we were to check the crimes and teen pregnancy rates among Muslim Americans, we might be pleasantly surprised. Islam is the fastest-growing religion in the country. America's 6 million Muslims

⁶⁴. *The San Diego Union-Tribune*, Sandi Dolbee, Saturday, November 20, 1999

outnumber some Christian denominations such as the United Church of Christ and the Assemblies of God.

SOME NAMES OF ARABIC ORIGIN IN THE AMERICAS, SPAIN AND PORTUGAL

There are some places Names of Arabic Origin in the Americas Spain, Portugal. Most of the names starting with Al-, Ar-, Cala-, Quad- and Medina are corrupted forms of Arabic names originally given to places, rivers, mountains and other natural features during the Muslim rule in Spain and Portugal. These names were later adopted in the Americas after the migration of Hispanic population to Florida, California, and Mexico, Central and South Americas in 1500s and later centuries, following the voyages of Christopher Columbus to the continent. The Muslims of the Iberian Peninsula are commonly known in the West as the 'Moors' and their period of activity between 711 - 1492 C.E. as the Moorish Civilization. The table below shows names, their original Arabic names and the meaning.

Name	Original Arabic Name	Meaning
Alhambra	al-Hamara	The Red
Almaden	al-Maydan	The Field
Alqazar	al-Qasr	The Palace
Alcantara	al-Qantarah	The Bridge
Almenara	al-Manarah	The Mosque Tower, English Minaret
Alborg	al-Burj	The Tower
Alcove	al-Qubbah	Dome
Almansil	al-Manzil	The Stopping Place
Alqueria	al-Qariyah	The Village
Almeria	al-Mirayah	The Mirror
Alpujarras	al-Bajara	The Highlands
Calahorra	Qalat al-Hajar	Castle
Guadalquivir	Wadi al-Kabir	Great River
Guadalajara	Wadi al-Hijarah	Stony River
Taifa	Ta'ifah	Party or Faction
Andalusia	al-Andalus	Green Land
Azulejo	az-Zulayj	Burnished Pebble
Alcaids	al-Qa'ids	Warden

Chapter-3
An Introduction to the United States of
America and Its Muslim Communities

Activities: A Short Survey

Chapter-3

AN INTRODUCTION TO THE UNITED STATES OF AMERICA

The earliest known use of the name *America* for this landmass dates from April 25, 1507, where it was used for what is now known as South America. It first appears on a small globe map with twelve time zones, together with the largest wall map made to date, both created by the German cartographer Martin Waldseemüller in Saint-Dié-des-Vosges in France. These were the first maps to show the Americas as a land mass separate from Asia. An accompanying book, *Cosmographiae Introduction*, anonymous but apparently written by Waldseemüller's collaborator Matthias Ringmann,¹ states, "I do not see what right any one would have to object to calling this part (that is, the South American mainland), after Americus who discovered it and who is a man of intelligence, Amerigen, that is, the Land of Americus, or America: since both Europe and Asia got their names from women". *Americus Vesputius* is the Latinized version of the Florentine explorer Amerigo Vespucci's name, and *America* is the feminine form of *Americus*. *Amerigen* is explained as *Amerigo* plus *gen*, the accusative case of the Greek word for 'earth', and meaning 'land of Amerigo'.² *Amerigo* itself is an Italian form of the Medieval Latin *Emericus* which through the German form *Heinrich* (in English, Henry) derived from the Germanic name *Haimirich*.






































World map of Waldseemüller, which first named America (in the map over Paraguay), Germany, 1507

¹ Martin Waldseemüller (1470-1522), Microsoft Corporation-1993-2003 (*German cartographer, born in Radolfzell. In 1507 Waldseemüller produced a large map of the world, a small globe, and an accompanying treatise, Cosmographiae introduction (Introduction to Cosmography). The treatise contains an account of the voyages of the Italian navigator Amerigo Vespucci.*)

² Ibid.























Countries and Territories of Americas: Sovereign States









There are 35 sovereign states in the Americas, 23 in North America and 12 in South America. These are:

 Antigua and Barbuda	 Guyana
 Argentina	 Haiti
 Bahamas	 Honduras
 Barbados	 Jamaica
 Belize	 Mexico
 Bolivia	 Nicaragua
 Brazil	 Panama
 Canada	 Paraguay
 Chile	 Peru
 Colombia	 Saint Kitts and Nevis
 Costa Rica	 Saint Lucia
 Cuba	 Saint Vincent and the Grenadines
 Dominica	 Suriname
 Dominican Republic	 Trinidad and Tobago
 Ecuador	 United States
 El Salvador	 Uruguay
 Grenada	 Venezuela
 Guatemala	

Overseas Regions, Dependencies and Colonies

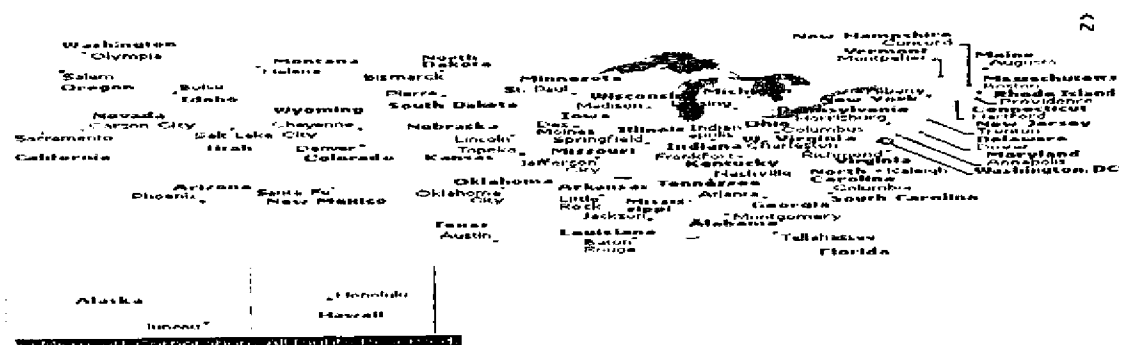
The following is a list of overseas regions, dependencies and other polities in the Americas that do not fall into the category "sovereign states". They are grouped under the states that control them. These are:

 Denmark	 Falkland Islands
 Greenland	 South Georgia and the South Sandwich Islands
 France	 Turks and Caicos Islands
 Guadeloupe	 Curaçao
 French Guiana	 Aruba
 Martinique	 Bonaire
 Saint Barthélemy	 Saba
 Saint Martin	 Sint Maarten
 Saint Pierre and Miquelon	 Sint Eustatius
 United Kingdom	 United States
 Montserrat	 Navassa Island

 Anguilla	 Puerto Rico
 Bermuda	 U.S. Virgin Islands
 British Virgin Islands	 Netherlands
 Cayman Islands	 Falkland Islands

The United States of America



The United States of America (also referred to as the United States, the U.S., the USA, or America) is a federal constitutional republic comprising fifty states and a federal district. The country is situated rebellious states defeated the British Empire in the American Revolution, the first successful colonial war of independence. The current United States Constitution was adopted on September 17, 1787; its ratification the following year made the states part of a single republic with a strong central government. The Bill of Rights, comprising ten constitutional amendments guaranteeing many fundamental civil rights and freedoms, was ratified in 1791. In the 19th century, the United States acquired land from France, Spain, the United Kingdom, Mexico, and Russia, and annexed the Republic of Texas and the Republic of Hawaii. Disputes between the agrarian South and industrial North over states' rights and the expansion of the institution of slavery provoked the American Civil War of the 1860s. The North's victory prevented a permanent split of the country and led to the end of legal slavery in the United States. By the 1870s, the national economy was the world's largest.³



The fifty states of the USA

³. Madison Angus, *Historical Statistics for the World Economy* The Groningen Growth and Development Centre, Economics Department of the University of Groningen. 2006, www.ggdc.net

United States of America at a Glance

	
Flag	Great Seal
Motto: In God We Trust (official) E Pluribus Unum (traditional) ,(Latin: Out of Many, One)	Anthem: "The Star-Spangled Banner"
Capital	Washington, D.C 📍 38°53' 77°01' W 38.883°N 77.017°W
Largest city	New York City
Official language(s)	None at federal level
National language	English (<i>de facto</i>)
Demonym	American
Government	Federal presidential constitutional republic
President	Barack Obama (D)
Vice President	Joe Biden (D)
Speaker of the House	Nancy Pelosi (D)
Chief Justice	John Roberts
Legislature	Congress
Upper House	Senate
Lower House	House of Representatives
Independence from the Kingdom of Great Britain	
Declared	July 4, 1776
Recognized	September 3, 1783
Current constitution	June 21, 1788
Area	
Total	9,826,675 km ² (3rd/4th), 3,794,101 sq mi
Water (%)	6.76
Population	

2010 estimate	310,931,000 (3rd)
2000 census	281,421,906
Density	32/km ² (178th),83/sq mi
GDP (PPP)	2009 estimate
Total	\$14.256 trillion (1st)
Per capita	\$47,701 (6th)
GDP (nominal)	2009 estimate
Total	\$14.256 trillion(1st)
Per capita	\$46,381 (9th)
Gini (2007)	45.0 (44th)
HDI (2010)	0.902 (very high) (4th) ⁴
Currency	United States dollar (\$) (USD)
Time zone	(UTC−5 to −10)
Summer (DST)	(UTC−4 to −10)
Date formats	m/d/yy (AD)
Drives on the	right
Internet TLD	.us .gov .mil .edu
Calling code	+1

Race/Ethnicity

Race/Ethnicity	Race/Ethnicity (2008)
White	79.8%
Black	12.8%
Asian	4.5%
American Indian and Alaska Native	1.0%
Native Hawaiian and Pacific Islander	0.2%
Two or more races	1.7%
Hispanic (<i>of any race</i>)	15.4%


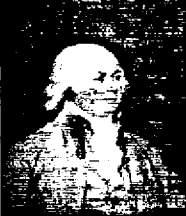
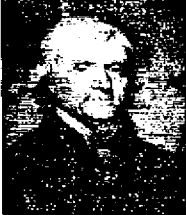
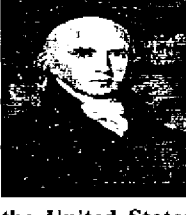




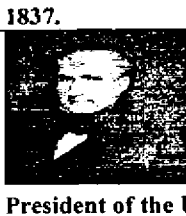

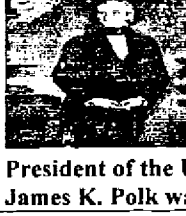

⁴ . "United States". *International Monetary Fund* .






The population growth of Hispanic and Latino Americans (the terms are officially interchangeable) is a major demographic trend. The 46.9 million Americans of Hispanic descent are identified as sharing a distinct "ethnicity" by the Census Bureau; 64% of Hispanic Americans are of Mexican descent. Between 2000 and 2008, the country's Hispanic population increased 32% while the non-Hispanic population rose just 4.3%. Much of this growth is from immigration; as of 2007, 12.6% of the U.S. population was foreign-born, with 54% of that figure born in Latin America.















Fertility is also a factor; the average Hispanic woman gives birth to 3.0 children in her lifetime, compared to 2.2 for non-Hispanic black women and 1.8 for non-Hispanic white women (below the replacement rate of 2.1). Minorities (as defined by the Census Bureau, all those beside non-Hispanic, non-multiracial whites) constitute 34% of the population; they are projected to be the majority by 2042.

About 82% of Americans live in urban areas (as defined by the Census Bureau, such areas include the suburbs); about half of those reside in cities with populations over 50,000. In 2008, 273 incorporated places had populations over 100,000, nine cities had more than 1 million residents, and four global cities had over 2 million (New York City, Los Angeles, Chicago, and Houston). There are fifty-two metropolitan areas with populations greater than 1 million. Of the fifty fastest-growing metro areas, forty-seven are in the West or South. The metro areas of Dallas, Houston, Atlanta, and Phoenix all grew by more than a million people between 2000 and 2008.

List of the Us Presidents

 <p>George Washington, 1st president of the United States- Was in office from 1789 to 1797</p>	 <p>John Adams, 2nd president of the United States of America. John Adams was in office from 1797 to 1801</p>
 <p>Thomas Jefferson, 3rd President of the United States. Thomas Jefferson was in office from 1801 to 1809</p>	 <p>James Madison, 4th President of the United States of America. James was in office from 1809 to 1817</p>
 <p>James Monroe, 5th President of the United States, James Monroe was in office from 1817 to 1825</p>	 <p>John Quincy Adams, 6th President of the USA, John Quincy Adams was in office from 1825 to 1829</p>
 <p>Andrew Jackson, 7th President of the United States of America. Andrew Jackson was in office from 1829 to 1837.</p>	 <p>Martin Van Buren, 8th President of the United States. Martin Van Buren was president of the US from 1837 to 1841</p>
 <p>William Henry Harrison, 9th President of the United States of America. William Henry Harrison was president in 1841 and only stayed president for 1 month.</p>	 <p>John Tyler, 10th President of the United States, John Tyler was in office from 1841 to 1845.</p>
 <p>James K. Polk, 11th President of the United States of America. James K. Polk was in office from 1845 to 1849</p>	 <p>Zachary Taylor, 12th President of the United States. Zachary Taylor was in office from 1849 to 1850.</p>

 <p>Millard Fillmore, 13th President of the United States. Millard Fillmore was in office from 1850 to 1853.</p>	 <p>Franklin Pierce, 14th President of the United States. Franklin Pierce was in office from 1853 to 1857.</p>
 <p>James Buchanan, 15th President of the United States of America. James Buchanan was US president from 1857 to 1861</p>	 <p>Abraham Lincoln, 16th President of the United States of America, Abraham Lincoln was in office from 1861 to 1865.</p>
 <p>Andrew Johnson, 17th President of the United States. Andrew Johnson was in office from 1865 to 1869.</p>	 <p>Ulysses S. Grant, 18th President of the United States. Ulysses S. Grant was US president from 1869 to 1877.</p>
 <p>Rutherford B. Hayes, 19th President of the United States. Rutherford B. Hayes was in office from 1877 to 1881.</p>	 <p>James A. Garfield, 20th President of the United States of America. James A. Garfield was in office during 1881.</p>
 <p>Chester A. Arthur, 21st President of the United States. Chester A. Arthur was in office from 1881 to 1885.</p>	 <p>Grover Cleveland, 22nd President of the United States. Grover Cleveland was in office from 1885 to 1889.</p>
 <p>Benjamin Harrison, 23rd President of the United States of America. Benjamin Harrison was in office from 1889 to 1893</p>	 <p>Grover Cleveland, 24th President of the United States, Grover Cleveland was in office from 1893 to 1897</p>
 <p>William McKinley, 25th President of the United States. William McKinley was in office from 1897 to 1901</p>	 <p>Theodore Roosevelt, 26th President of the United States. Theodore Roosevelt was in office from 1901 to 1909</p>

 <p>William Howard Taft, 27th President of the United States, William Howard Taft was in office from 1909 to 1913.</p>	 <p>Woodrow Wilson, 28th President of the United States of America. Woodrow Wilson was in office from 1913 to 1921</p>
 <p>Warren G. Harding, 29th President of the United States. Warren G. Harding was in office from 1921 to 1923</p>	 <p>Calvin Coolidge, 30th President of the United States of America. Calvin Coolidge was in office from 1923 to 1929</p>
 <p>Herbert Hoover, 31st President of the United States. Herbert Hoover was in office from 1929 to 1933</p>	 <p>Franklin D. Roosevelt, 32nd President of the United States. Franklin D. Roosevelt was in office from 1933 to 1945</p>
 <p>Harry S. Truman, 33rd President of the United States. Harry S. Truman was in office from 1945 to 1953</p>	 <p>Dwight D. Eisenhower, 34th President of the United States, Dwight D. Eisenhower was in office from 1953 to 1961</p>
 <p>John F. Kennedy, 35th President of the United States. John F. Kennedy was in office from 1961 to 1963.</p>	 <p>Lyndon B. Johnson, 36th President of the United States of America. Lyndon B. Johnson was in office from 1963 to 1969</p>
 <p>Richard Nixon, 37th President of the United States. Richard Nixon was in office from 1969 to 1974</p>	 <p>Gerald Ford, 38th President of the United States. Gerald Ford was in office from 1974 to 1977</p>
 <p>Jimmy Carter, 39th President of the United States, Jimmy Carter was in office from 1977 to 1981</p>	 <p>Ronald Reagan, 40th President of the United States, Ronald Reagan was in office from 1981 to 1989</p>

 <p>George H. W. Bush, 41st President of the United States of America, George H. W. Bush was in office from 1989 to 1993</p>	 <p>Bill Clinton, 42nd President of the United States, Bill Clinton was in office from 1993 to 2001</p>
 <p>George W. Bush, 43rd President of the United States. George W. Bush was in office from 2001 to 2009</p>	 <p>Barack Obama, 44th President of the United States, Barack Obama took office in 2009 and is still currently President</p>

--- Source⁵

Freedom of Religion in USA

Religion in the United States has a both a very wide diversity in religious beliefs and practices and a high adherence level. Americans show high rates of religious Belonging, Behaving and Believing. According to recent surveys, 83 percent of Americans belong to a religious denomination, 40 percent attend services nearly every week or more, and 59 percent pray at least weekly.⁶ Many faiths have flourished in the United States, including both later imports spanning the country's multicultural immigrant heritage, as well as those founded within the country; these have led the United States to become one of the most religiously diverse countries in the world.

The majority of Americans (76%) identify themselves as Christians, mostly within Protestant and Catholic denominations, accounting for 51% and 25% of the population respectively on-Christian religions (including Buddhism, Hinduism, Islam, and Judaism), collectively make up about 3.9% to 5.5% of the adult population.⁷ Another 15% of the adult population identifies as having no

⁵ www.polititian-pictures.com

⁶ Robert D.Putnam and David E Campbell, *American Grace: How Religion Divides and Unites Us* (2010) chi 1 at note 5.USA

⁷ Barry A. Kosmin and Ariela Keysar, *American Religious Identification Survey (ARIS) 2008*, Hartford, Connecticut, USA: Trinity College.2009.

religious belief or no religious affiliation. When asked, about 5.2% said they did not know, or refused to reply. According to the American Religious Identification Survey, religious belief varies considerably across the country: 59% of Americans living in Western states (the "Uncharted Belt") report a belief in God, yet in the South (the "Bible Belt" the figure is as high as 86%. In 1776, John Adams published "Thoughts on Government," in which he praises the Islamic prophet Muhammad as a "sober inquirer after truth" alongside Confucius, Zoroaster, Socrates, and other "pagan and Christian" thinkers. In 1785, George Washington stated a willingness to hire "Mahometans," as well as people of any nation or religion, to work on his private estate at Mount Vernon if they were "good workmen." In 1790, the South Carolina legislative body granted special legal status to a community of Moroccans, twelve years after the Sultan of Morocco became the first foreign head of state to formally recognize the United States.⁸ In 1797, President John Adams signed a treaty declaring the United States had no "character of enmity against the laws, religion, or tranquility, of Mussulmen".⁹ In his autobiography, published in 1791, Benjamin Franklin stated that he "did not disapprove" of a meeting place in Pennsylvania that was designed to accommodate preachers of all religions. Franklin wrote that "even if the Mufti of Constantinople were to send a missionary to preach Mohammedanism to us, he would find a pulpit at his service." Image of Alexander Russell Webb who was the U.S. ambassador to the Philippines and a Protestant convert to Islam.

Thomas Jefferson defended religious freedom in America including those of Muslims. Jefferson explicitly mentioned Muslims when writing about the movement for religious freedom in Virginia. In his autobiography Jefferson wrote "[When] the [Virginia] bill for establishing religious freedom was finally passed a singular proposition proved that its protection of opinion was meant to

⁸. US State Dept. notes on Morocco.

⁹. *Treaty of Peace and Friendship Article 11*. The Avalon Project, Yale Law School.

be universal. Where the preamble declares that coercion is a departure from the plan of the holy author of our religion, an amendment was proposed, by inserting the word 'Jesus Christ,' so that it should read 'a departure from the plan of Jesus Christ, the holy author of our religion.' The insertion was rejected by a great majority, in proof that they meant to comprehend within the mantle of its protection the Jew and the Gentile, the Christian and Mahometans, the Hindus and infidel of every denomination."¹⁰ While President, Jefferson also participated in an Iftar with the Ambassador of Tunisia in 1809.

According to some sources, Islam is the fastest growing religion in the United States, Much of the growth has been driven by immigration, and a comparatively high birth rate. Conversions also figure in this growth, with a quarter of American Muslims being converts, almost entirely African-American. America is a country and people governed by the ideal of the rule of law, the rule of laws sets a very low level of tolerance for this kind of human behavior, and the rule of law guarantees a fair hearing and uniform punishment for the rich and poor alike. United state is very proud of the tradition they have established for religious tolerance, a tradition all are certainly well aware of. The United States was settled in large part by immigrants who were fleeing religious persecution in their homeland. These early statesmen felt strongly enough about their new-found freedoms that they enshrined religious tolerance in our constitution, proclaiming a separation of church and state as fundamental to our Nation. The religious tolerance provided their constitution is enjoyed not only by Christians, but by Jews, Muslims, and adherents of many other faiths as well. In fact, it might surprise you to know that Islam is one of the fastest growing faiths in the U.S. today: there are over 1,200 mosques and Islamic centers in the United States, and the number is rapidly increasing. The six

¹⁰. New World Library (2000). *The world's religions: an interfaith guide to religion and spirituality*, p.74

million Americans who worship there would be surprised to hear of the kind of "anti-Islamic" bent to American policy that is occasionally speculated about here. They would be the first to tell you that Americans respect and honor Islam. An extensive new survey by the Pew Forum on Religion & Public Life details statistics on religion in America and explores the shifts taking place in the U.S. religious landscape. Based on interviews with more than 35,000 Americans age 18 and older, the U.S. Religious Landscape Survey finds that religious affiliation in the U.S. is both very diverse and extremely fluid. While those Americans who are unaffiliated with any particular religion have seen the greatest growth in numbers as a result of changes in affiliation, Catholicism has experienced the greatest net losses as a result of affiliation changes. While nearly one-in-three Americans (31%) were raised in the Catholic faith, today fewer than one-in-four (24%) describe themselves as Catholic. These losses would have been even more pronounced were it not for the offsetting impact of immigration. The Landscape Survey finds that among the foreign-born adult population, Catholics outnumber Protestants by nearly a two-to-one margin (46% Catholic vs. 24% Protestant); among native-born Americans, on the other hand, the statistics show that Protestants outnumber Catholics by an even larger margin (55% Protestant vs. 21% Catholic). Immigrants are also disproportionately represented among several world religions in the U.S., including Islam, Hinduism and Buddhism. The other major groups, people who are unaffiliated with any particular religion (16.1%) also exhibit remarkable internal diversity. Although one-quarter of this group consists of those who describe themselves as either atheist or agnostic (1.6% and 2.4% of the adult population overall, respectively), the majority of the unaffiliated population (12.1% of the adult population overall) is made up of people who simply describe their religion as "nothing in particular." This group, in turn, is fairly evenly divided between the "secular unaffiliated," that is, those who say that religion is not important in their lives (6.3% of the adult population), and the

"religious unaffiliated," that is, those who say that religion is either somewhat important or very important in their lives (5.8% of the overall adult population).

Even smaller religions in the U.S. reflect considerable internal diversity. For instance, most Jews (1.7% of the overall adult population) identify with one of three major groups: Reform, Conservative or Orthodox Judaism. Similarly, more than half of Buddhists (0.7% of the overall adult population) belong to one of three major groups within Buddhism: Zen, Theravada or Tibetan Buddhism. Muslims (0.6% of the overall adult population) divide primarily into two major groups: Sunni and Shia. In the United States today, "35 percent of Muslims were born in the United States; 64 percent were born in 80 different countries. This is the spread of the diversity in the American Muslim community,"¹¹

Religion in the Original Constitution of USA

American Religious Democracy argues that this position, although understandable, is misguided. Though not of a fundamentalist variety. The 2004 election clearly showed that a substantial number of voters in America now vote the way they do for what they consider to be religious reasons and that, as a result of their voting, government policy is changing to reflect their religious commitments. The result has been the creation of a religious democracy. However, taking part in a religious democracy, for Americans especially requires a new understanding of what religion means in a public and political sense and how secularists can and should participate.¹² The term "American Religious Democracy" was recently used by Bruce Ledewitz.¹³ Religion makes only one direct and obvious appearance in the original Constitution that seems

¹¹. Judy Aita *Islam Has Deep Roots in America, Experts Say*; Washington File United Nations Correspondent.30 June 2005. (The Washington File is a product of the Bureau of International Information Programs, U.S. Department of State. www.usinfo.state.gov)

¹². www.encyclupadia.thefreedictionary.com

¹³. Ibid.

to point to a desire for some degree of religious freedom. That appearance is in Article 6, at the end of the third clause:

[N] Religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.]

This statement is simple and straight-forward, and applies to all offices in the entire United States, both state and federal. The clause simply means that no public position can be required to be held by any one of any religious denomination. It would be unconstitutional for there to be a requirement that the President be Lutheran, or even for the mayor of a small town to be Christian. Likewise, it would be unconstitutional for a law to forbid a Jew or Muslim from holding any office in any governmental jurisdiction in the United States. (This having been said, it should be noted that several state constitutions do have a religious test specifically, they deny office to anyone unwilling to acknowledge God or a Supreme Being.)

In the debates of the Constitutional Convention, religion did not get a lot of sound bites. It should be noted that without exception, the Framers were Christian or, at the very least, deists (generally, deists believe in a single god who set the universe on its course and then stepped back to watch; some deists believe their deity is the same God of Judeo-Christian tradition, some do not). There were no Jews or Muslims, no Hindus or atheists, and only two Roman Catholics. There were members of more than a half-dozen sects of the Protestant side of Christianity, though. Disagreements about style and method of worship between them were nearly as vast and incongruous as any seen today between, said, Jews and Muslims, such that the Framers wanted to ensure that no one sect could ever seize control of a government and start a theocracy.

James Madison 4th president of USA when speaking of the method and manner of the election of the members of the Congress, noted that even "Religion itself may become a motive to persecution and oppression," telegraphing his own desire for no religious test for government service. He had been a prime mover in the efforts of some Virginia lawmakers to ensure that no preference be given to any religion in that state, and that a proposed tax to aid religious efforts be defeated. Madison and one of the Pinckney cousins moved, in the waning days of the Convention, that the Congress be permitted the power to establish a university, with the express stipulation that "no preferences or distinctions should be allowed on account of Religion." The motion was turned down on a six to four vote, but it was another illustration of his desire to extend no preference to any religious sect. There is one other direct bow to religion in the original Constitution, and it is a bit obtuse.

The Presidential Oath of Office is codified in the Constitution in this way:

I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States. Again, the reference might be obtuse, but it is the inclusion of language in the oath that allows an incoming President to swear or affirm the oath. This alternate text has been described both as a way of accommodating those religious persons for whom "swearing" was forbidden, and as a way for the unreligious to take the oath with the same force of personal responsibility that swearing would have for a religious person. Either way, the alternate text attempts to make the oath all-inclusive and religion-neutral. Finally, the Constitution refers to the year that the Convention created the document as "the Year of our Lord one thousand seven hundred and Eighty seven." Some have argued that the use of the term "Lord" in this way is indicative of something, but it is indicative of nothing more than a

standard way of referring to years in that time period. Some state constitutions are not shy about referencing God.

Article Six: Federal Power

Article Six establishes the Constitution, and the laws and treaties of the United States made according to it, to be the supreme law of the land, and that "the judges in every state shall be bound thereby, any thing in the laws or constitutions of any state notwithstanding." It also validates national debt created under the Articles of Confederation and requires that all federal and state legislators, officers, and judges take oaths or affirmations to support the Constitution. This means that the states' constitutions and laws should not conflict with the laws of the federal constitution and that in case of a conflict; state judges are legally bound to honor the federal laws and constitution over those of any state. Article Six also states "no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States."¹⁴

THE UNITED STATE OF AMERICA IS THE 32ND LARGEST MUSLIM COUNTRY

The United state of America (USA) is the 32nd largest Muslim country by Muslim Population in the world. At present there are 6 to 7 million Muslim in USA, increasing the figure by immigration and conversion day by day. Among them 24% of Native American Muslim, 26% Pakistani, Bangladeshi and Indian origin, 26% Arabian and 24% from other countries of the world.¹⁵ In 1990s there were only 2500 Muslim soldiers in military now there are 15 to 20

¹⁴. Article VI, *Constitution of the United States of America*.

¹⁵. Anwar Hosain Manju, *Muslim in USA and The theories of Pter King*; The daily Naya Digantha, 18 march, 2011, Dhaka

thousand Muslim soldiers in USA military, An Imam also appointed for their oaths. There are two congressman are Muslim.¹⁶ Islam is the fastest growing religion in America and Europe. There are for example more Muslim in America than in Kuwait, Qatar and Libya.¹⁷ The History of Islam in the United States is divided into three periods: the pre-Columbian and colonization period, post World War I period, and the last few decades.¹⁸ Muslims Living in the United States Today Represent a Great Many Movements and Identities Immigrant and indigenous, Sunni and Shi'ite, conservative and liberal, orthodox and heterodox.

While exact figures for the current number of Muslims in the U.S. population are difficult to determine, well over half are members of first-, second-, or third-generation immigrant families. Islam is one of the fastest growing faiths in the U.S. today, US ambassador to Pakistan, William B. Milam, said, noting that there are over 1,200 mosques and Islamic centers in the United States, and the number is rapidly increasing. He cited as evidence of the growing influence of Islam "the conversion to Islam by some of our popular athletes, for example the great boxer Mohammad Ali or Hall of Fame basketball player Kareem Abdul Jabbar."¹⁹ While there were some Muslims among the African slaves who came to work in plantations in the American South in the 18th and 19th centuries, very few retained an Islamic identity. Most scholars of Islam focus, then, on the immigrant Muslims who arrived in the West from the Middle East in the latter part of the 19th century. These Muslim migrations to America have taken place

¹⁶ Ibid.

¹⁷ Yvonne Yazbeck Haddad, John L. Esposito; *Introduction, Muslim in America or American Muslims? P-3*, Oxford University Press-2000, 198.Madition Avenue, New York, New York-10016.

¹⁸ Koszegi, Michael; Melton, J. Gordon (1992). *Islam in North America*. Garland Publishing Inc., New York, USA.p-3

¹⁹ "The greatest challenges we will face in the years ahead will be of a social nature." - A speech by the US ambassador to Pakistan, William B. Milam, 9 October 1998; United States Information Service, American Embassy, Bucharest Romania.

in what can be seen as a series of distinguishable periods, often called "waves," although historians do not always agree on what constitutes a wave.

The earliest arrivals came between 1875 and 1912 from the rural areas of present-day Lebanon, Syria, Jordan, the Palestinian Authority, and Israel. The area, then known as Greater Syria, was ruled by the Ottoman Empire. The majority of the men coming from this area were Christians, though some were from Muslim groups. Economically motivated single men for the most part, they worked as laborers and merchants, intending to stay only long enough to earn enough money to support their families back home. Some were fleeing conscription into the Turkish army. Gradually, they began to settle in the eastern United States, the Middle West, and along the Pacific Coast. Small scale migration to the U.S. of Muslims began in 1840, with the arrival of Yemenites and Turks,²⁰ and lasted until World War I. Most of the immigrants, from Arab areas of the Ottoman Empire, came with the purpose of making money and returning to their homeland. The economic hardships of 19th century America, however, prevented them from prospering. As a result the immigrants permanently settled. These immigrants settled primarily in Dearborn (Michigan), Quincy (Massachusetts) and Rose (North Dakota).²¹ In 1919, what is most likely the first mosque was founded by Albanian Muslims in Maine. Construction of mosques sped up in the 1920s and 1930s, and by 1952, there were over 20 mosques.²²

The Impact of Islamic Social Laws on the American Muslim Community: American Muslim community is apart from all Muslims in the World. The American Muslims is obeying both the external and internal rules and

²⁰. Koszegi, Michael; Melton, J. Gordon (1992). *Islam in North America*. New York: Garland Publishing Inc., 26-27

²¹. M'Bow, Amadou Mahtar; Kettani, Ali *Islam and Muslims in the American continent*. Beirut: Center of historical, economical and social studies. 2001. P-109

²². Ibid.

regulations of Islam freely and spontaneously. Here internal rules and external rules of Islam are respectively Ahkamus-shariat and Ahkamul-marifat. There are many mosques spiritual centers, Maqtabas, Quran training center, organizations in America that indicate the light of Islam is gradually increasing throughout the world. The American Muslim are the burning example for the whole Muslim in the world that they are being charmed and interested having seeing the morality and truthfulness of teaching of Islam. Even non-Muslim in America curiously to know about Islam through seeing Muslim reading Quran and Hadith, Hearing the morality of Islam. The American Muslim are abiding by the social laws to fulfill their all duties and orders for the satisfaction of Almighty Allah.

Muslims have conducted Friday congregational prayers inside the U.S. Capitol building. *American Muslim* opposition to a Burger King restaurant opened in the West Bank in Israel caused the corporation to close it down. The United States military has tripled the number of Muslim chaplains in its ranks (serving more than 4,000 Muslim members of the military). *Amazon.com* changed a video review (of the movie *Not without My Daughter*) in response to Muslim complaints.²³ In 1999 Georgetown University began a three-year project “to document the impact of Muslim Americans on the American horizon.”²⁴ *Islamic Horizons*, one of the most influential Muslim journals in America with a distribution of more than 60,000,²⁵ asserted in the article “Why Muslim Americans Need to Vote” that “Muslim Americans have power and its accompanying responsibility. We represent \$75 billion of collective annual

²³. “National News,” *Islamic Horizons*, November–December, 1999, 12, 14; and, in the same issue, Abu Ali Bafaquih, “Muslim American Power Emerges,” 26, 28. *Not Without My Daughter* is the true story of Betty Mahmoody, an American who married an Iranian Muslim, detailing her experiences as a woman in Iran.

²⁴. Ibid. p-14.

²⁵. “Islamic Horizons Grows,” *Islamic Horizons*, May–June, 2000, 8.

income, more than any Muslim country can produce.”²⁶ This same issue relates how Muslim American complaints about a CNN online posting referring to Jerusalem as “the capital of Israel” prompted CNN to make appropriate changes quickly.²⁷

The growing presence of Muslim Americans has not been lost on politicians either. For example, in New Jersey (home to an estimated 400,000 Muslims), former Governor Christine Todd Whitman signed a bill making New Jersey “the first state to enact a law ensuring the authenticity of Halal food.”²⁸ Two Muslim Americans made history by delivering the benedictions on the first day of both the Democratic and Republican national conventions this past year.²⁹ Also in 2000, Congress called on the United States Postal Service to issue a postal stamp commemorating the Muslim holy month of Ramadan.

Muslim Population and Growth: Islam is the fastest growing religion in the world it is also the fastest growing religion in America. Establishing population demographics for Muslims is not easy. Even without completely accurate statistics, we find numerous independent studies in fairly close agreement. Most major studies estimate a worldwide Muslim population for the year 2000 at roughly 1.25 billion people; that is, about one-fifth or 20 percent of the world’s population.³⁰ In comparison, Christianity is the largest religion in the world with about 33 percent of the world’s population.³¹ According to most reports, Islam is

²⁶. Salam Al-Marayati, “Why Muslim Americans Need to Vote,” *Islamic Horizons*, January–February 2000, 35.

²⁷. “Plusses [sic] and Minuses for Muslim Americans,” *Islamic Horizons*, January–February 2000, 37.

²⁸. “NJ First to Enforce Halal Laws,” *Islamic Horizons*, September–October 2000, 16. Halal dietary regulations ensure that meats consumed by Muslims are prepared properly, similar to kosher laws concerning Jewish food.

²⁹. Umbreen Abdullah, “Joining the mainstream,” *Islamic Horizons*, November–December 2000, 64.

³⁰. Ninian Smart, ed., *Atlas of the World’s Religions* (Oxford: Oxford University Press, 1999), 13; “Religion,” *2000 Britannica Book of the Year* (Chicago: Encyclopaedia Britannica, 2000),

³¹. Barrett and Johnson, 25; *2000 Britannica Book of the Year*, 292.

the fastest growing religion in the world.³² For example, in Europe, according to United Nations statistics, between 1989 and 1998 the Islamic population grew by more than 100 percent (to about 14 million or 2 percent of the population).³³

At the current rate of growth it is estimated that Islam's population by the year 2025 will be 1.9 billion (about 24 percent of the total European population).³⁴ One of the most common misconceptions or stereotypes Westerners have about Muslims is that most of them are Arabic. "The major sections of Muslim populations are concentrated in Asia and Africa. Muslims are, by and large, people of color."³⁵ Musicologist Roland Miller relates that more than 68 percent of all Muslims live in Asia and more than 27 percent live in Africa. Indonesia has roughly 15 percent of the world's Muslim population. In South Asia almost one-third of the world's Muslim population lives in Bangladesh, Pakistan, and India. Just *how* is the Muslim population growing? The growth rate of Islam in Western nations (including the US and Canada) primarily comes through: a high Muslim birth rate and immigration (e.g., Muslims moving to the United States), not from converts (non-Muslims becoming Muslims). As we shall soon note in regard to converts, however, two groups are vulnerable to Muslim evangelism. In 1995 there were some 4 million Muslims in France, 1.9 million in Germany, and 1.5 million in the UK, accounting for 7 percent, 2.4 percent, and 2.7 percent of the overall populations respectively. In 1998 7 percent of babies born within the European Union were Muslim; in Brussels it was as much as 57 percent. This growth comes primarily through immigration and a high birth rate. It is difficult to estimate accurately the total number of Muslims in the United States and the rest of North America. Research scientist Carol Stone states that "it is still unclear how many Muslims currently reside in America...because of a lack

³². Patrick Johnstone, *Operation World* (Grand Rapids: Zondervan, 1993), 183; Miller, 396–400.

³³. Ibid.

³⁴. J. Dudley Woodberry, "Musicological Issues in the Encounter with Emerging Islam," from *The World of Islam CD* (Colorado Springs: Global Mapping International, 2000).

³⁵. Sami A. Shama, "Islam: The Image Question," *Islamic Horizons*, March–April, 1998, 30.

of reliable information about Muslims in this country.” There are several main reasons why this is so. First, for the past 50 years the United States government (unlike some countries) has not included questions about religious affiliation in its census. Dr. James Dretke, executive director of the Zwemer Institute, states that a second factor “is the fact that Muslims do not join mosques as Christians join churches, so it is impossible to count them from membership rolls.” Roland Miller gives a third reason: Religious statistics are notoriously difficult to compile because of affiliation questions and reporting problems.

Muslim statisticians routinely give higher figures. Nevertheless, both Christian and Muslim sources assert that Islam is the fastest growing religion in the United States³⁶ the *Yearbook of American and Canadian Churches 2000* gives the figure of 3,950,000 Muslims in America today. *Islamic Horizons* states that there are eight to ten million Muslims in North America. The most common figure cited (the statistic the United States government regularly uses) is about six million. The largest concentrations of Muslims are in California, New York, and Illinois with an estimated 400,000 in the Chicago area. While specific figures may be debated, what cannot be debated is the phenomenal growth of Islam. According to United Nations statistics, the Muslim population in the United States grew by 25 percent between 1989 and 1998. In 1990 there were only about 50 Islamic schools in America. Today the number is over 200. Since about 1990 the number of “registered Islamic centers and mosques” has tripled to “more than 2,500.”

Muslim Population in the United States: Total Muslim population of the united states of America Estimates range from 2.5 million to 7 million. Largest Muslim populations in California, New York, Illinois, New Jersey, Indiana, Michigan, Virginia, Texas, Ohio, and Maryland. A. According to an academic review of

³⁶. Edward Gilbreath, “How Islam Is Winning Black America,” *Christianity Today*, 3 April 2000, 52–53; Stone, 25; and Zoba, 40; Ilyas Ba-yunus, “Unifying Muslim North America,” *Islamic Horizons*, May–June, 2000, 20

available survey-based data in 2001, informed by information provided by Muslim organizations and mosques, the highest reasonable total number of Muslims in the United States is 2.8 million's more realistic number, supported by statistically significant survey data comparable to what has been used to calculate the sizes of other religious groups, is less than 2 million Muslims in the United States, or about 0.5% of the total population. Estimates of the U.S. Muslim population of 6 million, 8 million, 10 million or more may indeed be correct, but are not supported by empirical data. Such numbers may best be understood as "spiritual" numbers, rather than actual numbers. By 1800, some 500,000 Africans arrived in what became the United States. Historians estimate that between 15 to 30 percent of all enslaved African men, and less than 15 percent of the enslaved African women, were Muslims. These enslaved Muslims stood out from their compatriots because of their "resistance, determination and education".

Three categories of Muslims in USA

1. Immigrants;
2. American converts/reverts to Islam; and
3. Those born to the first two groups as Muslims.

The immigrant population of the United States is relatively easy to document because the Immigration and Naturalization Service, the Census Bureau, and other government agencies have been keeping records of immigrants. Modern Immigration by Muslims: Small-scale migration to the U.S. by Muslims began in 1840, with the arrival of Yemenites and Turks, and lasted until World War I. Most of the immigrants, from Arab areas of the Ottoman Empire, came with the purpose of making money and returning to their homeland. However, the economic hardships of 19th-Century America prevented them from prospering, and as a result the immigrants settled in the United States permanently.

These immigrants settled primarily in Dearborn, Michigan; Quincy, Massachusetts; and Ross, North Dakota. Ross, North Dakota is the site of the first documented mosque and Muslim Cemetery, but it was abandoned and later torn down in the mid 1970s. A new mosque was built in its place in 2005. 1906 Bosnian Muslims in Chicago, Illinois, started the Jamaat al-Hajrije (Assembly Society; a social service organization devoted to Bosnian Muslims). This is the longest lasting incorporated Muslim community in the United States. They met in coffeehouses and eventually opened the first Islamic Sunday School with curriculum and textbooks under Imam Kamil Avdih (a graduate of al-Azhar and author of *Survey of Islamic Doctrines*).

1907 Lipka Tatar immigrants from the Podlasie region of Poland founded the first Muslim organization in New York City, the American Mohammedan Society. 1915, what is most likely the first American mosque was founded by Albanian Muslims in Biddeford, Maine. A Muslim cemetery still exists there. 1920 First Islamic mission station was established by an Indian Ahmadiyya Muslim missionary, followed by the building of the Al-Sadiq Mosque in 1921. 1934 The first building built specifically to be a mosque is established in Cedar Rapids, Iowa. 1945 A mosque existed in Dearborn, Michigan, home to the largest Arab-American population in the U.S. Construction of mosques sped up in the 1920s and 1930s, and by 1952, there were over 20 mosques. Although the first mosque was established in the U.S. in 1915, relatively few mosques were founded before the 1960s. Eighty-seven percent of mosques in the U.S. were founded within the last three decades according to the Faith Communities Today (FACT) survey. California has more mosques than any other state. Chinese Muslims have immigrated to the United States and lived within the Chinese community rather than integrating into other foreign Muslim communities. Two of the most prominent Chinese American Muslims are the Republic of China National Revolutionary Army Generals Ma Hongkui and his

son Ma Dunjing who moved to Los Angeles, California after fleeing from China to Taiwan. Pai Hsien-yung, son of the Chinese Muslim General Bai Chongxi, is a Chinese Muslim writer who moved to Santa Barbara, California after fleeing from China to Taiwan.

Factors for Growth: In the book, *The Muslims of America*, Prof. Yvonne Haddad addresses the main factors in Islam's growth in the U.S.: "The dramatic growth of the Muslim community in the United States is a recent phenomenon, taking place primarily over the last three decades in response to changes in American immigration laws and the demands of the labor market." *Islamic Horizons* echoes this assertion: "The Muslims of North America proudly flaunt the fact that they are a people with a population over eight million and growing. These figures do not, however, highlight the fact that a vast majority of these eight million are Muslims who either came to this continent after the 1960's or are reverts [i.e., people who return to their former Muslim beliefs]."³⁷

Again, conversion has not been the major factor in Islam's growth, with two major exceptions. The first is given by Wendy Zoba in a *Christianity Today* cover story entitled "Islam, U.S.A": "Islam is gaining most of its U.S. converts in prisons and on university campuses. The majority of American converts to Islam — 85 to 90 percent are black." In addition, the number of American women who marry Muslim men and convert is estimated to be about 7000 per year.³⁸

African-Americans make up an estimated 42 to 45 percent of the Muslims in America. Carl Ellis places the actual number of African-American Muslims at 2.6 million. Of these, only 18,000 to 20,000 are members of Louis Farrakhan's

³⁷. Muzammil H. Siddiqi, "Learning from History," *Islamic Horizons*, March–April 1418/1998, 6, It is conservatively estimated there are about 35,000 Muslim immigrants yearly. Poston, 16, 33.

³⁸. Dretke, 4. According to Dretke, this statistic is mitigated by the fact that many of these women revert back to their Christian roots when their children get older (i.e., above 7 or 8 years old). Also, cf., Zoba, 42

organization, the Nation of Islam. Christians may wish they could say that Islam and Christianity were two complementary faiths; two alternate paths to salvation. In reality, their foundational teachings are diametrically opposed. For Muslims “it is an article of faith that Islam is guidance for humanity,”³⁹ and they are commanded to do all they can to spread their faith. Islam denies the Trinity, the deity of Christ, his death on the cross for our sins, and salvation by grace.

James Dretke expresses the Christian attitude very well: “For Christians who take seriously Jesus’ Great Commission in Matthew 28:18–20, it is a great thrill to see so many Muslims on our doorsteps. While we cannot easily gain entry into their countries...God has brought them to ours.”

Public Policy and Muslim Politics in America: The present discussion entails the concepts of identification and representation relative to the American Muslim community in the United States. This discussion is one of the few that most Americans will read where Muslims are representing themselves.

American Muslims are often represented by non-Muslims, rather than representing themselves. For example, Americans learn about Islam not from Muslims but from non-Muslims, who are either hostile to Muslims or those who are more sympathetic to Muslims. When one hears the words “American Muslim” or “Islam” Perhaps one thinks of monotheism, eschatology, prophecy, scripture, prayer, fasting, meditation, or law. After all, these are the most important issues that make up the Weltanschauung of a Muslim. However, as American Muslims begin new century as natives of the United States, they are going through a process of self-identification and representation that will affect American public policy and political participation. The present American Muslim community is a montage of ethnic, racial, and ideological potpourri.

³⁹. Abidullah Ghazi, “Reaching Out with the Guidance for Humanity,” *Islamic Horizons*, September–October, 1999, 33

The Muslim community is significantly different than it was 20 years ago. Today it is almost impossible to make any generalizations about the Muslim community, except that most Muslims believe in one God. Today, members of the American Muslim community come from all walks of life. Whether they are immigrants, indigenous Americans, or converts, all are brothers and sisters in this unique theistic experience. Along ethnic lines, Muslims consist of Chinese, Malaysians, Indonesians, Indians, Bosnia's, Arab, Persian, Turkish, African, Hispanic, European, and of course American. Professionally speaking you will find Muslims that are teachers, administrators, business persons, entrepreneurs, physicians, scholars, lawyers, factory workers, nurses and homemakers. All of them making their own contribution to America's future. This dynamic community is unified by a common faith: the belief in God who is the cornerstone and foundation of the Islamic worldview. Notwithstanding the theological unity among Muslims, there are differences in many areas, including but not limited to, historical sectarian divides, gender relationships, the viability of the madhabs or legal schools of thought, the parameters of the shari'a in American life, and of course participation in the political process. In the realm of politics, the rise of the Christian right in American politics has caused a great deal of interest and discussion among American Muslims. Spirituality is of great importance for a Muslim. Any attempt to impede or limit the relationship between human beings and its Creator is of concern to Muslims. At the same time, however, Muslims are not comfortable with one dominant monolithic religious expression whether it is Christianity or Judaism. This presents a dilemma when it comes to the electoral process. For example, a political party or personality who advocates a platform where God and religion are openly appreciated in American society may at the same time advocate tougher immigration restrictions against immigrants from Muslim countries or advocate a foreign policy hostile to Muslim countries. On the other hand, a party that is more open to Muslim participation may promote social values that deeply troubles the

Muslim consciousness. The role of jurisprudence has been the core of the intellectual heritage of Islamic civilization. For centuries, legal scholars played the most significant role in the life of Muslim societies. The method of prayer, etiquette, marriage, commerce, crimes and punishment are all subsumed under Islamic jurisprudence or shari'a. The role of the shari'a in the life of the Muslim is as significant as the role of the church in Catholicism. American Muslims face three cultural crises: 1. The crisis of racial, ethnic, and religious identity; 2. The crisis of political participation, and 3. The crisis of ethics. As far as identity is concerned, the next issue of concern for American Muslims is the area of morality and ethical behavior. Here we have a paradox for the American Muslim. While secularism in one sense is good for Muslims, a society devoid of God and religion can be spiritually suffocating. The benefit of American secularism is that American Muslims' right to practice Islam is protected, preserved and even enhanced. On the other hand, libertarianism with its relativistic vision of life is quite disturbing and unhealthy for Muslims. Continuing some aspect of the foregoing discussion explores two specific issues:

1. Whether Muslims' focus on politics is justified, and 2. Whether it is legitimate for Muslims to participate in American politics according to the principles of Islamic jurisprudence or Sharia. In the discussion of Muslims living in non-Muslim lands, the traditional juristic method of Qiyas or reasoning by analogy is brilliantly illustrated according to the four madhabs, with particular attention paid to the Maliki School. Islamic law is not only premised on the Qur'an and Hadith, but that Qiyas (reasoning by analogy) and Ijma (scholarly consensus) have always played a significant role in the history of Islamic jurisprudence.

Official State Department Fact Sheet- about Islam in the United States: Islam is one of the fastest-growing religions in the U.S. By the year

2010, America's Muslim population is expected to surpass the Jewish population, making Islam the country's second-largest faith after Christianity.⁴⁰

The American Muslim community is a mosaic of cultures, its members having come from all of the five major continents. In fact, a recent survey showed that most Muslims are immigrants 77.6% versus 22.4% U.S. born.⁴¹ This same survey indicated that the ethnic origins of the Muslim community are as follows: 26.2% Middle East (Arab), 24.7% South Asia, 23.8% African American, 11.6% Other, 10.3% Middle East (Not Arab), 6.4% East Asia. While there are no official population figures for religious affiliation in the United States, experts estimate that there are approximately six million American Muslims. Other estimates range from four to eight million.⁴²

The Britannica Book of the Year estimated that, in mid-2000, there were 4,175,000 Muslims in the United States, 1,650,000 of who is African American in origin. An average of 17,500 African Americans converted to Islam each year between 1990 and 1995.⁴³ The earliest group of Muslims to arrive in America in significant numbers came from West Africa from 1530 to 1851, because of the slave trade. They comprised an estimated 14% to 20% of the hundreds of thousands of West Africans forcibly removed from their homelands.⁴⁴ The next sizable number of Muslims immigrated to the United States during the early 20th century. They came from Lebanon, Syria and other countries across the Ottoman Empire.⁴⁵ The post-World War II era, during the 1960s and '70s, saw the third substantial wave of immigrants from all parts of the Islamic world.

⁴⁰. Carla Power, "The New Islam," *Newsweek*, March 16, 1998, p. 34.

⁴¹. Zogby International, August 2000, Survey commissioned by the American Muslim Council.

⁴². Estimates vary widely for all the figures quoted throughout this fact sheet. In terms of overall population, M.M. Ali reports that there are 6 to 8 million Muslims in America in *The Washington Report on Middle East Affairs*, May-June 1996, p. 13.

⁴³. Encyclopedia Britannica. "Religious Adherents in the United States of America." On Britannica.com, www.britannica.com.

⁴⁴. Edward L. Queen, III, Stephen R. Prothero, and Gardiner Shattuck, Jr. *The Encyclopedia of American Religious History*. (New York: Facts on File, 1996), p. 319

⁴⁵. *Ibid.*, p. 320

This wave included large numbers of Muslims who came to study at American universities.⁴⁶ Approximately a third of American Muslims live on the East Coast (32.2%), 25.3% live in the South, 24.3% in the Central/Great Lakes Region, and 18.2% in the West⁴⁷ There are nearly 2000 mosques nationwide as well as numerous Islamic day schools and Sunday and weekend schools.⁴⁸

Muslims Contributions to America: Historical evidence suggests that there were Muslims within the original, native, Amery-Indian community and that the first group of immigrant Muslims reached the Americas in 1312 (180 years before Columbus). From Mali and other parts of West Africa, Muslim explorers arrived via the Gulf of Mexico for exploration of the American interior, using the Mississippi River as their access route. Abubakri was one of the first to set sail to America from Africa (according to "ĒœMuslims in America' by Amir Nashid Ali Muhammad). In 1492 when Columbus arrived here, he was strongly influenced by the writings of 13th century Arab geographer Al-Idrissi, who served as an advisor to King Roger of Sicily. Columbus arrived with Al-Idrissi's book and Muslim captains, crews, and translators. He had two Muslim captains: Martin Alonso Pinzon and his brother Vicente Yanex Pinzon. The Pinzon family was related to Abuzayan Muhammad III, the Moroccan Sultan of Marinid dynasty (1196-1465) (ibid).Columbus himself admitted in his papers that while his ship was sailing near Gibara on the northeast coast of Cuba, he saw a mosque on top of a beautiful mountain. Ruins of mosques and minarets with inscriptions of Qur'anic verses have been discovered in Cuba, Mexico, Texas, and Nevada. A historian, Dr. Berry Fell, in his books "Saga America", provided evidence of early presence of Muslims in America. The Muslim country of Morocco was the first to recognize and acknowledge America's

⁴⁶. Ibid.

⁴⁷. Zogby International, Ibid

⁴⁸. Omar Khalidi, "Mosque," In Wade Clark Roof, *Contemporary American Religion*. (New York: Macmillan, 2000). and Yvonne Haddad, "Islam in the United States: A Tentative Ascent; A Conversation," *U.S. Society and Values: The Religious Landscape of the United States*, March 1997. Source: US State Department

independence in 1777. Morocco was the first nation to sign a peace treaty in 1786 with America, followed by Algeria in 1795, Tripoli in 1796, Tunis in 1797, and Muscat (Oman) in 1833. All the earliest signatories were Muslim countries. During 1788 to 1789, President George Washington exchanged letters with the Sultan Mohammad III about peace and! Asked the Sultan to plead with authorities in Tunis and Tripoli to obtain the right of free navigation for American ships in the Mediterranean. In this way, American ships entered the sea with the support of Muslims. There are hundreds of examples of contributions of Muslim immigrants to building the nation in all spheres of American life; here are just a few: The United States Cavalry hired a Muslim by the name of Hajj Ali to experiment with breeding and raising camels in the deserts of Arizona. Hajj Ali came from Syria in the mid 1850's, and in 1868 he went to work prospecting and scouting for the government. He was given the quaint, American nickname 'Hi Jolly' as he became a local folk hero in Quartzsite, AZ, where he died in 1902. His tombstone is a stone pyramid with a camel on top of it (according to 'Muslims in America' by Amir Nashid Ali Muhammad). An African immigrant Muslim, Muhammad Ali Ben Said (1833-18820), joined the 55th Regiment of Massachusetts Colored Volunteers. Serving in Company 1, Muhammad rose from corporal to sergeant by July 16, 1863. In 1875, the wave of Muslim immigrants started coming; the first small group came from Syria, Lebanon, Palestine, and Punjab (Pakistan and India). Some of the Syrian-Lebanese Arabs settled on lower Washington Street and in Brooklyn across the East River around Atlantic Avenue and South Brooklyn (ibid). The agricultural lands of America were cultivated and raised by African slaves; the original religion of most of them was Islam. African American Muslims were among the major working force in building America. Muhammad Ali, a boxer, is one of the most famous and world-recognized personalities of the twentieth century. Three times World Heavyweight Champion, Muhammad Ali increased the prestige of America. Other Muslim boxers Saad Muhammad, Eddie

Mustafa, Dwight Braxton (Muhammad Qawi Ali), for examples” have magnified the name and fame of America. Kareem Abdul Jabbar, a member of basketball Hall-of Fame, is one of the greatest basketball players of all times. Other famous Muslim basketball players are Jamal Wilkes, Walt Hazzard, Charlie Scott (Shaheed Abdul Aleem), Spencer Haywood, Hakeem Olajuwon, Mahmoud Abdul Rauf, Shareef Abdur Rahim, Larry Johnson, Tariq Abdul Wahad, and Craig Hodges. Other examples of outstanding athletes among Muslims include Ahmad Rashad, former receiver for the Minnesota Vikings and now a national sportscaster; Abdus-Salam, a former tackle for the New York Jets; Raghib (Rocket) Ismail, a receiver for L.A. Raiders; Salaam, a running back for Chicago Bears; Karim Abdul Jabbar of the Miami Dolphins; Efram Salaam of the Atlanta Falcons; and Mustapha Muhammad of the Colts. Abdul Hakeem Muhammad, a computer scientist with the IRS, won the "Department of the Army Commander's Award for Civilian Service" for his work in the field of computers open system standards and technical architectural environment. This is one of the highest, most rare, and unusual Congressional awards won by an IRS employee. Dr. Fazlur Rahman, Khan, a Bangladeshi Muslim immigrant, and outstanding architect, designed Chicago's John Hancock Center in 1970, the One Shell Plaza in Houston in 1971, and the Sears Tower in Chicago in 1973. El-Hajj Malik el-Shabbaz (Malcolm X) was a leader of international fame, and his legacy continues to influence Americans today. There have been dozens of famous Muslims in Jazz music, arts, and other entertainment fields, and American Muslim contributions are visible in every walk of life from the most sensitive and military areas to more common jobs. Presently, there are more than 5,000 Muslims in uniform on active duty in the military. A Pakistani American in uniform, Azhar Mahmood, recently died in the War in Iraq and is now buried in Long Island, New York. American Muslim women are also adding their names to the list of distinguished inventors, scientists, engineers, etc. Among them is Lubna Ahmad, a young biomedical engineering student who recently

invented a noninvasive sensor for obesity and diabetes management. In the First World War, Muslim states were allied with America, even against the Muslim State of Turkey. In the Second World War, Muslims were again allied with the US, with all their political, economic, and military resources. In the Cold War with the Soviet Union, Muslim states were allies of America. Pakistan, Iran, and Turkey were the front line states against the Soviet Union; they were vulnerable and exposed to the danger of nuclear assault of the enemy. Till now, US military bases were all over the Muslim world, allied with America. Since 1945, all the natural resources of the Muslim World have been at the disposal of American companies. Presently, only one Muslim country, Saudi Arabia, has an investment in America that is more than one trillion dollars. At the society level, Muslims have the lowest divorce rate, lowest abuse rate, lowest domestic violence, lowest criminal percentage, and Islam gives a model for an ideal family. Muslims, making up the second largest religious minority of the country, contribute moral values to the society and thus reduces the crime rates. Masjid (mosques) plays a great role in minimizing crime, drug usage, and other social evils. Muslims living in America have helped create a bridge between America and the most resourceful Muslim worlds. In a nutshell, Muslims in America were always an asset and never a liability. They are always well-wishers and benefactors of America. Any nation that, instead of rewarding its benefactors, begins punishing them instead invites the wrath of God. I request that all citizens of America stand with Muslims in these difficult times and differentiate between lies and truths so that together we may build a better America based on truth, justice, and a Godly American dream.⁴⁹

⁴⁹. Jawed Anwar, Editor in Chief, Muslims Weekly, www.muslimsweekly.com

According to some most popular research organization Muslims are below

Pew Research Center	2.5 million (2009)
Encyclopedia Britannica	4.7 million (2004)
U.S. News & World Report	5 million+ (2008)
Council on American-Islamic Relations (CAIR)	7 million (2010)

About how many Muslims live in the U.S. These estimates have been controversial, with a number of researchers being explicitly critical of the survey methodologies that have led to the higher estimates. Others claim that no scientific count of Muslims in the U.S. has been done, but that the larger figures should be considered accurate. Some journalists have also alleged that the higher numbers have been inflated for political purposes. On the other hand, some Muslim groups blame Islam phobia and the fact that many Muslims identify themselves as Muslims, but do not attend mosques for the lower estimates.⁵⁰ According to a 2007 religious survey, 72% of Muslims believe religion is very important, which is higher in comparison to the overall population of the United States at 59%. The frequency of receiving answers to prayers among Muslims was, 31% at least once a week and 12% once or twice a month. Nearly a quarter of the Muslims are converts to Islam (23%), mainly native-born. Of the total who has converted, 59% are African American and 34% white.

Previous religions of those converted was Protestantism (67%), Roman Catholicism (10%) and 15% no religion. Mosques are usually explicitly Sunni or Shia. There are 1,209 mosques in the United States and the nation's largest mosque, the Islamic Center of America, is in Dearborn, Michigan. It caters mainly to the Shi'a Muslim congregation; however, all Muslims may attend this mosque. It was rebuilt in 2005 to accommodate over

⁵⁰ *U.S. Muslim population*; The Pittsburgh Post-Gazette. 28 October 2001

3,000 people for the increasing Muslim population in the region. In many areas, a mosque may be dominated by whatever group of immigrants is the largest. Sometimes the Friday sermons, or khutbas, are given in languages like Urdu, Bengali or Arabic along with English.

Areas with large Muslim populations may support a number of mosques serving different immigrant groups or varieties of belief within Sunni or Shi'a traditions. At present, many mosques are served by imams who immigrate from overseas, as only these imams have certificates from Muslim seminaries. The influence of the Wahhabi movement in the US has caused concern.⁵¹ Approximately half (50%) of the religious affiliations of Muslims is Sunni, 16% Shia, 22% non-affiliated and 16% other/non-response.⁵² Muslims of Arab descent are mostly Sunni (56%) with minorities who are Shia (19%). Pakistanis (62%) and Indians (82%) are mainly Sunni, while Iranians are mainly Shia (91%). Of African American Muslims, 48% are Sunni, 34% are unaffiliated, 2% Shia, the remaining are others. In 2005, according to the New York Times, more people from Muslim countries became legal permanent United States residents nearly 96,000 than in any year in the previous two decades. In addition to immigration, the state, federal and local prisons of the United States may be a contributor to the growth of Islam in the country.

J. Michael Waller claims that Muslim inmates comprise 17-20% of the prison population, or roughly 350,000 inmates in 2003. He also claims that 80% of the prisoners who "find faith" while in prison convert to Islam. [These converted inmates are mostly African American, with a small but growing Hispanic minority.

⁵¹. Schumer: Saudis Playing Role in Spreading Main Terror Influence in United States; United States Senator Charles Schumer's Archived, 10/6/2007

⁵². Alexei Alex. *Terrorism: Growing Wahhabi Influence in the United States*. 15/6/2007, www.usccr.gov

Waller also asserts that many converts are radicalized by outside Islamist groups linked to terrorism, but other experts suggest that when radicalization does occur it has little to no connection with these outside interests. Muslims in the United States have increasingly contributed to American culture; there are various Muslim comedy groups, rap groups, Scout troops and magazines, and Muslims have been vocal in other forms of media as well.

U.S. Immigrant & non immigrant Muslim population table by Percentage

Ethnic Group	Total (1990)	%	Definition of Terms
South Asians	1,220	24.4%	South-Asians: Those of Indian/Pakistani, Bangladeshi, Sri Lankan, or Afghan descent now residing in the United States as citizens or permanent residents.
Arabs	620	12.4%	Arabs: People from Arabic-speaking countries of the Middle East and North Africa who are permanent residents or citizens of the United States
Africans	260	5.2%	Africans: People from the African continent who are citizens or permanent residents of the United States
Iranians	180	3.6%	Iranians: People of Persian descent, usually from Iran, who are citizens or permanent residents.
Turks	120	2.4%	Turkish: People of Turkish descent who are citizens' or permanent residents.
South East Asians	100	2.0 %	South East Asians: People of Thailand, Malaysia, Indonesia, Indochina, or the Philippines.

American Whites	80	1.6 %	American Whites: Those of West European descent, who are native to the United States.
East Europeans	40	0.8 %	East Europeans: People from various regions of Eastern Europe.
Other	280	5.6%	Other: All other groups.
Totals	5,000	100	

Muslim Populations Table: State Basic

States	Total Muslim	Total Muslims %	Total State Population %
California	1,000	20.0	3.4
New York	800	16.0	4.7
Illinois	420	8.4	3.6
New Jersey	200	4.0	2.5
Indiana	180	3.6	3.2
Michigan	170	3.4	1.8
Virginia	150	3.0	2.4
Texas	140	2.8	0.7
Ohio	130	2.6	1.2
Maryland	70	1.4	1.4

Estimates under column 2 have been rounded to the nearest seven numbers.

U.S. Muslim populations by some Projects Reports

Mosque Study Project	6 to 7 millions.
2001 Britannica Book of the Year	4.1 millions.
National Opinion Research Center	1.5 To 3.4 millions.
CUNY Religious Identification Survey	2.8 millions.

2 million Muslims, give or take a few hundred thousand" appears to be America's most accurate number for now.⁵³

President Barrack Obama in a 2009 speech

President Barrack Obama delivered the speech that he's been promising since last year's (2008) election campaign aiming to set a new tone in America's often-strained dealings with the world's 1.5 billion Muslims. President Obama in a 2009 speech in Egypt stated that there were nearly 7 million Muslims in the US.⁵⁴ This would make Islam the second most popular religion in the US after Christianity. Such estimates were accepted by media for some time, but any empirical basis for these higher numbers is not documented.⁵⁵

American Populace's Views on Islam: American views of Islam were influenced by favorable Enlightenment writings from Europe, as well as Europeans who had long warned that Islam was a threat to Christianity and republicanism.⁵⁶ Nationwide survey conducted in 2003 by the Pew Research Center and the Pew Forum on Religion and Public Life reported that the percentage of Americans with an unfavorable view of Islam increased by one percentage point between 2002 and 2003 to 34%, and then by another two percentage points in 2005 to 36%. At the same time the percentage responding that Islam was more likely than other religion to encourage violence fell from 44% in July 2003 to 36% in July 2005. The July 2005 Pew survey also showed that 59% of American adults view Islam as "very different from their religion," down one percentage point from 2003. In the same survey 55% had a favorable opinion of Muslim Americans, up four Percentage points from 51% in July 2003. A December

⁵³. Howard Fienberg and Iain Murray, *Christian Science Monitor*, 29 November

⁵⁴. White House Press Release, *President Address at Cairo University*, 6/4/09. www.whitehouse.gov

⁵⁵. Smith, Tom W. Estimating; *The Muslim Population in the United States*. www.cloud9.norc.uchicago.edu.

⁵⁶. Charles D. Russell, "Islam as a Danger to Republican Virtue: Broadening Religious Liberty in Revolutionary Pennsylvania," *Pennsylvania History*, Summer 2009, Vol. 76 Issue 3, pp 250-275

2004 Cornell University survey shows that 47% of Americans believe that the Islamic Religion is more likel.

Responses of Islam: United Nations report: A 1998 United Nations report on "Civil and Political Rights, including Freedom of Expression" in the United States sharply criticized the attitude of the American media, noting "very harmful activity by the media in general and the popular press in particular, which consists of putting out a distorted and indeed hate-filled message treating Muslims as extremists and terrorists", adding that "efforts to combat the ignorance and intolerance purveyed by the media, above all through preventive measures in the field of education, should be given priority."⁵⁷ International Institute of Islamic Thought Director of Research Louay M. Safi has questioned the motives of several noted critics, stating that members of the "extreme right" are exploiting security concerns to further various Islam phobic objectives.⁵⁸

Statement	Agree	Disagree
Muslims in the United States are as loyal to the U.S. as they are to Islam	40%	32%
Muslims do not condone violence	63%	
Qur'an does not condone violence	40%	28%
Muslim culture does not glorify suicide		41%
Concern about Islamic radicals		54%
Support wiretapping by FBI		52%
American Muslims more "peaceable" than non-American ones	52%	7%
Muslims are unfairly targeted by law enforcement	38%	52%
Oppose mass detentions of Muslims	60%	25%
Believe most are immigrants		52%
Would allow son or daughter to date a Muslim		64%

⁵⁷. *United Nations Report* ; E /CN.4/1999/58/Add.1

⁵⁸. Louay M. Safi, *Will the Extreme Right Succeed: Turning the War on Terror into a War on Islam*; A Media Monitors of USA, 29 December 2005

Muslim students should be allowed to wear headscarves	69%	23%
Would vote for a qualified Muslim for political office	45%	45%

American Muslims' Views of the United States

In a 2007 survey titled *Muslim Americans: Middle Class and Mostly Mainstream*, the Pew Research Center found Muslim Americans to be largely integrated, happy with their lives, and moderate with respect to many of the issues that have divided Muslims and Westerners around the world. 47% of respondents said they considered themselves Muslims first and Americans second. However, this was compared to 81% of British Muslims and 69% of German Muslims, when asked the equivalent question. A similar disparity exists in income; the percentage of American Muslims living in poverty is 2% higher than the general population, compared to an 18% disparity for French Muslims and 29% difference for Spanish Muslims. Politically, American Muslims were both pro-larger government and socially conservative. For example, 70% of respondents preferred a bigger government providing more services, while 61% stated that homosexuality should be discouraged by society. Despite their social conservatism, 71% of American Muslims expressed a preference for the Democratic Party. The Pew Research survey also showed that nearly three quarters of respondents believed that American society rewards them for hard work regardless of their religious background.⁵⁹

Statement	U.S. Muslim	General public
Agree that one can get ahead with hard work	71%	64%
Rate their community as "excellent" or "good"	72%	82%
Excellent or good personal financial situation	42%	49%

⁵⁹. VOA (*Voice of America*) News, 1 June 2007

Satisfied with the state of the U.S.	38%	32%
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-----Source-⁶⁰

MUSLIM ORGANIZATION, MOSQUES, ISLAMIC CENTERS & MUSLIM SOCIAL LIFE IN AMERICA

One of the largest Islamic organizations is the Islamic Society of North America (ISNA) which says that 27% of mosques in US are associated with it. ISNA is an association of immigrant Muslim organizations and individuals that provides a common platform for presenting Islam. It is composed mostly of immigrants. Its membership may have recently exceeded ASM, as many independent mosques throughout the United States are choosing to affiliate with it. ISNA's annual convention is the largest gathering of Muslims in the United States. The second largest is the community under the leadership of W.Deen Mohammed or the American Society of Muslims with 19% of mosques, mostly African-Americans having an affiliation with it. It was the successor organization to the Nation of Islam, once better-known as the Black Muslims. The association recognizes the leadership of Warith Deen Mohammed. This group evolved from the Black separatist Nation of Islam (1930–1975). The majority of its members are African Americans. This has been a twenty-three year process of religious reorientation and organizational decentralization, in the course of which the group was known by other names, such as the American Muslim Mission, W.Deen Mohammed guided its members to the practice of mainstream Islam such as salah or fasting, and teaching the basic creed of Islam the Shahadah. The third largest group is the Islamic Circle of North America (ICNA). ICNA describes itself as a non-ethnic, open to all, independent, North America-wide, grass-roots organization. It is composed mostly of immigrants and the children of immigrants. It is growing as various independent mosques throughout the United States join and also may be larger

⁶⁰. *Pew Research Center, USA, 22 May 2007*

than ASM at the present moment. Its youth division is Young Muslims. The Islamic Supreme Council of America (ISCA) is a small organization representing Sufi teachings, which, according to adherents, is the inner, mystical dimension of Islam. The ISCA's stated aims include providing practical solutions for American Muslims, based on the traditional Islamic legal rulings of an international advisory board, many of whom are recognized as the highest ranking Islamic scholars in the world. ISCA strives to integrate traditional scholarship in resolving contemporary issues affecting the maintenance of Islamic beliefs in a modern, secular society. It has been linked to neoconservative thought. The Islamic Assembly of North America (IANA) is a leading Muslim organization in the United States. According to its website, among the goals of IANA is to "unify and coordinate the efforts of the different dawah oriented organizations in North America and guide or direct the Muslims of this land to adhere to the proper Islamic methodology." In order to achieve its goals, IANA uses a number of means and methods including conventions, general meetings, dawah-oriented institutions and academies, etc. IANA folded in the aftermath of the attack of September 11, 2001 and they have reorganized under various banners such as Texas Dawah and the Almaghrib Institute. The Muslim Students' Association (MSA) is a group dedicated, by its own description, to Islamic societies on college campuses in Canada and the United States for the good of Muslim students. The MSA is involved in providing Muslims on various campuses the opportunity to practice their religion and to ease and facilitate such activities. MSA is also involved in social activities, such as fund raisers for the homeless during Ramadan. The founders of MSA would later establish the Islamic Society of North America and Islamic Circle of North America. The Islamic Information Center (IIC) (IIC) is a "grass-roots" organization that has been formed for the purpose of informing the public, mainly through the media, about the real image of Islam and Muslims. The IIC is run by chairman (Hojatul-Islam) Imam Syed Rafiq Naqvi, various

committees, and supported by volunteers. Muslim Congress is another National Muslim Organization. It is primarily a Social Welfare organization and runs many social projects, including Food Distribution to the homeless in their "No More Hunger" project and also provides Scholarship. It is under the leadership of Islamic Scholars. Ahmadiyya Muslim Community is the oldest Muslim community to establish itself in the country in 1921, pre-dating Nation of Islam. This sect, however, is considered heretical by mainstream Muslims and not considered a part of the Ummah, or worldwide community of Muslims.

Muslim political organizations: Muslim political organizations lobby on behalf of various Muslim political interests. Organizations such as the American Muslim Council are actively engaged in upholding human and civil rights for all Americans. The Council on American-Islamic Relations (CAIR) is the United States largest Muslim civil rights and advocacy group, originally established to promote a positive image of Islam and Muslims in America. AIR is the voice of mainstream, moderate Islam on Capitol Hill and in political arenas throughout the United States.

It has repeatedly condemned acts of terrorism and has been working in collaboration with the White House on "issues of safety and foreign policy. The group has been criticized for alleged but unfounded links to Islamic terrorism by conservative media, and its leadership strenuously denies any involvement with such activities. The Muslim Public Affairs Council (MPAC) is an American Muslim public service & policy organization headquartered in Los Angeles and with offices in Washington, D.C. MPAC was founded in 1988. The mission of MPAC encompasses promoting an American Muslim identity, fostering an effective grassroots organization, and training a future generation of men and women to share our vision. MPAC also works to promote an accurate portrayal of Islam and Muslims in mass media and popular culture, educating the American public (both Muslim and non-Muslim) about Islam, building alliances

with diverse communities and cultivating relationships with opinion- and decision-makers.

Charity organizations: In addition to the organizations just listed, other Muslim organizations in the United States serve more specific needs. For example, some organizations focus almost exclusively on charity work. As a response to a crackdown on Muslim charity organizations working overseas such as the Holy Land Foundation, more Muslims have begun to focus their charity efforts within the United States.

Inner-City Muslim Action Network (IMAN) is one of the leading Muslim charity organizations in the United States. According to the Inner-City Muslim Action Network, IMAN seeks to utilize the tremendous possibilities and opportunities that are present in the community to build a dynamic and vibrant alternative to the difficult conditions of inner city life. IMAN sees understanding Islam as part of a larger process to empower individuals and communities to work for the betterment of humanity. Islamic Relief USA is the American branch of Islamic Relief Worldwide, an international relief and development organization. Their stated goal is "to alleviate the suffering, hunger, illiteracy and diseases worldwide without regard to color, race or creed." They focus of development projects; emergency relief projects, such as providing aid to victims of Hurricane Katrina; orphans projects; and seasonal projects, such as food distributions during the month of Ramadan. They provide aid internationally and in the United States.

Mosques, Islamic Centers & Muslim Social Life in America: Now there are more than 2500 mosques In USA⁶¹. According to a survey conducted in the latter part of the 1990s, More than 1,209 mosques and Islamic centers have existed in this country but fewer than 100 were actually designed as mosques.

⁶¹. Op.cit. Anwar Hosain Manju,

The survey revealed that most Islamic congregations in the United States began in buildings that had been constructed for other purposes fire stations, theaters, warehouses, and shops. The situation changed, however, after 1965 when the first large-scale influx of Muslims from various countries came to the United States. Mosques then began to be built for the sole purpose of ministering to the Muslim community as houses of worship and community centers. The great variety of religious diversity and ethnicity among American Muslims today is reflected in the variety of building design and organization.

The mosques in America are not only places of worship but they also serve as centers for political and social activities. Mosques played an important role in mobilizing the Muslims to register as voters and cast vote during the last presidential election since 89 percent of mosques' leaders believe that Muslims should be more involved in the political process, according to the study. Seventy percent of the Muslim population is eligible for vote and about 65% (or 3.2 million) of Muslim voters turned out in the 2000 election, according to reliable estimates. Muslims voted en bloc for George W. Bush. According to the former Congressman, Paul Findley, bloc voting marks the arrival of Muslims as a new national political power.

The Islamic Center of Washington is a mosque and Islamic cultural center in Washington, D.C., United States. It is located on Embassy Row on Massachusetts Avenue just east of the bridge over Rock Creek. When it opened in 1957 it was the largest Muslim place of worship in the Western Hemisphere. Some 6,000 people attend prayers there each Friday. The list below shows the number of facilities used by Muslims for religious activities and community affairs there are 165 Islamic Schools in the United States, of which 92 are full time. Figures here for Masjid/Islamic Centers are based on directory listings.

Figures for Masjid /Islamic Centers are based on directory listings.

Mosques/Islamic Centers	843
Islamic Schools	165
Associations	426
Publications	89

Note: The exact number of businesses owned and operated by Muslims is unavailable, but they are estimated in the thousands. These preliminary Finding represent data collected during 1986-1992⁶²



The Mother Mosque of America before & after reformation

The Mother Mosque of America, once known as The Rose of Fraternity Lodge, in Cedar Rapids, Iowa, is the first permanent structure to be built specifically to serve as a mosque in the United States. Construction was completed on February 15, 1934. This small structure served as a place of worship for Muslims for nearly forty years. When a larger local mosque, the Islamic Center of Cedar Rapids, was built in 1971, the building was sold. Successive owners over the next twenty years allowed the building to fall in to disrepair. In 1990 the Islamic Council of Iowa purchased the building, refurbished it, and restored its status as a Muslim cultural center. The effort was mainly organized by the local Muslim community led by Imam Taha Tawil and Dr. Thomas B. Irving,

⁶². Ivan Van Sertima, *African Presence in Early America*;1987, Deeper Roots by Abdullah Hakim Quick, 1990, John Zogby, *Arab America Today (A Demographic Profile of Arab Americans)*,1990

Dr. Mohammad Islami, Dr.M.Eyad Doughy, Don Singer, Albert Aossej and many others.

Although the first mosque was established in America in 1915 but only few mosques were built till 1960. Greater growth of mosques began in the 1970s and the tempo of growth continues unabated. The vast majority of mosques (87%) were found since 1970. Thirty percent of all mosques were established in the 1990s and 32% were started in 1980s. There are 1,209 mosques in America. The mosques participating in the study were founded between 1925-2000. On the ethnic diversity of the mosque attendants, the study said: South Asians, African Americans and Arabs are the dominant ethnic groups in American mosques. At the average mosque, one third (33%) of members is south Asian, 30% are African American and 25% are Arabs. Ninety percent of mosques have at least some Arab members. Only 7% mosques are attended by only one ethnic group. Almost 90% of all mosques have some South Asians, African Americans and Arabs. South Asians include Pakistani, Indian, **Bangladeshi** and Afghani. Ninety-seven percent of mosques use English as the main language, or one of the main languages, for the khutba (sermon) of Friday prayer. The few mosques that do not use English most frequently use Arabic or Urdu. Mosques have attracted Americans to embrace Islam as on average every mosque witnessed 16 conversions per year. This translates into nearly 20,000 converts nationally, the study said. Of these, about 13,000 were men, and 7,000 women. Nearly 14,000 were African American. The study concluded that slightly more than half (55%) mosques are affiliated with at least one Muslim organization while 45% of all mosques are not affiliated with any organization. Twenty-seven percent mosques are associated with the Islamic Society of North America (ISNA). The percentage has decreased from 1994 when 39% mosques were affiliated with ISNA. About one in five mosques is affiliated with the Muslim American Society (the Ministry of Imam W. Deen Mohammed). About 10% mosques are

affiliated with other organizations, including the American Muslim Turkish Association, the American Muslim Council, As-Sabiqun, and Council of American Islamic Relations.⁶³

American Islamic organizations by alphabetic order

A	F cont.
Al-Fatiha Foundation	Free Muslim Coalition Against Terrorism
American Islamic Congress	I
American Muslim Council	Islamic Center of New England
American Muslims Intent on Learning and Activism	Islamic Circle of North America
American Society of Muslims	Islamic Free Market Institute
American-Islamic Forum for Democracy	Islamic Information Center (IIC)
As-Sunnah Foundation of America	The Islamic Medical Association of North America
C	Islamic Society of North America
Center for Islamic Information and Education	Islamic Supreme Council of America
Council on American-Islamic Relations	Islamic Thinkers Society
Council on Islamic Education	Islamic-American Zakat Foundation
D	Isna convention
Dar al-Islam (organization)	L
Dream Deferred Essay Contest	Latino American Dawah Organization
	M
	Malaysian Islamic Study Group

SOME MUSLIM MEDIA (NEWS PAPERS, JOURNALS, MAGAZINES, E-MAILS WEB SITES, ORGANIZATIONS AND SOCIAL PICTURS) IN USA

Muslim WakeUp! MWU: Muslim WakeUp! Seeks to bring together Muslims and non-Muslims in America and around the globe in efforts that celebrate cultural and spiritual diversity, tolerance, and understanding

⁶³. Abdus Sattar Ghazali, www.archives2006.ghazali.net

Al-Meezan: Al-Meezan is a political, social, and cultural bi-weekly newspaper in North America. It was established to give an Islamic perspective to reporting news about Palestine and the World. Al-Meezan's sections are a variety of news reporting, opinions and editorials, and some entertaining information and articles.

The Islam Tribune: The Islam Tribune is a monthly English-language print magazine with an Internet summary, published in the United States of America, offering "World News and Islamic Views"

America's Muslim Family: America's Muslim Family Magazine is a quarterly publication designed to reach the Muslim community and those interested in understanding Islam and Muslims

Iqra Newspaper: Iqra Newspaper a quality publication that deals with today's issues from a Muslim perspective, keeping our integrity while still appealing to a diverse readership P.O. Box 571193 Houston, TX 77257 832.239.5390 USA

Islamic Studies and Research Association –ISR: The Islamic Studies and Research Association (ISRA) were founded by the grace of Allah, by Syed Zain al-Abidin in 1987, in the United States of America. Its members have worked informally through various, local, regional, and national organizations on seven

American Muslim Perspective: The American Muslim Perspective Online Magazine aspires to encourage an open dialogue and discussion, among the community leaders, activists as well as friends of the community, of the problems facing the Muslim community in America and help find appropriate

The Islamic Society of Boston: The official website for the Islamic Society of Boston (ISB). It contains information about the activities and the services offered by ISB. Also, it contains information about Islam.

The Islamic center of North America – ICNA; the Islamic center of North America

The Building Blocks of Islam: Our purpose is to unite Muslims from different masajid, break boundaries and merge efforts, so diverse talents are utilized and

various opportunities explored in the social and moral advancement of our communities. The message of Islam cannot be spread ef

American Muslim Alliance – AMA: We believe that political power is not a function of numbers alone but is a combined product of initiative, innovation and determination. We therefore need to unlock our creativity energies and transform our present pent-up frustration, anger and pain in

Islamic Speakers Bureau of New York: Islamic Speakers Bureau of New York (ISBNY) provides educational presentations, seminars & other programs to dispel myths about Islam and Muslims and to foster harmonious existence of Muslims in America.

Islamic Foundation of North America – IFNA: Islamic Foundation of North America

Imaam: IMAAM, a US non-profit, religious, charitable organization, largely serving Muslims from Indonesia in the Washington DC, Virginia, and Maryland areas.

Descubra Islam: Descubra Islam-The Islamic Society of Latino-American Muslims is a Non-Profit Religious Organization.

Chicago Muslims: Where Chicago Muslims go first

TN Muslims: A great information site about Islam and Muslims in text in Tennessee. Also, a good reference for non-Muslims who are searching about Islam, Muslims, Prophet Muhammed (pbuh), other prophets (e.g. Jesus, Mousa) and religions (Christianity, Judaism, Buddhism)

The Islamic Foundation of North America: The Islamic Foundation of North America is dedicated to creating the ideal curriculum and syllabus for the study of Islam, Arabic and Muslim-themed literature in full-time parochial schools, weekend classes and also for homeschoolers.

Al-Jumuah: Al-Jumuah is a warm, inviting, glossy monthly Islamic magazine that is written for Muslims worldwide. This leading magazine has a global

readership of 100,000. Articles include Islamic scholarship, practices, and contemporary issues. Twelve issues/year for £37.80

Islamic Horizons: Bi-monthly magazine of the Islamic Society of North America (ISNA). \$24.00/year within USA; Canadian and overseas subscriptions available.

Azizah Magazine: A unique publication focused on Muslim women in North America. Published quarterly in a heavy, glossy format. Publisher strives to be "a catalyst for empowerment." Heavy focus on successful Muslim women, their experiences and perspectives, and issues facing Muslim women throughout the world. \$30 for an annual subscription.

Muslim Girl Magazine: Launched in 2007, this publication taps into the spirit and energy of modern Muslim girls. Articles range from college/career choices to hijab fashion advice. Introductory price of \$19.99 for an annual subscription (6 issues).

Journal of Islamic Studies: The Journal of Islamic Studies is a multi-disciplinary publication dedicated to the scholarly study of all aspects of Islam and of the Islamic world. This is an academic journal; a personal subscription is 3 issues/year for \$88. Or check your local/university library.

Al-Talib Newsmagazine: Student-published magazine from the University of California, Los Angeles (UCLA). Articles may be of interest to the UCLA Muslim community as well as a general Muslim and non-Muslim audience. \$20/year

Islamic Voice: Monthly English newspaper published in India, but distributed worldwide for the past 15 years. Mostly includes news and commentary from the Muslim world.

Al-Hujjaj Magazine: South African publication focusing on Hajj (pilgrimage) travel, and the unity of Muslims that this experience strives to promote. A full color magazine printed on glossy A4 paper, with 4 issues per year. \$48 for international subscriptions.

Al-Khilafa: Daily news and comment from the site affiliated with Hizb ut-Tahrir Islamic Party.

Al-Serat; Journal of Islamic studies.

Al-Tawhid: Quarterly journal of Islamic thought and culture.

American Muslim 360: Written news and radio channel about Islam and being Muslim in America.

Azizah: Magazine "that reflects the experiences and perspectives of Muslim women living in North American society".

Daily Muslims: Muslim America's first daily newspaper online.

Emel: Magazine focuses on lifestyle from a Muslim perspective, covering everything from news and views, fashion to finance, food to gardens, education to health and a whole section dedicated to the real life stories of day to day Muslims.

Euro-Islam.infoP: Website "intends to provide continuous information and analysis on the most important cultural and religious change that Western Europe is experiencing".

Hizb ut-Tahrir Britain: Site of Islamic political party seeking to establish the Caliphate (Khilafah).

Illume Media: Provides access to Islamic resources including scholarly articles, commentaries on current affairs and coverage of community events in various regions.

Insight-Info.com: Site has been established with the aim to teach, propagate and expound Islamic thought under the three categories of beliefs, politics and social science.

International Islamic News Agency (IINA): News about the Muslim world, minorities and communities in various fields, including religion, education, culture, charity and dawa.

Islam Tribune: Online magazine published in the United States of America, offering: world news and Muslims' views.

Islamic Human Rights Commission: Provides information about human rights abuses in Muslim countries and in the West.

Islamic Voice: Magazine features Quran and modern science, guide to holistic wellbeing following Islamic teachings, Islam and comparative religions, more.

Islamic Times: Muslim newspaper reflecting the culture, lifestyle and success of British Muslims.

Iviews.com: Interactive publication focusing upon providing news and commentary on issues and events of importance to Muslims.

Kavkaz Center: International news agency covering events in the Islamic world, Chechnya and Russia.

Muslim Journal: Weekly publications for Muslim Americans. Needs a subscription.

Muslim News: Monthly newspaper providing news and views of Muslims in the United Kingdom.

Renaissance: Monthly journal "promoting research and original thinking in the light of the original sources of Islam".

Sisters: Magazine for Muslim women, providing inspiration for an Islamic life from deen and tarbiyah to food and fashion.

Southern California In Focus : Muslim newspaper in California providing news and views from an American Muslim perspective.



Archaic African American artist, Earl Sweating depicting pre-Columbus contacts between Muslims and Native Americans) & Post-9-11 Muslim gag photo of World Trade Center location.

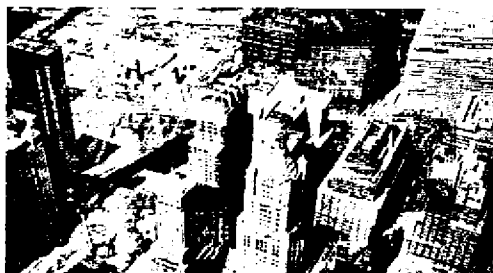
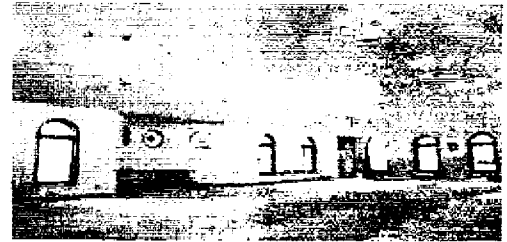
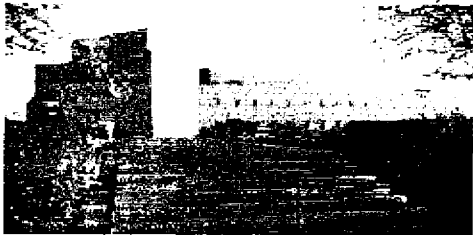


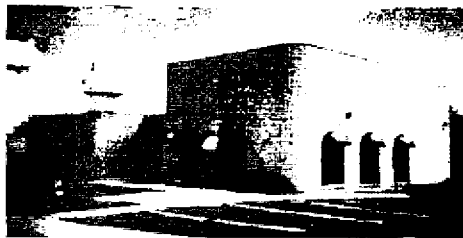
Photo of lower Manhattan taken April 20 shows proximity of proposed Islamic center (lower right corner) to the site where World Trade Center once stood (top left). Mark Lennihan/AP/File & Aerial photo of World Trade Center Ground Zero following Sept. 11 attacks. Red square to right of Ground Zero marks former Burlington Coat Factory and proposed location of Cordoba House. It should be mentioned that part of one of the hijacked planes went through the building in question. That makes it very much a part of Ground Zero.



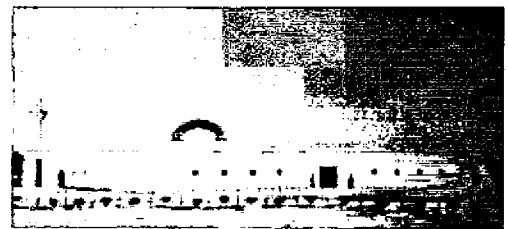
Curbside view of the Islamic Center of Evansville, Indiana. The building has elements of typical midwestern suburban architecture. (Courtesy Saudi Aramco World) & the interior space of the Islamic Center of Evansville, Indiana. (Courtesy Saudi Aramco World)



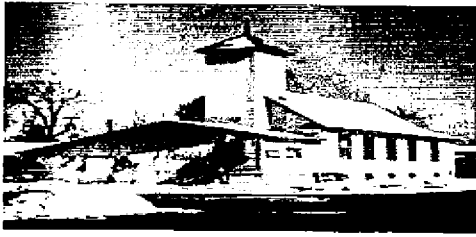
Built in 1979, The Islamic Society of North America in Plainfield, Indiana, has an austere character in which the mosque, the library and the office block form a unified scheme. (Courtesy Saudi Aramco World) & Figure: An interior view of the Mosque of the Nation of Islam in Chicago, Illinois. (Daniel Laine/CORBIS)



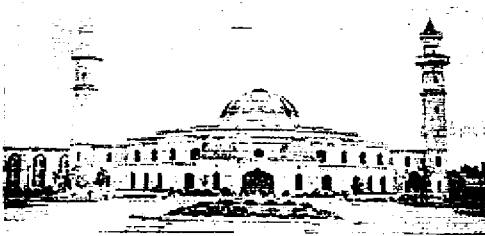
In Pullman, Washington, a traditional minaret graces this Islamic center. (Courtesy Omar Khalidi)



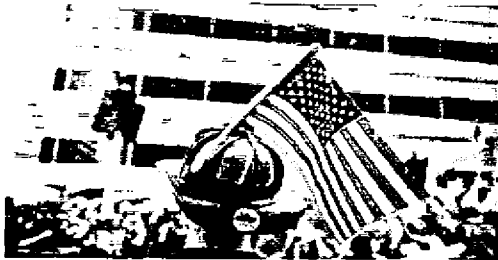
The Islamic Society of Greater Houston, Texas, built in the early '90s. (Courtesy Omar Khalidi) &: Tucson Islamic Center, Tucson, Arizona Since its completion in 1991, The Islamic Cultural Center has become a landmark in downtown New York City.



Islamic Society of Northern Wisconsin Mosque in Altoona, Wisconsin & Figure 1: Islamic Center of Washington D.C.



Islamic Center Dearborn, Michigan & Figure 2: A member of the Islamic Cultural Center of Washington, D.C., pauses after Friday services to admire the beautiful interior of traditional design. (Ken Lambert)



New York firefighters near ground zero, Hundreds rallied on both sides of the issue.

Photos by Ann Hermes / Staff Watch video: New York Muslims & Students at the academy in Sharon, Massachusetts, enjoy a moment of play before afternoon prayer.⁶⁴ The imam spearheading plans for an Islamic center near the New York City site of the Sept. 11 terror attacks said Sunday that America's sweeping constitutional rights are more in line with the true principles of Islam than the restrictions imposed by some Muslim regimes.

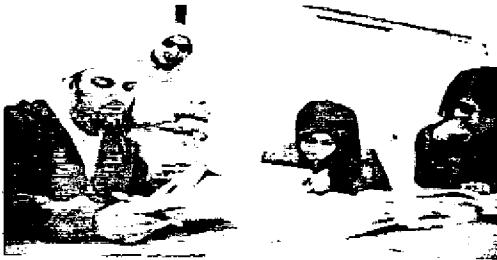


The Islamic Center of New England is a small replica of the United Nations, with more than 25 different nationalities," says Imam Talal Eid. (Boston Herald) & although in the same room, men and women pray separately during Ramadan at Sharon's Islamic Center. (Republished with permission, Globe Newspaper Company Inc.)

⁶⁴ AP/WWP: Photo

First Muslim College in America

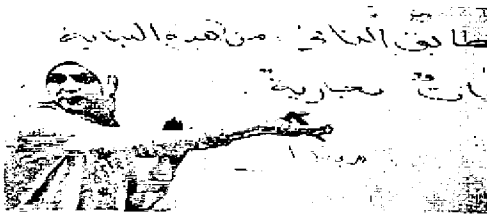
A visit to the campus reveals a pretty standard California college scene. Students walk across a sunny courtyard into classrooms, pick seats next to friends. But on this campus, the women sit on opposite sides of the auditorium from the men, who are mostly heavily bearded, heads covered in skull caps. Only one woman's hair is visible. The rest wear modest Islamic scarves.



Students (from left to right) Waqas Ahmed, Sifat Reazi and Armaan Siddiqi consult with teacher Souhad Zendah (standing).⁶⁵

The language in this classroom is Arabic. Zaytuna College is offering summer language classes in preparation for its official fall opening. The college emphasizes a rigorous general education in American history, anthropology, philosophy, literature, political science, but a major portion of its required curriculum is devoted to the study of Islam and the Koran.

"We want to manifest Islam in a way that's compatible with America," says Imam Zaid Shakir, who founded Zaytuna and is also a professor.



Teacher Souhad Zendah leads students through a lesson at Zaytuna College in Berkeley, California & Imam Feisal Abdul Rauf, executive director of the Cordoba Initiative.⁶⁶

Imam Feisal Abdul Rauf told the Al Wasat newspaper in Bahrain that the freedoms enshrined by the U.S. Constitution also reflect true Muslim values. Post-9-11 Muslim gag photo of World Trade Center location.

⁶⁵ AP: Photo

⁶⁶ Ibid



Imam Talib Abdur-Rashid of the Muslim Alliance in North America speaks at a news conference in front of the proposed Islamic center and mosque site near ground zero,⁶⁷



New York firefighters were among those who came out in late August-10 to protest the building of a Muslim center near ground zero. Hundreds rallied on both sides of the issue.⁶⁸ New York Muslims & Many Syrian families settled in New York City during the latter part of the 19th century. At left, the drawing by W. Bengough depicts everyday life and occupations in 1890 on Washington Street in Lower Manhattan in a Syrian immigrant neighborhood in the city.



President Lyndon B. Johnson signs a new immigration bill on Liberty Island in New York Harbor on October 3, 1965. (AP/WWP) & to mark the weekly Sabbath, these ethnic Albanian refugees sit on prayer rugs to celebrate Muslim prayer services outside their dining hall at Fort Dix, New Jersey,



A YouTube screen capture shows an ad by the Council on American-Islamic Relations that features Rudy, a female clinical pharmacist, talking about helping out with 'morgue duty' at ground zero in the chaotic aftermath of the 9/11 attacks.⁶⁹ & Islamic Society of Boston mosque in Roxbury

⁶⁷ AP Louis Lanzano, New York.

⁶⁸ Photos by Ann Hermes / Staff Watch video

⁶⁹ AP/WWP; May – 1999.

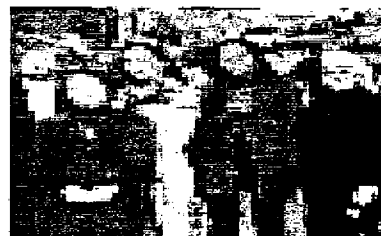


VOA - L. Shavelson Zaytuna College is offering summer language classes in preparation for its official fall opening. (Left to right) David Burkhart and Shahid Bhuiha & Muslim children in New York City supporting Park51.



Members of the Tagouri family in Charles County, Maryland, are some of the growing number of Muslims moving into more rural parts. *(Jim Blair)* & "I am basically an immigrant here, and the tolerance and support I have received myself is remarkable." --Dr. E. Zerhouni, Director, National Institutes of Health

*(AP/WWP; McCann-Erickson)*⁷⁰



Learning, Praying & other cultural Activities

PUBLIC DIPLOMACY BARRACK OBAMA AND THE ISLAMIC WORLD

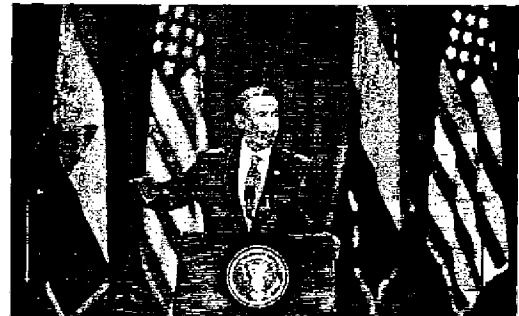
When Barack Obama became the new U.S. president, one of the primary concerns for many observers was restoring America's image in the eyes of the world. During the eight years of the Bush administration, the favorability ratings of the United States had declined dramatically. Nowhere was the U.S. image more negatively viewed than among publics.⁷¹

Obama by his very person and style represents a game changer for U.S. public diplomacy in the Islamic world. He is the son of a Muslim father from Kenya,

⁷⁰. www.infousa.state.gov

⁷¹. R.S.Zaharna, *Obama, U.S. Public Diplomacy and the Islamic World*, World Politics Review, March 16, 2009

carries the distinctly Muslim middle name of Hussein and attended school in Indonesia, the most populous Islamic country. In his inaugural address, he spoke directly to the Muslim world, raising the promise of "mutual interests and mutual respect." During his first week in office, he made a point of granting his first television interview in the White House with an Arab satellite channel and appointed two special envoys --one to handle the Palestinian-Israeli conflict and another for the Afghanistan and Pakistan area. His new secretary of state, Hillary Clinton, included Indonesia on her first international trip. Shortly after her return from Asia, she headed back out to the Middle East and the politics of the Palestinian-Israeli conflict. All of it appears refreshingly dynamic. *Houston Chronicle*" reported Obama and the Muslim World An editorial welcomes President Osama's attempt to build bridges with the Muslim countries on his recent foreign tour. While noting that the Muslim world needs to become more tolerant, the newspaper concludes that the real test will come over the Israeli-Palestinians dispute.



Barrack Obama sworn in as the 44th President of the United States & U.S. President Barack Obama speaks at Cairo University in Cairo, Egypt.⁷²

⁷². Associated Press, www.apnews.com

CONCLUSION

According to discussion as earlier it has been proved vividly that Islam is not a religion which may be confined to the Mosque and Khanqah (man making factory) as supposed to the common people like other religions as Christianity, Judaism, Hinduism, and Buddhism and so on. The Mosque and Khanqah are training center for the greater Worlds affairs of out side the Mosque. As for example, an ideal person and member for molding ideal family, society, ideal state which at last being united and unanimously mold a one ideal state and Islamic ideal globalize state not so called globalization. That is the cherished by the mankind for a long time. It would be possible only when the ideal man like Abu Bakr Siddiq (Ra) and Umar Faroque (Ra) would be emerged among the mankind. It is not unlikely that this type of ideal man the world reformer come to us in a near future. Islam is a Universal and International religion of complete code of life. It's beauties of family and beauties of social life structure spreaded far and wide even unto America and others Western countries where there are a few families and society would be found or prevailed peace and tranquility. The parents mournfully declare and consider him single father and single mother. As such Muslim community and society of American state shows how to behave with others with in Peace and tranquility; co-relation, co-living with harmony as like as entire community becoming as one body. This is actual spirit of society of Islam enunciated in the Holy Quran and Sunnah and that is wanted by the mankind of the modern age. Islam means peace and Security and Muslim means holders, bearer, preacher, establisher and peace maker and provider of peace and security among the world society. The root of Islam has spread wide and deep in the United States. Now Islam is the fastest growing religion in the world; it is the fastest growing religion in America also. The demographics also tell us on favor of these facts. According to most reports, Islam is the fastest growing religion in the world. For example, in Europe, according to United Nations statistics, between 1989 and 1998 the Islamic population grew by more than 100 percent (to about 14 million or 2

Islamic population grew by more than 100 percent (to about 14 million or 2 percent of the population).² At the current rate of growth it is estimated that Islam's population by the year 2025 will 1.9 billion (about 24 percent of the total European population).³

Muslims had actually set foot on American soil centuries before Columbus' illustrious expedition. Muslims, beginning from 650 CE, made their way to the continent for settlement, during which time they erected mosques and schools. Research conducted in the West during the twentieth century has proven the existence of Muslims on the American mainland approximately seven centuries before Christopher Columbus. Since then by organizational efforts, mediatic action, personally preacher's efforts and inspiration, Islam runs deep to deep in the United States of America day by day. The Islamic sources carry no information as regards Muslim settlement in America, although research undertaken by Professor Barry Fell of Harvard University confirms that Muslims reached the continent at the time of Uthman, the third Caliph, concomitantly indicating the significant possibility that some of the Companions could have arrived there as well. United state is very proud of the tradition they have established for religious tolerance, a tradition all are certainly well aware of. The United States of America was settled in large part by immigrants who were fleeing religious persecution in their homeland. These early statesmen felt strongly enough about their new-found freedoms that they enshrined religious tolerance in their constitution, proclaiming a separation of house of worship and state as fundamental to their Nation

-God-Speed

¹ Wendy Murray Zoba, "Islam, U.S.A." *Christianity Today*, 3 April 2000, 40.

² J.Dudley Woodberry, "Missiological Issues in the Encounter with Emerging Islam," from *The World of Islam CD* (Colorado Springs: Global Mapping International, 2000).

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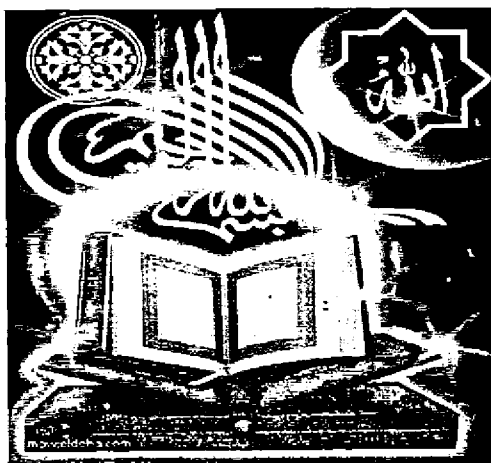
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<http://www.cfr.org>; <http://www.cfr.org>, <http://www.arabnews.com>

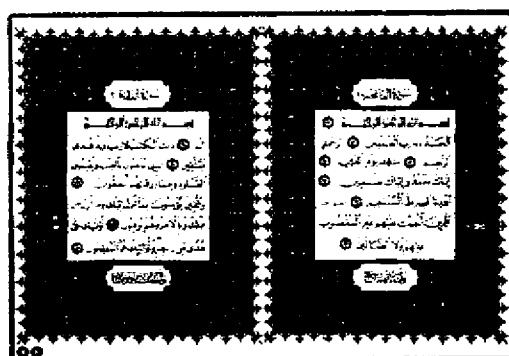
<http://www.cfr.org>, <http://www.worldpoliticsreview.com>

www.solarnavigator.net

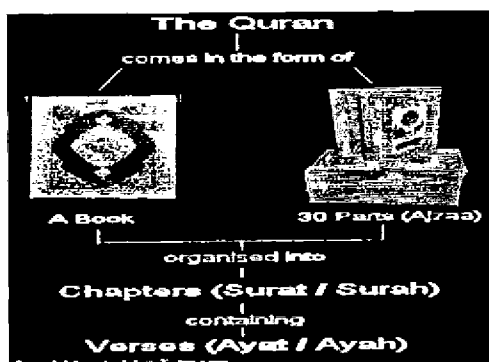
APPENDIX



The Holy Qur'an & Nur- Mountain at Macca where revealed The Qur'an First



The Holy Qur'an



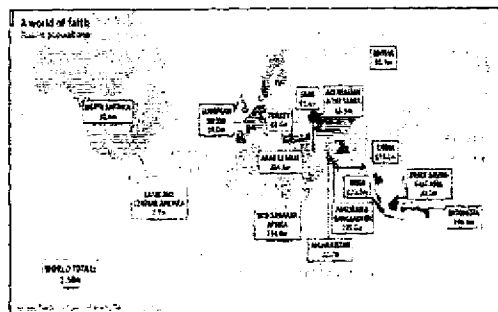
Anatomy of the Holy Qur'an

114 Suras and the Meaning of the Suras of the Holy Qur'an

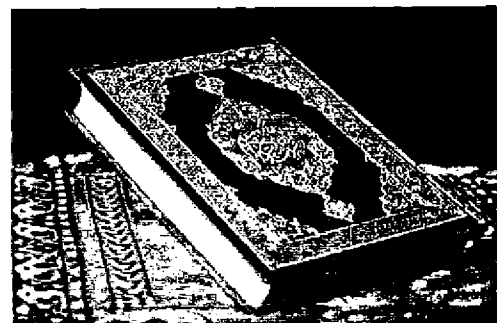
1	Al-Fatihah	the Opening
2	Al-Baqarah	the Cow
3	Aali Imran	the Family of Imran
4	An-Nisa'	the Women
5	Al-Ma'idah	the Table
6	Al-An'am	the Cattle
7	Al-A'raf	the Heights
8	Al-Anfal	the Spoils of War
9	At-Taubah	the Repentance
10	Yunus	Yunus
11	Hud	Hud
12	Yusuf	Yusuf
13	Ar-Ra'd	the Thunder
14	Ibrahim	Ibrahim
15	Al-Hijr	the Rocky Tract
16	An-Nahl	the Bees
17	Al-Isra'	the Night Journey
18	Al-Kahf	the Cave
19	Maryam	Maryam
20	Ta-Ha	Ta-Ha
21	Al-Anbiya'	the Prophets
22	Al-Haj	the Pilgrimage
23	Al-Mu'minun	the Believers
24	An-Nur	the Light
25	Al-Furqan	the Criterion
26	Ash-Shu'ara'	the Poets
27	An-Naml	the Ants
28	Al-Qasas	the Stories
29	Al-Ankabut	the Spider
30	Ar-Rum	the Romans
31	Luqman	Luqman
32	As-Sajdah	the Prostration
33	Al-Ahzab	the Combined Forces
34	Saba'	the Sabeans
35	Al-Fatir	the Originator
36	Ya-Sin	Ya-Sin
37	As-Saffah	Those Ranges in Ranks
38	Sad	Sad
39	Az-Zumar	the Groups
40	Ghafar	the Forgiver

41	Fusilat	Distinguished
42	Ash-Shura	the Consultation
43	Az-Zukhruf	the Gold
44	Ad-Dukhan	the Smoke
45	Al-Jathiyah	the Kneeling
46	Al-Ahqaf	the Valley
47	Muhammad	Muhammad
48	Al-Fat'h	the Victory
49	Al-Hujurat	the Dwellings
50	Qaf	Qaf
51	Adz-Dzariyah	the Scatterers
52	At-Tur	the Mount
53	An-Najm	the Star
54	Al-Qamar	the Moon
55	Ar-Rahman	the Most Gracious
56	Al-Waqi'ah	the Event
57	Al-Hadid	the Iron
58	Al-Mujadilah	the Reasoning
59	Al-Hashr	the Gathering
60	Al-Mumtahanah	the Tested
61	As-Saf	the Row
62	Al-Jum'ah	Friday
63	Al-Munafiqun	the Hypocrites
64	At-Taghabun	the Loss & Gain
65	At-Talaq	the Divorce
66	At-Tahrim	the Prohibition
67	Al-Mulk –	the Kingdom
68	Al-Qalam	the Pen
69	Al-Haqqah	the Inevitable
70	Al-Ma'arij	the Elevated Passages
71	Nuh	Nuh
72	Al-Jinn	the Jinn
73	Al-Muzammil	the Wrapped
74	Al-Mudaththir	the Cloaked
75	Al-Qiyamah	the Resurrection
76	Al-Insan	the Human
77	Al-Mursalat	Those Sent Forth
78	An-Naba'	the Great News
79	An-Nazi'at	Those Who Pull Out
80	'Abasa	He Frowned
81	At-Takwir	the Overthrowing
82	Al-Infitar	the Cleaving

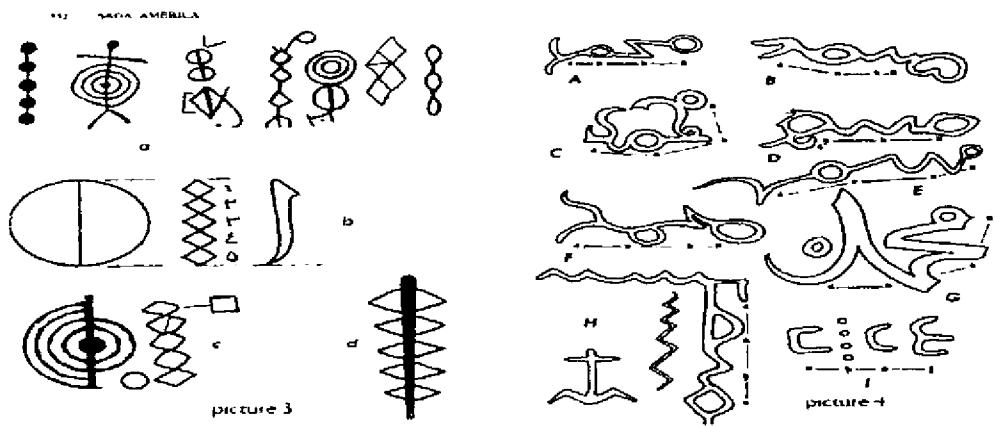
83	Al-Mutaffifin	Those Who Deal in Fraud
84	Al-Inshiqaq	the Splitting Asunder
85	Al-Buruj	the Stars
86	At-Tariq	the Nightcomer
87	Al-A'la	the Most High
88	Al-Ghashiyah	the Overwhelming
89	Al-Fajr	the Dawn
90	Al-Balad	the City
91	Ash-Shams	the Sun
92	Al-Layl	the Night
93	Adh-Dhuha	the Forenoon
94	Al-Inshirah	the Opening Forth
95	At-Tin	the Fig
96	Al-'Alaq	the Clot
97	Al-Qadar	the Night of Decree
98	Al-Bayinah	the Proof
99	Az-Zalzalah	the Earthquake
100	Al-'Adiyah	the Runners
101	Al-Qari'ah	the Striking Hour
102	At-Takathur	the Piling Up
103	Al-'Asr	the Time
104	Al-Humazah	the Slanderer
105	Al-Fil	the Elephant
106	Quraish	Quraish
107	Al-Ma'un	the Assistance
108	Al-Kauthar	the River of Abundance
109	Al-Kafirun	the Disbelievers
110	An-Nasr	the Help
111	Al-Masad	the Palm Fiber
112	Al-Ikhlās	the Sincerity
113	Al-Falaq	the Daybreak
114	An-Nas	Mankind



World of Islam



The Holy Qur'an



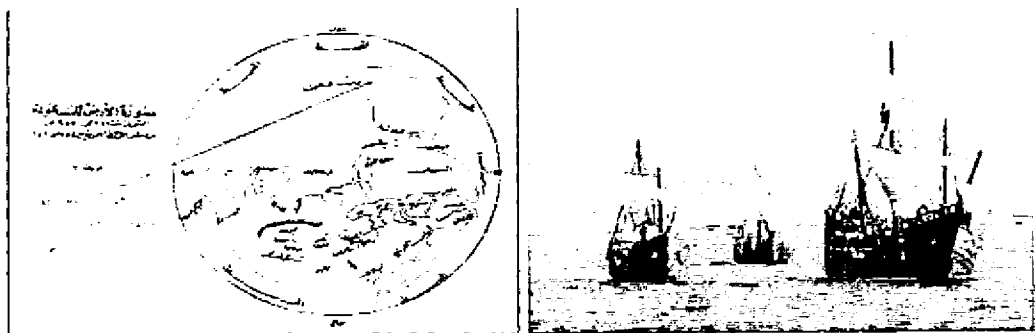
Naskhi Arabic and Cufic style-7 AD



Ninth century's buildings structures of the Berber house of the Atlas Mountains New Mexico



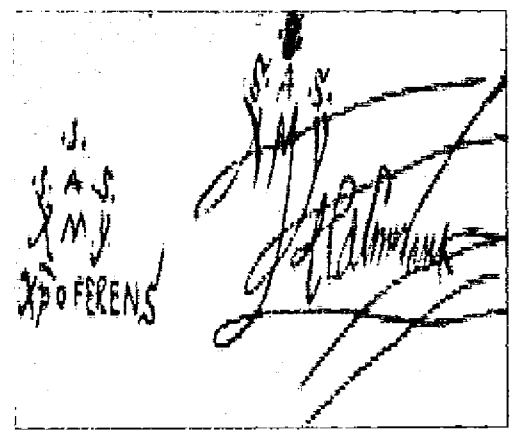
The Mother Mosque of America before & after Reformation



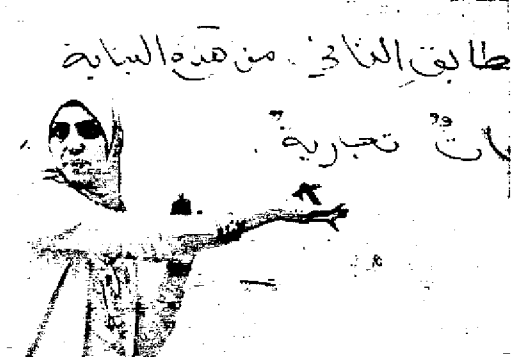
Ancient map of the world by Al-Mas'udi "Ard Majhoola" refers to the Americas 1000 AD (10th century Arab map showing America as the Unknown land Ard a Majhoola) & Columbus's Ships- Santmaria, Pinta & Nina-1492



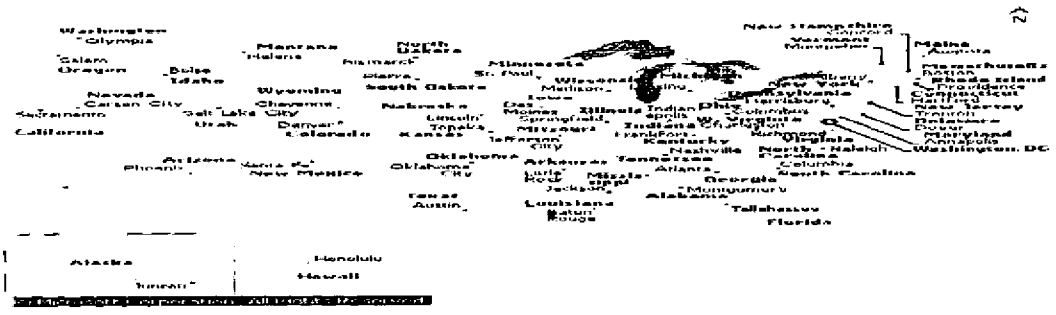
Columbus, Christopher (1451-1506)



Columbus' signature prior to 1492



Archaic African American artist, Earl Sweating depicting pre-Columbus contacts between Muslims and Native Americans) & Teacher Souhad Zendah leads students through a lesson at Zaytuna College in Berkeley, California



The fifty states of the USA

الحمد لله رب العالمين

-:All praises are to Allah T'ala :