

# Muslim Social Philosophy

Dr. M. Basharat Ali

(Continued from last issue)

## **Al-Mawardi :—**

Al-Mawardi's book *Ahkam-al-Sultaniya* has wrongly been judged as a book on political science. It is a treatise on the sociology of politics. Prof. Sir Hamilton Gibb has, to my mind, underrated the value of the book when he says that the 'Ahkam' was written to assert the authority of the Abbassaid Caliphs.

Al-Mawardi's theories are saturated with the existential base and value system of Islam. The ruler is not as assumed by the modern scholars, the political authority, but a leader of the community bound to lead it in all dimensions of its life. If the rulers wanted to stay in power unchallenged and unhindered they dared not ignore the fundamental principle that the authority conferred by *Ijma* (consensus) of the *Umma* or *Jamaa*, the Muslim community, for the caliph was the only authority in law to which a Muslim would and could submit. To be clothed with the mantles of legality was worth a contract confirming their delegated authority and freeing them from the stigma of rebellion or usurpation. Only in this way could be preserved the unity of the community of the faithful under their commander. The task of the Sunni jurists was thus not to formulate and interpret the doctrine of the *Khalipha*, but to harmonize an existing historico-political situation with the *Sharia* by interpreting the *Quran*, *Sunnah* and *Hadith*.

The qualifications laid down for the political leadership are also applicable to the leadership in society. He distinguishes

between the two inter-dependent categories of leadership one based on reason and the other on revealed law. The first merely guards against mutual injustice, strife, discord and anarchy, while the other provides for the positive enforcement of law and justice in mutual confidence and friendship. Most important of all, the divinely revealed law enables the governor to administer religious affairs and prepare man for the hereafter, the term *Imam* which is constantly used by Al-Mawardi has been unnecessarily interpreted by the Westerners as political authority but in Islamic concept, it is a multi-polaric term, covering all the fields of the socio-cultural life must satisfy certain necessary conditions. The first condition which is to be called the social determinant and the social equilibrium is *adala* (عدالة) in strict conformity with the *Quran*. In order of causal relativity, the second indispensable condition *Ilm* i.e. knowledge to make independent decisions and pass judgements on the pertinent issues of the community life, political and otherwise.

Al-Mawardi's theories later on were fully propounded and worked out in detail analysis by *Ibn Khaldun* under new sociological concept called *Asabiya* (عصبية) the corporate sense common not only to family but to the entire society with a specific cultural mentality and individuality. According to *Ibn Khaldun* this gives the group staying power and drive born of a common outlook. No doubt he is true in his verdict that the coherence of a group is

impaired by the weakening of the force of Asabiya, to the point where common action finally becomes impossible. Not only in law and politics but in all the fields of socio-cultural life, the Muslim thinkers were guided by historical precedent. Almost all of them gave rational and empirical interpretation to the actual historical situation and have to rely on the authority of the historians of the Caliphate, like Ibn Sa'd, Ibn Hasham, Ibn-Al-Athir, Tabari and others. The reasons of such reliance are not far to seek. The period of orthodox caliphate is the existential base for the ever new construction of the Muslim Society and the state.

Al-Mawardi's contribution in the fields of sociology of politics and law is valuable. He was of the opinion that law should be interpreted from time to time, according to the requirements of the spirit of the age with a view to preserving the unity of the Muslim community under the authority of the Islamic systems of meanings—Al-Quran and Hadith. The Muslims were the first thinkers who recognized the validity of the space-time factors in the human social and cultural life. Thus they stressed as the basic tenet of their social philosophy that law and politics should be interpreted in the framework of Fiqh, mainly because of its combined religious and legal aspects, embodied in the constitutional law. Muslim constitutional law no doubt is the result of the confrontation of the Sharia—the ideal, divinely revealed law—with the historical and political reality of the Islamic state.

Al-Mawardi's concepts of Ijmaa and Sharia are the definite contributions in the fields of sociology, politics and law. The value judgement of these concepts is, according to him, the Qur'an and Hadith, and hence

his socio-political and jural philosophy is the result of harmonious and logico-meaningful reasoning derived from the Quran, Sunnah, Hadith, Ijmaa and Qiyas, with historical and socio-political deductions from the formative period of Islam; supported by the view of the Salaf, and a realistic appraisal of the contemporary social and political science. Another notable feature of his philosophy is to be seen in his comparative procedure. In the enunciation and analysis of his thought in the Ahkam-al-Sultaniya he discusses objectively the—views of other scholars and jurists, not necessarily belonging to his own Shafii Madhhab.

Much has been written about the political philosophy of the scholars in general and more particularly on his views on Imamat, choice and election of Imam, his duties and function etc. and it is not worthwhile to reproduce them here. The only point which is awfully neglected by our scholars is the fact that Al-Mawardi in his analysis of the political phenomena, has taken full cognizance of their socio-cultural background. He has gone deep and has clearly identified the depth and level meanings involved in them. Thus his political ideas are not only socialized but are axiologically orientated. Not a single thought is segregated from its system of meaning or axiological base—the Quran, Sunnah and Hadith. The problems of Imamate discussed by him are not to be compared with the ever fluctuating Western thoughts which are not only dichotomous, self contradictory and meaningless. This can be clearly seen by the student in the political and social philosophy of all the Western thinkers like Roussean, Bodin, Austin and Laski etc. The sociological principles laid down by Al-Mawardi for the

ever-new construction of the Muslim society are summarized below. Without adhering to these principles no leadership can play its role adequately and meaningfully.

1. The first is to guard the faith based on its established principles and on the consensus (Ijma) of the first Muslims (al-Salaf al-Umma). This condition presupposes the quality of Ilm to be understood as expert knowledge of the tenets and traditions of Islam, and to expound and defend them against heretics.
2. He must execute and preserve justice, in conformity with his own Adala.
3. The spiritual laws of life, society politics, individual and culture. This element was given great preponderance and emphasis by the Abbasids.
4. The emphasis on justice and Jihad.

Al-Mawardi succinctly remarks that from the realm of justice we move to that of military action.

The greatest meaningful relativity of Al-Mawardi's theories is to be seen in his documentation in two directions. In support of his formulation he constantly cites, the Quran. The laws related above from the periphery of the religious duties and this shows that religion cannot be separated from politics, economics, culture and all what is called social life. It has been shown clearly by Al-Mawardi that religion is the basis of human life. It is related with the human life in all dimensions, horizontally and vertically. Rosenthal rightly concludes that "they show quite clearly the unity of religion and politics, of the spiritual and temporal or religious and secular aspects of a life centred in and leading to God.

What has been stated about the head of the Minaret

state or political leader is equally true of the leaders in social and cultural life. According to the Islamic concept so audaciously enunciated by Al-Mawardi, whatever may be the nature of the leadership, a person can hold that office only confirmed by the Ijma. The community is bound to act under Divine Guidance and its agreed choice and recognition are, therefore, infallible. "My community will never agree upon an error", says the Holy Prophet (ﷺ).

### **Al-Ghazzali**

In examining the social thought of Ghazzali consideration must be taken of the space-time faces, because he was the first Muslim thinker who was a staunch believer of phenomenology. Unlike Husein, his phenomenology is fully saturated with ideal and meaning. His important sociological thesis is based on the idea of leadership which is constantly referred to by the Muslim social philosophers in the generalized term Imama. The Imama is necessary because it is of advantage and keeps away damage in the world. It is an indispensable institution of Muslim life demanded by the Ijmaa of the community after the death of Muhammad (ﷺ) when the maintenance of religious and political order made the immediate investiture of the Imam imperative. But the Ijmaa of the 'Umma is not sufficient, for "the good order of religion" is obtained only "by an Imam who is obeyed". In fact, "the good order of religion" is possible only through "the good order of the world" which, in turn, is dependent on an "Imam who is obeyed". Religious and (temporal) power are twins. Din is the foundation and the power is simply meant for the preservation and consolidation of the Din. The stress on

power is significant even though it is only a means to an end, the end being the good order of religion with Sa'ada Akhira or Saadat-e-Quswa.

Ghazzali will remain conspicuous in the history of Muslim sociological thought in view of his contributions in the fields of sociology of war and the sociology of knowledge, the first being unknown in the modern thought and the latter only coming into prominence after the Second World War. Ability to wage Jihad is conditioned by the possession of powers and courage (Nnjda Wa-Shajja). It has always been considered one of the foremost duties of the caliph. Similarly his theory of Taqlid is equally very important. He stresses Taqlid as far more useful in an age of crisis and wide disparity than Ijtihad, leading to further disintegration. It was imitation and its causes and consequences that gave Ghazzali the opportunity to review fundamental sociological problems. If imitation is the key to social phenomena, Ghazzali argued, then the typical social relation is that of "teacher-learner" in a variety of situations. He takes the causes of imitation to be basically internal although

they are modified or supplemented by the group situation. His apparent emphasis on imitation was essentially a conceptual base from which he was able to explore a crucial sociological problem, the process in which the individual is incorporated into groups and society. Thus Ghazzali explained social structure in terms of individual behaviour or imitation reflecting common models or values. He stresses more and more that in social developments complexity and differentiation are to be, accompanied by increasing emphasis on beliefs, values and organizational principles etc.

In his theory and classification of knowledge he lays emphasis among other things on the predictive nature of knowledge. His contention is that knowledge is for the sake of prediction, and prediction for the sake of control. Such linking of prediction by Ghazzali is not accidental but is rather inherent in scientific and knowledge pursuit. It is an exclusive topic in itself requiring detailed analysis and research and hence we can do no justice with the theory of knowledge of Ghazzali, except hinting at its salient features.

## UNITY

*"And hold fast, all of you together, to the Rope of Allah (i.e. this Qur'an) and be not divided among yourselves..."*

(Qur'an 3:103)

# Medicine and Medical Education in Islamic History

Ibrahim B. Syed

(Continued from last issue)

## Introduction

Prophet Muhammad (ﷺ) who is ranked number one by Michael Hart', a Jewish scholar, in his book "The 100: The Most Influential Persons in History", was able to unite the Arab tribes who had been torn by revenge, rivalry, and internal fights, and produced a strong nation acquired and ruled simultaneously, the two known empires at that time, namely the Persian and Byzantine Empires. The Islamic Empire extended from the Atlantic Ocean on the West to the borders of China on the East. Only 80 years after the death of their Prophet (ﷺ), the Muslims crossed to Europe to rule Spain for more than 700 years. The Muslims preserved the cultures of the conquered lands. However when the Islamic Empire became weak, most of the Islamic contributions in arts and science were destroyed. The Mongols burnt Baghdad (1258 A.D.) out of barbarism, and the Spaniards demolished most of the Islamic heritage in Spain out of hatred.

The Islamic Empire for more than 1000 years remained the most advanced and civilized nation in the World. This is because Islam stressed the importance and respect of learning, forbade destruction, and developed in Muslims the respect for authority and discipline, and tolerance for other religions. The Muslims recognized excellence and hungering intellectually, were avid for the wisdom of the world of Galen, Hippocrates, Rufus of Ephesus, Oribasius, Discorides and Paul of Aegina. By the tenth century their zeal and Minaret

enthusiasm for learning resulted in all essential Greek medical writings being translated into Arabic in Damascus, Cairo, and Baghdad. Arabic became the International Language of learning and diplomacy. **The center of scientific knowledge and activity shifted eastward, and Baghdad emerged as the capital of the scientific world.** The Muslims became scientific innovators with originality and productivity. Islamic medicine is one of the most famous and best known facets of Islamic civilization, and in which the Muslims most excelled. The Muslims were the great torchbearers of international scientific research. They hit the source ball of knowledge over the fence to Europe. In the words of Campbell. **"The European medical system is Arabian not only in origin but also in its structure. The Arabs are the intellectual forebears of the Europeans."**

## Bacteriology

Al-Razi was asked to choose a site for a new hospital when he came to Baghdad. In order to choose the most hygienic area, he hung pieces of meat in different parts of the city and observed where they decomposed the least.

Ibn Sina stated explicitly that the bodily secretion is contaminated by foul earthly body before getting infected. Ibn Khatima stated that man is surrounded by minute bodies which enter the human system and cause disease.

In the middle of the fourteenth century when

the "black plague" ravaged Europe and Christians stood helpless, considering it an act of God, Ibn al Khatib of Granada composed a treatise in the defense of the theory of infection in the following way.

To those who say, "How can we admit the possibility of infection while the religious law denies it?" we reply that the existence of contagion is established by experience, investigation, the evidence of the senses and trustworthy reports. These facts constitute a sound argument. The fact of infection becomes clear to the investigator who notices how he who establishes contact with the afflicted gets the disease, whereas he who is not in contact remains safe, and how transmission is affected through garments, vessels and earrings.

Al-Razi wrote the first medical description of smallpox and measles two important infectious diseases. He described the clinical difference between the two diseases so vividly that nothing since has been added." Ibn Sina suggested the communicable nature of tuberculosis. He is said to have been the first to describe the preparation and properties of sulfuric acid and alcohol. His recommendation of wine as the best dressing for wounds was very popular in medieval practice. However Razi was the first to use silk sutures and alcohol for homeostasis. He was also the first to use alcohol as an antiseptic.

### **Anesthesia**

Ibn Sina originated the idea of the use of oral anesthetics. He recognized opium as the most powerful mukhadir (intoxicant or drug). Less powerful anesthetics known at the time were mandragora, poppy, hemlock, hyoscyamus, deadly nightshade (belladonna), lettuce seed, and snow or ice

cold water. The Arabs invented the soporific sponge which was the precursor of modern anesthesia. It was a sponge soaked with aromatics and narcotics and held to the patients nostrils.

The use of anesthesia in Islam was one of the reasons why surgery rose to the level of an honorable profession, while in Europe, surgery was belittled and practiced by barbers and quacks. The Council of Tours in 1163 A.D. declared "Surgery is to be abandoned by the schools of medicine and by all decent physicians". Burton stated that "anesthetics have been used in surgery throughout the East for centuries before ether and chloroform became the fashion in civilized West."

### **Surgery**

Al-Razi is the first to use the set on in surgery and animal gut for sutures. Abu al Qasim Khalaf Ibn Abbas Al-Zahrawi (930-1013 A.D.), known to the west as Abulcasis, Bucasis or Alzahravius, is considered to be the most famous surgeon in Islamic medicine. In his book Al-Tasrif, he described hemophilia for the first time in medical history. The book contains the description and illustration of about 200 surgical instruments many of which were devised by Zahrawi himself. In it Zahrawi stresses the importance of the study of Anatomy as a fundamental prerequisite to surgery. He advocates the re-implantation of a fallen tooth and the use of dental prosthesis carved from cow's bone, a better alternative to the Wooden dentures worn by the first President of America, George Washington seven centuries later. Zahrawi appears to be the first surgeon in history to use cotton (Arabic word) in surgical dressings in the control of hemorrhage, as

padding in the splinting of fractures, as a vaginal padding in the tearing of the pubis and in dentistry. He introduced the method for the removal of kidney stones by cutting into the urinary bladder. He was the first to teach the lithotomy position for vaginal operations. He described tracheotomy, distinguished between goiter and cancer of the thyroid, and explained his invention of a cauterizing iron which he also used to control bleeding. His description of varicose veins stripping, even after ten centuries, sounds almost like modern surgery." In orthopedic surgery he introduced what is called today Kocher's method of reduction of shoulder dislocation and patellectomy, thousand years before Brooke reintroduced it in 1937.

Ibn Sina's description of the surgical treatment of cancer holds true even today after 1,000 years. He says the excision must be wide and bold; all veins running to the tumor must be included in the amputation. Even if this is not sufficient, then the area affected. should be cauterized.

The Muslim surgeons performed three types of surgery: vascular, general, and orthopedic. Ophthalmic surgery was a specialty which was quite distinct both from medicine and surgery. They freely opened the abdomen and drained the peritoneal cavity in the approved modern style. To an unnamed surgeon of Shiraz is attributed the first colostomy operation. Liver abscesses were treated by puncture and exploration. Today surgeons all over the world practice and use several surgical procedures first introduced by Zahrawi a thousand years ago.

### **Medicine**

One of the most brilliant contribution to  
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medicine was made by Al Razi who differentiated between smallpox and measles, two diseases that were hitherto thought to be one single disease. "He is credited with many contributions: he was the first to describe true distillation, glass retorts and luring, corrosive sublimate, arsenic, copper sulfate, iron sulfate, saltpeter. and borax in the treatment of diseases." He introduced mercury compounds as purgatives (after testing them on monkeys); mercurial ointments and lead ointment. His interest in urology focused on problems involving urination, venereal disease, renal abscess, and renal and vesicle calculi. He described hay-fever or allergic rhinitis.

Among other Arab contributions to medicine are included the discovery of itch mite of scabies (Ibn Zuhr), anthrax, ankylostoma and the guineaworm by Ibn Sina, and sleeping sickness by Qalqashandy. They described abscess of the mediastinum. They also understood tuberculosis and pericarditis.

Al Ash'ath demonstrated gastric physiology by pouring water into the mouth of an anesthetized lion and showed the distensibility and movements of the stomach, preceding Beaumont by about a thousand years. Abu Sahl al-Masihi explained that the absorption of food takes place more through the intestines than the stomach. Ibn Zuhr introduced artificial feeding either by gastric tube or by nutrient enema. Using the stomach tube, the Arab physicians performed gastric lavage in case of poisoning. Ibn Al—Nafis was the first to discover pulmonary circulation.

Ibn Sina in his masterpiece Al-Qanun (Canon), containing over a million words,

described complete studies of physiology, pathology and hygiene. He specifically discoursed upon breast cancer, poisons, and diseases of the skin, rabies, insomnia, childbirth and the use of obstetrical forceps, meningitis, amnesia, stomach ulcers, and tuberculosis as a contagious disease, facial ties, phlebotomy, tumors, kidney diseases and geriatric care. He defined love as a mental disease.

### Ophthalmology

The Arab physicians exhibited a high degree of proficiency and certainly were foremost in the treatment of eye diseases. Words such as retina and cataract are of Arabic origin. In ophthalmology and optics Ibn al Haytham (965-1039 AD.) known to the West as Alhazen wrote the "Optical Thesaurus" from which such worthies as Roger Bacon, Leonardo da Vinci and Johannes Kepler drew theories for their own writings. In his Thesaurus he showed that light falls on the retina in the same manner as-it falls on a surface in a darkened room through a small aperture, thus conclusively proving that vision happens when light rays pass from objects towards the eye and not from the eye towards the object **as thought by the Greeks**. He experiments for testing the angles of incidence and reflection, and a theoretical proposal for magnifying lens (made in Italy three centuries later). He also taught that the image made on the retina is conveyed along the optic nerve to the brain. Razi was the first to recognize the reaction of the pupil to light, and Ibn Sina was the first to describe the exact number of extrinsic muscles of the eyeball, namely six. The greatest contribution of Islamic medicine in practical ophthalmology was in the matter of cataract. **The most**

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**significant development in the extraction of cataract was developed by Ammar bin Ali of Mosul, who introduced a hollow metallic needle through the sclerotic and extracted the lens by suction. Europe rediscovered this in the nineteenth century.**

### Pharmacology

Pharmacology took roots in Islam during the 9th century. Yuhanna bin Masawayh (777-857 AD.) started scientific and systematic applications of therapeutics in the Abbasid capital. His student Hunayn bin Ishaq al-Ibadi (809-874 AD.) and his associates established solid foundations of Arabic medicine and therapeutics in the ninth century. In his book al-Masail Hunayn outlined methods for confirming the pharmacological effectiveness of drugs by experimenting with them on humans. He also explained the importance of prognosis and diagnosis of diseases for better and more effective treatment.

Pharmacy became an independent and separate profession from medicine and alchemy. "With the wild sprouting of apothecary shops, regulations became necessary and were imposed to maintain quality control. The Arabian apothecary shops were regularly inspected by a syndic (Muhtasib) who threatened the merchants with humiliating corporal punishments if they adulterated drugs."

As early as the days of al-Mamun and al Mutasim pharmacists had to pass examinations to become licensed professionals and were pledged to follow the physician's prescriptions. Also by this decree, restrictive measures were legally placed upon doctors, preventing them from owning or holding stock in a pharmacy.



Methods of extracting and preparing medicines were brought to a high art, and their techniques of distillation, crystallization, solution, sublimation, reduction and calcination became the essential processes of pharmacy and chemistry. With the help of these techniques, the Saydalanis (pharmacists) introduced new drugs such as camphor, senna, sandalwood, rhubarb, musk, myrrh, cassia, tamarind, nutmeg, alum, aloes, cloves, coconut, nux vomica, cubeb, aconite, ambergris and mercury. The important role of the Muslims in developing modern pharmacy and chemistry is memorialized in the significant number of current pharmaceutical and chemical terms derived from Arabic: drug, alkali, alcohol, aldehydes, alembic, and elixir among others, not to mention syrups and juleps. They invented flavoring extracts made of rose water, orange blossom water, orange and lemon peel, tragacanth and other aromatic ingredients. Space does not permit me to list the contributions to pharmacology and therapeutics, made by Razi, Zahrawi, Biruni, Ibn Butlan, and Tamimi.

### **Psychotherapy**

From freckle lotion to psychotherapy such was the range of treatment practiced by the physicians of Islam. Though freckles continue to sprinkle the skin of 20th century man, in the realm of psychosomatic disorders, both Al-Razi and Ibn Sina achieved dramatic results, **antedating Freud and Jung by at least a thousand years.** When Razi was appointed physician-in-chief to the Baghdad Hospital, he devoted a ward exclusively for the mentally ill making it the first hospital ever to have such a ward.

Al-Razi combined psychological methods and physiological explanations, and he used psychotherapy in a dynamic fashion. Al-Razi was once called in to treat a famous caliph who had severe arthritis. He advised a hot bath and while the caliph was bathing, Razi threatened him with a knife, saying he was going to kill him. This deliberate provocation increased the natural caloric, enhanced its strength, and consequently dissolved the already softened hemorrhoids, so that the caliph stood up in the bath and ran after Al-Razi.

The Arabs brought a refreshing spirit of dispassionate clarity into psychiatry. They were free from the demonological theories which swept over the Christian world and were therefore able to make clear-cut clinical observations about the mental diseases." Najab ud din Muhammad. "a contemporary of Al-Razi has left many excellent descriptions of various mental diseases. His carefully compiled observations about the patients made up the most complete classification of mental diseases theretofore known. Najab described agitated depression, obsessional types of neurosis, Nafkhae hrlalikholia (combined priapism and sexual impotence). Kutrib (a form of persecutory psychosis), Dual-Kulb (a form of mania).

Ibn Sina recognized 'physiological psychology' in treating illnesses involving emotions. From the clinical perspective Ibn Sina developed a system for associating changes in the pulse rate with inner feelings which has been viewed as predating the word association test of Jung. He is said to have treated a seriously ill patient by feeling the patient's pulse and reciting aloud to him the names of provinces, districts, towns, streets, and people. By noticing how the

patient's pulse quickened when names were mentioned. Ibn Sina deduced that the patient was in love with a girl whose home Ibn Sina was able to locate by the digital examination. The man took Ibn Sina's advice, married the girl, and recovered from his illness. It is not surprising; to know that at Fez, Morocco, an asylum for the mentally ill had been built early in the 8th century, and mental asylums were also built by the

Arabs in Baghdad in 705 A.D., in Cairo in 800 A.D., and in Damascus and Aleppo in 1270 A.D. In addition to baths, drugs, kind and benevolent treatment given to the mentally ill, music-therapy and occupational therapy were also employed. These therapies were highly developed. Special choirs and live music bands played daily to entertain the patients by singing, music, and other light-hearted performances.

عن عبد الله بن عمرو رضي الله عنه

ان رجلاً سأل رسول الله صلى الله عليه وسلم اى الاسلام خير؟ قال تطعم  
الطعام و تقرى السلام على من عرفت ومن لم تعرف. (ميفق عليه)

حضرت عبد اللہ بن عمرو سے روایت ہے کہ ایک شخص نے رسول اللہ صلى الله عليه وسلم سے دریافت کیا کہ اسلام میں کون سا عمل بہتر ہے؟ آپ صلى الله عليه وسلم نے فرمایا: تم لوگوں کو کھانا کھلاؤ اور سلام کرو انہیں جن کو تم جانتے ہو اور ان کو بھی جنہیں تم نہیں جانتے۔

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# Islam's call for mutual tolerance and peace in the human family

Dr. Abdullah Omar Nasseef

Throughout history, man's fate has swung between right and wrong, though his natural disposition and inner yearnings have always however craved for that which is good. As a result, man has always looked forward to a brighter world inundated with love, tolerance, brotherhood and solidarity.

## Human Family

Islam recognizes the existence of a human brotherhood based on mutual concord and affection among mankind. Allah has created human beings and gave the concept of one human family. He declares that all men are descended from the same origin, thus establishing the unity of mankind and destroying the hated tyranny of racial prejudice. It has established one measure of human worth, which rests not on the colour of skin, birth or language, but exclusively on the fear of Allah and obedience to Him, and doing good to the people. And these are entirely personal matters without relevance to colour or race. Allah says in the Qur'an, "O you people! We have created you from (a single pair of) male and female, and made you into communities and tribes that you may know one another (not that you may despise each other) verily, the most honourable among you in the sight of Allah is he who is most pious."

In the same sequence, the Prophet of Islam (ﷺ) says: "O you people! Your Lord is one, and your father is one. There shall be no preference for an Arab over a non-Arab except by piety. You all belong to Adam,

and Adam was created from dust." He also said: "All creatures are the dependents of God. The most beloved of them to God is he who is most beneficial to his family."

## Diversities within One family

Although Islam lays stress on universal brotherhood of man, it however recognizes peculiarities and diversities within a framework of fair play and justice. Allah knows and recognizes that human family cannot be one race; it will be part of different tribes, nations and states. They have their own colour, culture and way of life. They can be recognized, they can be identified with their own different identities.

The Qur'an repeatedly maintains that differences between men, in terms of colour, wealth, race and language, are natural.

That this attitude of tolerance is corroborated in other verses of the Qur'an:

"And say: The truth is from your Lord, so let him who so pleases believe in it, and let him who so pleases reject it." Thus it is clear that Islam does not sanction the kind of aggressive preaching practiced by other religions.

Islam seeks to bring peaceful understanding between various religions, races, colours, tribes and communities. It views religion as a continuous cultural tradition of man and the duty of a Muslim is to honour all the Prophets equally. In the words of the Qur'an, "There has been no community to which God's messengers

have not come and Muslims should make no distinctions between them.” The Islamic concept of God is not the god of any particular race or nation or community but of the entire human race and a source of Rahman (beneficence) for all. Its greeting for everyone is ‘Peace be upon you.’ The Prophet of Islam (ﷺ) said, swearing by God he is no believer; by God he is no believer, whose neighbour does not live in peace because of his mischief make up.

Prophet Muhammad (ﷺ) was once asked: “What is Islam?” to which he replied: “Obedience to Allah’s commandments and kindness to His creatures.” On another occasion he was asked, “Who is a Muslim?” and he replied, “A Muslim is he from whose tongue and hand people are safe,” and on yet another occasion he said, “The test of a man’s religion lies in his dealing with others.”

A true Muslim cannot do any harm to anyone either by word or deed. Islam is a structure of peace and the outstanding principle of Islam is peace and submission to One and the Only One God, Allah. Islam shows the most straight and finest way to achieve peace with man. Peace with Allah implies complete submission to His Will; and peace with man implies the doing of good to fellow men and refraining from doing injury or harm to them. The Qur’an says, “Who is better in religion than he who surrenders his purpose to Allah while doing good (to men) and follows the tradition of Abraham, the upright?”

One can easily visualize how Islam teaches love of one’s fellow beings and ensure good treatment of even those who are hostile to Islam provided they do not break the peace.

Those who make mischief in the land are denounced, and the Muslim’s first duty is to ensure peace where he lives - not only for himself but for others as well. He should even risk his life in this noble endeavour. He is enjoined to fight for religious freedom and the protection of all places of worship – be they mosques, churches or synagogues.

### **The Concept of Tolerance in the Qur’an**

Islam recognizes the fundamental rights of all faiths, and therefore denies unequivocally the right of compulsion in matters relating to religion. It states that belief in this religion or that religion is one’s choice; one is free to choose one way or the other. If he accepts the truth, it is for his good, if he sticks to errors, nobody else will be responsible for it. Human beings are divided in their rituals, creeds, dogmas, and modes of worship. Now, since man has been given discretion, he can follow the right way by using the best qualities latent in him. Hence, coercion in faith is not allowed in Islam.

Freedom in religion is mentioned in various verses of the Qur’an: “There is no compulsion in religion: the right direction is henceforth distinct from error,” “We have surely shown him the way: he may be grateful or disbelieving.”

Islam does not make any distinction between different revealed religions. It proclaims the true religion is one in origin and inculcates an understanding of the basic truth which was revealed to Prophet Muhammad (ﷺ) and other revelations to the humanity, to all nations of the world. Islam’s attitude to other revelations can be judged from the fact that the Qur’an is the first religious book in the world history, which makes the beliefs in other revelations

a part of its faith.

The Qur'an is emphatic in proclaiming that Islam is the religion of Jesus. Moses, Abraham and the Prophets Jesus and Moses are not Jews but Muslims: "Surely those who believe (in that which is revealed to Muhammad) (ﷺ) and those who are Jews and the Christians, and the Sabians – Whoever believes in Allah, and the Last Day and does good, surely their reward is with their Lord, and there is no fear for them nor shall they grieve."

### **Mutual Tolerance**

The believers are forbidden to abuse the idols of the polytheists, though Islam vehemently condemned associating them with Allah, the use of force or pressure for the propagation of Islam was also categorically prohibited by the Qur'an. The Prophet (ﷺ) was asked to influence people by precepts and by presenting the message in an appealing way and Muslims were advised not to vilify the gods of others: Do not revile whom they pray beside Allah lest they wrongfully revile Allah through ignorance," "Call to the way of your Lord with wisdom and fair exhortation and argue with them in the best manner."

### **Mutual Responsibility**

Islam stands for mutual responsibility. it not only imposes on its followers the obligation of not harming others, but it also obliges the Muslim to prevent one individual from causing harm to another with all his might, in order to safeguard his life, wealth and honour. Failure to do so amounts to sin and the injured person is entitled to hold such negligent person responsible before the court and demand compensation for the injuries he had suffered: for instance failure

to save a person from an outbreak of fire, a blind man from falling into a pit. Thus, it is easy to prove that all the basic human rights are enshrined in the teachings of Islam. Man is indeed honoured by Allah, and his natural disposition is inclined towards peace. God Says, "We have indeed created man in the best of moulds," (95:4), "and have given you shape, and made your shape beautiful." (64:3)

### **Co-operation and Treaties**

Human beings have to cooperate; they have to create treaties to establish relationship, to live together. Islam lays great emphasis on the strict observance of charity and good deed towards the followers of other religions who do not transgress. "God forbids you not, with regard to those who fight you not for your Faith nor drive you out of your homes, from dealing kindly and justly with them; For God loves those who are just."

Islam attaches great importance to the fulfillment of obligations regardless of the parties involved. "Fulfill the covenant of God when you have entered into it. And break not your oaths after you have confirmed them; indeed, you have made God your surety; for God knows all that you do," To further interpret this commandment, it is reported in certain traditions of the Prophet (ﷺ) that; "He whoever kills a man who has entered into an accord with the Muslims would never smell the scent of paradise." This means that, contrary to common erratic belief, Islam recognizes and respects the existence of a treaty zone, besides the Islamic zone and the war zone (non-Muslim countries).

Islam lauds any treaty or alliance that is bound to help the wronged and deter the

wrongdoer. It is reported in the traditions of the Prophet (ﷺ) he once said: "I was a witness to an alliance which was concluded in the house of Ibn Jadan which I cherish more dearly than an entire herd of red coloured camels. Were I to be invited to a similar treaty after the emergence of Islam, I would have accepted the invitation." The alliance in question is of course none other than the alliance of Fudhuool which was concluded to repel injustice and lend support to the wronged.

Islam is a religion of love and co-operation. It believes that many problems can be solved through dialogue, cooperation and negotiation. In the early history of Islam, it entered into treaties and agreements to solve many problems. No armed conflict can solve the problems; they have to negotiate, they have to come back sooner or later the better. So this identity of human life has to be recognized and has to be stressed.

Islam prevents its followers from debating with followers of other religions except in the best manner. "And dispute not with the people of the Book, except with means better (than mere disputation) unless it be with those of them who inflict wrong (and injury)." Allah also says "And argue with them in ways that are best and most gracious." It of course goes without saying that, debate with the followers of other religions from the Islamic point of view is one that is both meaningful and conducive to agreement rather than mere show.

### **Prophet's Teachings and Practice of Tolerance**

The above paragraph shows that it is far from the truth to think that the Prophet (ﷺ)

compelled the followers of other faiths to accept Islam at the point of sword. For more than a decade the Prophet (ﷺ) made all attempts to let those tribes leave the Muslims to follow their own faith in peace on the basis of mutual tolerance. But the pagan Arabs let loose their persecution on the Muslims and prevented the believers from performing their religious faiths. The Prophet (ﷺ) was persecuted, oppressed, reviled and abused for more than twelve years at Makkah and the Muslims were subjected to the severest persecution, which ultimately compelled them to take refuge in Madinah. The Qur'an provides us with the details of their persecution. But when the Prophet (ﷺ) returned triumphantly to the city, he accorded to the citizens of Makkah such treatment as they never deserved or imagined. This magnanimous treatment meted out to the erstwhile enemies of Islam, in the opinion of Hitti, stands out unparalleled and unsurpassed in the annals of the ancient world.

Allah Says, "And if they incline to peace do then incline towards it and trust in Allah. He is the Hearing, the Knowing. And if they intend to deceive you then surely Allah is sufficient for you." The Prophet (ﷺ) carried this divine injunction into practice and concluded peace treaties with the unbelievers like that of Hudaibiah, the terms of which were humiliating to Islam. As directed by Allah, the Prophet (ﷺ) made agreements of peace even with the idolater Makkans who had compelled him and his companions for the sake of their belief in Allah and who had attacked him again and again.

### **The Concept of Non-Muslim Minorities and Islam**

Islam recognizes and fixes up the rights of the enemies, and this it does not merely conventionally but in a very positive and emphatic form. It lays down the injunctions and threatens the violations with dire punishments. "And let not the hatred of others to you make you swerve to wrong and depart from justice. Be just: that is nearer to piety; and fear Allah. For Allah is well acquainted with all that you do." This lays down the general and governing obligation of dispensing absolute and perfect justice to all non-Muslims, irrespective of their being friends or foes, covenanters or belligerents. History is replete with many shining examples of toleration towards non-Muslims by the Muslim Kings and Sultans and the Muslim divines and Qadis.

### **Terrorism**

It has to be recognized that like any other religion, there are both positive and negative sides of the followers of Islam. Everybody does not follow every religion. There are some people who are very weak in the practice; similarly there are some other people who are very strong believers. Some people go wrong but come back after some time.

Murad Hofmann said, "Of course the phenomenon of political terrorism, religiously coloured, exists in many regions of the world. But this has nothing to do with Islam or any other religion. At least no more than the violence of non-Muslims, also on the point of despair, has to do with Christianity: supporters of liberation theology in South America, Northern Irish urban guerrillas, members of the German 'Red Army Faction,' the French Action Director,' and of the Italian 'Brigate Rosse'."

Thus, like other groups, society or nations, there are some mad or unbalanced people belonging to the Muslim community who can do that type of violence or cause harm. They neither represent the religion of Islam nor the Muslim society in general. The unbalanced people do not know what they are doing and what their religion orders them to do. And it is not the general proposition.

It is alleged that Islam is outdated; it is not appropriate and applicable to the present day circumstances. It is a very awful notion. Islam is a very modern religion which respects human life and human rights. Many verses of the Qur'an and many examples in the Hadiths have emphasized about human individual life. Nobody can harm it or cause it death.

Islam teaches that every human being is neither more nor less than a creation of Allah, and all are equal. Sadly, the worth of individuals as they grow into adults become spoiled by the extent to which they fall away from the standards set for humanity by the Creator.

### **Equality and Human Rights**

One of the fundamental principles of Islam is that all humans belong to the family of Allah, and are equal – whatever sex, colour, class or country they happen to be born in. Their worth comes from the quality of their lives, and not from any aspect such as mental ability, wealth, particular talent, and so forth – all of which were given to them at birth and over which they had no choice or control. "All people are equal, as the teeth of comb. There is no claim of merit of an Arab over a non-Arab or a white over a black person or of a male over a female. All-fearing people merit a preference with God."

Sahl Ibn Sa'd recorded:

"The Book of Allah is One, and among you are the red, and among you are the black," Abu Musa Al-Ashari recorded, "Allah created Adam from a handful of dust which he took from the whole of the earth, some red, some white, some black, some a mixture, also smooth and rough, bad and good."

In his final sermon, the Prophet (ﷺ) said: "No Arab is superior to a non-Arab, nor a non-Arab superior to an Arab, except by having a greater degree of God-consciousness." Another saying of the Prophet (ﷺ) was: "O people! All of us belong to One God, one father and one religion. Arabic is only a language and he who speaks Arabic is an Arab."

If you recognize all people as one family, are aware of their rights, grieve when they get hurt, are determined to bring about their good and not their harm.

Muslims believe that whether they are aware of it or not, all human beings are the creations of God, and loved by Him. Therefore, there are certain basic rights which should be shared by the whole of humanity, and which should be observed in any society, whether the people are Muslims or not. For example, all human beings have the rights to be fed, clothed, educated and cared for by the society, which governs their existence. No society could possibly be called civilized that did not tend its sick, or take care of its orphans and old people, and bury (or otherwise courteously dispose of) its dead.

People have the right not to be disturbed or hurt or victimized by others – and since so many people are selfish and cruel this often

involves taking defensive or protective action. Abu Hurairah reported; "He will not enter Paradise whose neighbour is not secure from his wrongful conduct."

Life is sacred, and is considered by the Muslim to be a divine gift, which we are meant to preserve, enjoy and put to its fullest use. Life should never be ended without justification, and no true Muslim should ever consider attempting suicide or exposing himself or herself foolishly to unnecessary danger. Life is not a human's personal property; to be disposed of an individual might wish, but the precious gift. The Muslim therefore has the duty to protect all forms of life-and treat them with respect. No person, no matter how great or powerful, has the right to usurp another's right to life.

Muslims insist that every citizen must have completely equal rights. Everyone has equal rights, for they are all born equals. "God brought you forth from the wombs of your mothers knowing nothing, and gave you hearing, sight and hearts that hopefully you might give thanks."

Abu Hurairah recorded:

"Your God is one and your father is one. All of you belong to Adam, and Adam was created from dust. Those who fear God are the most noble. An Arab has no superiority over a non-Arab or a non-Arab over an Arab or a black person over a white or a white over a black person, except by being more righteous." "People are all equal like the teeth of a comb," Justice should be impartial, even if it involves making decisions against members of one's own family.

### **Justice and Just Society**

Islam is a religion of peace and justice.



Justice is Allah's attributes, and to stand firmly for justice is to be witness to Allah; even if it is detrimental to our own interests. Allah Says, "O you who believe! Stand out firmly for justice, as witnesses to Allah, even as against yourselves, or your parents, or your kin, and whether it be (against) rich or poor; For Allah can best protect both."

There are innumerable references in the Qur'an to the supreme necessity of establishing a just society, a just order. We, the individual men and women, are invited to be just, to hold scales of justice evenly, and are forbidden from employing false measures in weighing things or artificially tilting the balance in our favour. We are called upon to advance the cause of justice by offering testimony should the need to do so arise. "Allah commands justice, the doing of good, and giving to kith and kin, and He forbids all indecent deeds, and evil and rebellion: he instructs you, that you may receive admonition."

It is sad to note that most Muslims today do not represent Islam properly. Their bad behaviours have reflected on Islam in general. We have to explain it to the world

that Islam is something to be respected and reflected. Islam can participate with others to correct the situation — to introduce harmony to the society, to bring peace, order and justice, because justice has been eliminated in most of the parts of the world.

### **Conclusion**

Thus, Islam can be and should be judged only by its teachings and principles because behaviour of handful of its followers should not be treated as Islam. We have to bring justice back and we have to stress upon this on this auspicious occasion.

It is a great pity that the world today is not doing anything worth which can bring love and peace to humanity. It is high time we realized that world peace and harmonious international relations can only be achieved in following the principles of Islam. It is no mere assertion, for a time will surely come, sooner or later, as foreseen by eminent thinkers of today, when the whole world will be forced to admit that the only means to end all its troubles is to follow the perfect teachings of Qur'an and the Sunnah of Prophet Muhammad (ﷺ). The world is drifting towards Islam.

## **ATTENTION TO OUR READERS**

It is our earnest request to the readers and subscribers "The Minaret Monthly International" to extend their help and co-operation for increasing its circulation, convincing friends for advertisement, sending good articles and giving precious suggestions for the improvement of the magazine.

# Table Talk

Maulana Dr. Fazl-ur-Rahman al-Anzri al-Qaderi

Among the social virtues which Islam has emphasized the most important is the virtue of Justice. It is so important that when the preacher gives the Friday Sermon, the Sermon is not considered complete unless the following verse of the Holy Qur'an is recited.

“Verily Allah commands you to do justice (to all creatures under all circumstances).”

The concept of social justice has been different in different religions and ideologies of the world. A study of history reveals that the idea of fundamental human rights was practically unknown before the advent of Islam, and even among the most civilised nations and races the principle of common humanity and common fundamental human rights was not honoured. For instance, the Jews divided humanity distinctly into two groups, namely, the children of the House of Israel and the rest of mankind whom they called Gentiles. There was not only this distinction but also the distinction in the matter of their respective rights. The Jews considered themselves to be the chosen people of God and regarded the Gentiles as barbarians and unworthy of honour. All the rights were the rights of the Jews while the non-Jews had no place in their social order except that of beasts of burden.

According to Jewish philosophy the only natural role of the non-Jews was to act as slaves of the Jews. We find similar ideas in Hinduism. When the Aryan invaders from the North subjugated India they relegated the sons of the soil to a social status which was worse than slavery. And this distinction continued even when the original

inhabitants of India had embraced the religion of the invaders. They were actually chipped off into a distinct caste known as the Sudra and this status has been maintained till today.

According to Hinduism, it is the birth-right of the Brahmin to be the supreme master and it is the bounden duty of the Sudra to behave always as a most despised slave. The Brahmin is the very incarnation of holiness and the Sudra by nature and constitution filthy and despicable, so much so that according to the law of Manu if a Sudra comes so near to a Brahmin that his voice can reach the ears of the Brahmin the Sudra is punished for defiling the sanctity of the Brahmin by pouring molten lead into his ears. What justice the Sudra can obtain under such a law is obvious. How a Hindu should treat a non-Hindu in matters which involve justice can also be judged in this perspective. Indeed the Hindus regard all humanity outside the three upper castes of the Hinduism as maliekshas which means those who are filthy, barbarians, robbers and devils-incarnate.

As regards Islam, its basic teaching is that all humanity, is one family. Islam calls it the “Family of God”. As regards racial and linguistic and territorial divisions of humanity, Islam emphasizes that they are merely nomenclatures and that no human being should fall into the deception of regarding these distinctions as having any intrinsic significance or value. According to Islam, all human beings are equal as human beings and there are certain fundamental human rights which no human

being can be permitted to violate. The Islamic state ensures these fundamental rights to all, whether they are Muslims Christians or Pagans. Islam goes even so far as to lay down the law that a Muslim individual or a Muslim state has absolutely no right to commit even the slightest act of injustice against even the worst enemies. Moreover Islam has, for the first time, laid down the law that inside the Islamic social order everyone is under the control of the law and no one can be above the law even though he may be the head of the state. This ideal of justice has not been achieved even by the most advanced modern states whether capitalist or communist.

### **Well-Doing (Ihsan)**

Ihsan, or Well-doing, forms one of the most important virtues in Islam. The Holy Qur'an says: "Verily, Allah commands you to practise justice and doing good to others (as a regular programme of your life)."

The human nature consists of two elements so far as the human relations are concerned. There is an element of selfishness and is an element of altruism. The element of selfishness is grounded in the instinct of self-defence. The element of altruism or sympathy is based on the paternal instinct. The balanced human personality is that wherein the instinct of self-preservation and self-defence does not come into conflict with the interests of other people. It is actually to be subordinated and sublimated.

According to Islam, every human being has a definite individuality and worth of his own. But no human being is born in a vacuum. Rather, he is the product of society and all that any individual normality possesses comes to him in the final analysis from his

social environment. It is his parents who are his first benefactors. After them come other human beings, among whom the teachers enjoy the most prominent place. Thus there is a continuous series of benefactors who always exist in the normal course for all human beings.

A person has to obey his parents in order to get physical and moral benefits from them. Similarly, he has to obey his teachers in order to get spiritual blessings. In all these processes the medium through which the various blessings flow is Love and sympathy. If the parents do not have sympathy and love for their offsprings, the latter will go to dogs. If the teachers do not have sympathy and love for their students, they will not transmit knowledge in the requisite measure and manner. If the government does not have sympathy and love for the people, there will be bungling and quarrels on all sides. All this means that sympathy and love for others form the very basis of human social existence.

Indeed this is so, for if everyone were to live for himself alone, humanity shall be transformed into a herd of wild beasts. This would happen, because the interests of no two human beings are exactly alike. The ancient philosopher who for the first time in human history seem to have propounded the philosophy of Individualism was Epicurus of Greece. The motto of human life attributed to him is as follows: "Each one unto himself and the devil take the hindmost." This philosophy of selfishness in its ultimate social perspective can only lead to the law of the jungle. As regards its civilized form it is that which it has taken in the modern materialistic civilization of the West under the label of Capitalism, and which when turned upside down has

assumed the shape of the hydra-headed monster of Communism.

Islam has given us a spiritual philosophy of life which is based on the notions of the “fatherhood” of God and the brotherhood of man. According to Islam, every human being should always keep before himself the following two infallible principles :

1. God is the source of all life and light and all types of blessings in general; and every human being should consider every blessing of God as a sacred trust.
2. All human beings, whatever their country or colour or creed, are members of the same family, and it is the duty of every individual to live not for his selfish good but for the common good and thereby to earn Divine Pleasure and to fulfill his duty as a trustee of the Lord.

In Islam the love of God forms the basis of the love for fellow- beings. And this principle is most reasonable. He who does not love God and does not care for his relation with God cannot logically love his fellow-beings except on the basis of expediency which is another name for self-interest. For such a person it is impossible to make any sacrifice for others and to render service to them

without any ulterior motive. This being so, the Islamic principle of the love of God and leading one’s life solely for God forms the basis of *Ihsan* in Islam.

According to the Islamic teachings, he who does injury to others and in this manner propagates evil will go to Hell, and it is only those who live to serve others and to promote the good of others that are the loved ones of God. All forms of wealth and all other means of benefitting one’s self or others which a Muslim possesses are according to Islam first and last a trust from God, and no Muslim has the right to spend his assets and to employ his faculties to his own liking—the likings his baser self. He has to keep Divine Pleasure before him as the goal. The natural conclusion from this would be that a Muslim should abstain from doing anything which is based on selfishness and should act always in a manner which is conducive to the attainment of the maximum good of the maximum number. And it is not only “good” which a Muslim has to give to others but also “grace”. God Almighty says in the Holy Qur’an. “Do not forget to practise grace in your mutual relations.”



# The Philosophy of Education of Al-Farabi

Bayraktar Bayrakli

## A. Definition of Instruction and Education

Human nature is the foundation of al-Farabi's educational philosophy. He tries to establish the aims and methods of education according to man's nature. So, in explaining the role of nature and social environment, he follows a realistic line. He separates between education and instruction.

According to al-Farabi, education and instruction are two different matters and in order to show their differences, he defines them side by side in the same place.

Both education and instruction are ways of acquiring theoretical, ethical and artistic virtues.

Nevertheless instruction (or Ta'lim) is to create theoretical virtue in nations and cities, while education (or Ta'dib) is the method of creating the ethical and artistic virtues in nations and cities. Instruction begins with talking but education begins with allowing people to acquire by habit the different kinds of virtues mentioned above through motivating them to put these virtues into practice. Experience and behaviour which develop from these habits must penetrate their personalities, or rather their souls. Eventually they would come to practise these virtues out of love. In other words al-Farabi says that as far as training is concerned mind comes first, then follows the personality. In this case, the training of the mind is instruction, while the training of the personality is education.

At first al-Farabi seems to separate

instruction and education with an element of time but in fact his general view is that both instruction and education must be performed simultaneously.

Man's mind must know fundamental principles and basic theoretical ideas. Later, he should know the forms, kinds and different classifications of other principles. After that, such a man will be able to educate personalities of other young people according to their nature. On the one hand he teaches them the rules of logic, on the other hand he must help them to acquire positive habits in order to achieve the perfection of personality.

## B. Human Nature (Fitra)

According to al-Farabi, not all human beings have the same nature. Human nature per se is so rich in its features, and these features again widely vary from person to person. Some human beings are capable of understanding the first categories of logic but some cannot understand them directly, because each human being has different talents according to his character. People who have exactly understood the first categories, become close to perfection and develop similar natures (al-fitra al-mushtaraka).

In explaining human nature, al-Farabi tries to explore the foundations of education. According to him, the deficiency or immaturity of human nature creates the necessity of education.

Al-Farabi points out that human nature with its talents, is like a seed. A seed which has potential power needs to be cultivated in

order to show its potentiality. In the same way, human nature needs to be educated so as to show its talents.

### **C. Methods of Education**

Al-Farabi stresses the importance of applying methods that match different human capacities. He goes further to say that not everybody can learn every kind of knowledge. Therefore, the capacity of the learning person should be taken as a criterion for the selection of what we want to teach him. The methods al-Farabi offers are as follows:

#### **1. Conversation and Persuasion:**

This is the only way by which models of virtues may have deep impact on an individual's personality. Individuals and society have different virtues, and the educator must know what kind of virtues have been practised by a society and individuals. Moreover, this method convinces people to practise the virtues that they are newly taught, and to practice those which they had already known. This method comes from the use of rules of logic. In explaining method, al-Farabi proposes that the elite and ordinary people should be educated separately.

It is worth mentioning that the great philosopher Ibn Rushd (Averroes) agrees on this issue with al-Farabi. The former refers to the tradition of Prophet Muhammad (ﷺ) in which he says: "We must talk to people according to their capacity. In the education of the elite the deepest possible knowledge of the subtleties of existence must be given. People who are educated in such an understanding, are worthy of being rulers."

#### **2. The Method of Force:**

Al-Farabi believes that the efficiency of education is in reverse proportion with teacher to pupils ratio. It strongly depends on the proficiency of the teacher as well. The ruler who educates nations or urban societies must have a power which supersedes all other powers so as to force his methods. Every creature is created to achieve his own highest level of perfection, thus, he was given a capacity which enables him to reach that level. The perfection which belongs only to mankind is called by al-Farabi "The highest happiness (al-sa'ada a/-quswa)". Rulers can use the method of war against some societies which have not made effort to achieve this goal.

To al-Farabi, if a bad man is not educated to the point that he established virtues deep in his personality, he must be driven away from society.

#### **3. The Method of Removing of Doubt:**

In education, doubt is one of the most important methods to reach the truth. There are a lot of facts which people have to know. If these facts are clearly proven, there would not be doubt about their truth. If the proofs of these facts are not definitely known, but it is attempted to demonstrate their truth by showing their similarities to other known facts, then suspicion arises. If a conclusion cannot be derived, another example may then be given, if yet a conclusion is still not reached, more examples could be used. Eventually, if all these given examples do not eliminate doubt, the desire for learning the truth will become clear in the suspecting individual's soul, and he will escape from doubt and show the demand to learn wisdom.

Such doubt should not be suppressed but it must be traced, reoriented and guided. This is the basic method of education. We should teach people how to escape from ideas. In doubt, there is a sense of seeking the truth.

#### **D. Aims of Education**

Al-Farabi's aims of education are in harmony with the nature of man and the purpose of his creation. According to al-Farabi, aims of education are as follows:

1. The forms of character of individuals and groups must be established so that they can properly and deeply inculcate virtues in their personalities.

First of all, they must be taught the attributes of the First Cause (Allah), the levels and attributes of nonmaterial things, activities of all creatures, and how man was created. Then, they must also be taught what man's talents are, how these talents could be developed, what kind of relationship exists between these talents and the mind, and what kind of enlightenment comes out of this relationship. Finally, they must learn what "Will" and "Choice" are.

After that, they must be taught what life is in this World and in the Hereafter, and the happiness which the virtuous man is bound to achieve.

This, the main and most important purpose of education is to teach ethical virtues.

Education has a political task, since it provides the educator with the criterion from which he can spot the young people who are more clever than the others and have strong minds which will eventually enable them to take power and use it.

#### **2. Sociological aims of education:**

Every individual was created with a specific capability which qualifies him for specific jobs. This capability manifests itself in the individual performance of his social duties.

Al-Farabi points out that education must train people in accordance with their talents. For example: It should cater to the kinds of jobs they can do, and how to reach the top level of this skill. If education does not fulfill this function talents of people will die and dwindle away.

If education unites virtues of mind and ethics, it will open the best way of mankind and protect them from wrong actions.

#### **3. Psychotherapy:**

According to al-Farabi, if a person follows a wrong method in hand-writing, his writing will gradually deteriorate. In the same manner, if a person follows a bad way in moral life he will start to misbehave. These wrong actions will create bad tendencies in his soul. Eventually, this situation will lead to a defect in his personality. Gradually, he will start to enjoy these tendencies, exactly as the person who is ill with malaria, enjoys the unpleasant taste of food. He can neither taste sweet nor tasty things nor properly distinguish their tastes in the same way as healthy people.

Al-Farabi points out that these people become like psychopaths always wanting to do evil and loathing goodness and virtue; indeed, they cannot even imagine them. The psychopath does not know his disease but feels himself to be healthy, and does not listen to what their spiritual teacher says.

Education aims to cure these people who

are out of spiritual balance. The educator should make them busy with the things by which they can achieve happiness. If they go along that way, they will move towards spiritual perfection and gradually their moral character will become stronger.

#### 4. Happiness:

Since the goal of man is happiness, the most important aim of education should be the achievement of this happiness. In relation to happiness, al-Farabi divides people into two groups. The first group consists of people who can know happiness

through its principles. These are the learned people. The second group are those people who look for happiness by imagining it. They accept the principles of happiness which are acquired, practised and promoted by their imaginations, not by their consciousness.

Before al-Farabi, Plato said: "True education is that one which leads to virtue: Virtue of citizenship or virtue of humanity".

According to al-Farabi, one of the ways which leads to happiness is to bind the individual to others and to his community.

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# Islam A Political Force

Mr. Anisur Rahman

Different thinkers have expressed different views on the movement of Islam. Majority of the Muslim thinkers pin it down a movement pure and simple, for the purification of soul; but a few thinkers outside the pale of the Arab world opine that it was a movement for the Arab domination of the world. M. N. Roy a very distinguished personality of Hindu India, has elucidated in his famous book—“The Historical Role of Islam” that it was out and out an economic movement for the salvation of the Arabs and the world as a whole.

If I am confronted with the same query I will promptly reply that Islam was a movement for the awakening of humanity at large materially and spiritually, but if I am asked again to give this movement any definite nomenclature in the modern context I will define it as a political force; and the following cogent grounds lend support to my contention.

In the Holy Quran, the very proclamation of the Almighty to create the vicegerent on the earth presupposes that the representative will be well equipped with power and authority to promulgate injunctions to maintain law and order in creation. It also leads us to believe that the messages of God are to launch a movement for the growth and development of a neat and clean social order. It appears beyond the purview of the concept of the Holy Qur’an that the Caliph is anything but an insignia of powerless celibacy and fountain head of morality without any Political Authority. The Holy Qur’an is very much elucidative of the aim of the creation of mankind, and it

symbolizes authority and command conferred upon man to establish suzerainty of the creator. Iqbal has candidly expressed his view in a couplet to support the need of prophet-hood:—

وہ نبوت ہے مسلمان کے لئے برگِ حشیش  
جس نبوت میں نہیں قوت و شوکت کا پیام

Translation: “That prophet-hood is like a straw (opium) for the Muslim which does not give message of strength and authority.”

The Holy Qur’an explicitly commanded pious, disciplined and devoted personalities to take up the reins of the Government. The Holy scripture has bestowed entitlement on the persons having Taqwa as their characteristics to come forward to rule the destinies of the universe, and not to allow it to fall prey to the clutches of the vultures—men of greed and avarice.

To Islam the Government is a means to an end and not an end itself and to bring it to being all efforts possible are exercised; and without which, it holds that neither the personality can be created nor the society can be developed.

Historical traces are available in the pages of the Holy Qur’an that the great prophet “Moses” wanted his followers to fight the then rulers of Palestine and conquer the promised land for themselves which the then Israelites refused to comply with and so they were ordained to loiter in the valley of Aiman till the extinction of the then existing generation. However on the death bed, the Prophet Moses (A.S.) showed his followers from the mount of Pishga the

promised land of Milk and Honey, and his mission was fulfilled when his behest was translated into action and the Kingdom of Israelites was established in Palestine by the coming generation.

The Old Testament discloses the fight between the two political forces of the time represented by Jaloot on the one hand and Taloot on the other. The Israelites were directed to accept Hazrat Taloot as the head of the Political force to defeat Jaloot and the mission was accomplished with the help of Hazrat Dawood who was succeeded by his brilliant son Suleman, the magnificent, a great king of his time and who successfully established the Suzerainty of God on earth and promulgated the heavenly laws in the then social order.

The pages of gospel and religious history of mankind are not free from battles and wars for the establishment of Political supremacy of the Almighty and his messengers for the material as well as spiritual progress of humanity.

### **Last Prophet**

The Holy Prophet (ﷺ) appeared at Mecca as a Preacher of Gospel but at Madina he was the most successful Ruler, ruling over vast area of 1,200,000, (twelve lakhs) sq. miles. He founded a very strong unitary form of Government by merging almost all smaller principalities spreading in that vast dissolute sandy land of Arabia. The analogy cannot be challenged that the prophethood aimed at the establishment of heavenly Kingdom on earth and the effort was made by almost all the Prophets in the long line of the Prophethood, but the tremendous success was achieved by the last Prophet (ﷺ).

### **Political Texture**

The Government is the only means to sanction the laws to be followed for the peace and tranquility of the Society and hence it is of prime importance even for the missions of God to lay the foundation of the Government fore and foremost to create an atmosphere for the injunction of the Almighty to be obeyed to better the lot of mankind.

For a Student of Political History the study of Political texture of the movement launched by Islam at different ages is of a significant importance.

### **The Unity of God**

The nucleus round which the whole Political Philosophy of Islam revolves is the concept of the oneness of God, a beacon light for the unity of thought and action, over and above the unity of mankind. It is to spell all distinction, colour, cast and creed and to create circumstances for the establishment of complete fraternity among the children of Adam. The very concept is the breeding ground of internationalism, the vanishing point of Nationalism for an all embracing movement of a social order based on common brother-hood of man.

The belief in the Almighty is coupled with the belief of two spheres of lives, this world and the world hereafter. It has expanded the span of life with unlimited resources of strength and vitality which man has to channelize, every inch of it, to regulate the human conduct for the progress and prosperity of the creation with the conviction to be rewarded by the highest authority in this world and in eternity.



## علم و حکمت

(لفظ ”علم“ (۸۳۳) بار قرآن میں آیا ہے)

کیا جاننے والے اور نہ جاننے والے یکساں ہو سکتے ہیں؟ اور نصیحت تو عقل رکھنے والے ہی قبول کرتے ہیں (الزمر۔ ۹)

اسلام علم و حکمت کو مومن کی گمشدہ میراث اور حصول علم کی کوشش کو ہر مسلمان پر فرض قرار دیتا ہے۔ اللہ نے اپنے حبیب محمد صلی اللہ علیہ وسلم کو دعا کی ہدایت کی کہ آپ دعا کیا کیجئے۔ اے میرے رب میرے علم کو بڑھا۔ علم (سائنس) اشیاء کی ماہیت کے بارے میں جاننے کا نام ہے اور حکمت معلوم اشیاء کی حقیقی قدر معین کرنے کی صلاحیت کا نام ہے۔ عقل و دانش یک ایسی نعمت ہے جو اللہ نے کسی نہ کسی درجہ میں ہر مخلوق کو عطا کی ہے۔ حقیقی دانش مندی وہی ہے۔ جو اس صلاحیت کو مثبت استعمال کرے۔ کتاب حکیم بار بار نفس و آفاق میں موجود نشانیوں کے بارے میں تدبر، تفکر، تعقل کا حکم دیتا ہے۔ مسلمانوں کا عروج بھی اسی سے وابستہ رہا اور جب ہم نے اس سے منہ موڑ لیا اور مغربی اقوام نے اس کو اپنایا تو ان کو عروج حاصل ہوا علم ہماری میراث تھی لیکن ہماری غفلت نے آج یہ صورت پیدا کر دی کہ ہم اپنی میراث سے ہی غافل ہو گئے مسلمانان عالم کی پسماندگی، غربت اور جہالت سے نکلنے کا واحد علاج جدید علوم و فنون کا حصول ہے۔ آپ ﷺ نے فرمایا کہ ”جو شخص حصول علم کیلئے نکلے وہ جب تک واپس نہ آئے وہ اللہ ہی کے راستے میں ہے۔“ (ترمذی)

انتخاب :- مولانا ابو نعیم انوار اللہ خان



ہے یہی حکم مضاربت میں صاحب سرمایہ یا کاروباری فریق کی موت کا ہے۔ اس اصول کے مطابق اگر شرکت تین افراد کے درمیان تھی اور ان میں ایک کی موت واقع ہوگئی تو وہ صرف اس شریک کے حصے کی حد تک شرکت ختم ہو جائے گی۔ باقی دو شرکاء کے حصے میں نہیں ختم ہوگی۔

**مال مضاربت میں نقصان کا واقع ہونا**  
 اگر مال مضاربت کا کچھ حصہ ہلاک ہو جائے تو اس کو نفع سے بچا گیا جائے گا کیوں کہ اس المال یعنی سرمایہ اصل ہے اور نفع اس کے تابع ہے اور نقصان کو تابع کی طرف پھیرنا زیادہ بہتر ہوتا ہے جیسا کہ نصاب زکوٰۃ میں ضائع ہونے کو زائد از نصاب میں سے شمار کرتے ہیں یعنی ہلاکت مقدار غنوی طرف راجع ہوتی ہے اور اگر اتنا مال ہلاک ہو جائے یعنی ضائع یا نقصان ہو جائے کہ نفع سے بڑھ جائے تو مضارب اس کا ضامن نہ ہوگا کیوں کہ وہ امین ہے اور امین پر ضمان نہیں ہوتا۔

کنز الدقائق میں ہے۔ اور جو مال ہلاک ہو جائے مال مضاربت سے تو وہ نفع سے ہوگا اور اگر نفع سے زیادہ ہلاک ہو جائے تو ضامن نہ ہوگا یعنی مضارب اور اگر نفع تقسیم کر لیا گیا ہو اور مضاربت باقی رہی ہو پھر کل مال ہلاک ہو گیا یا کچھ مال تو نفع کو لوٹا دیں تاکہ مالک اپنا اس المال لے لے اور جو بچے وہ ان دونوں کے درمیان ہوگا اور اگر کم پڑ جائے تو مضارب ضامن نہ ہوگا کیونکہ یہ اصول ہے کہ مشترک کاروبار خواہ وہ مضاربت کی بنیاد پر ہو یا شراکت کی بنیاد پر نقصان ہونے کی صورت میں یہ نقصان اصحاب سرمایہ کو یا صرف صاحب سرمایہ کو برداشت کرنا ہوتا ہے۔ تمام مکاتب فکر اور فقہ اس پر متفق ہیں۔

تصور کیا جائیگا اور اسی طرح اگر مضاربت کے سرمایہ سے کارکن نے کوئی مال خریدا تو یہ کاروبار اس کے اپنے کھاتے سے تصور کیا جائے گا۔ اور اس پر مالک مال کو کوئی دخل نہیں ہوگا۔ لیکن اس کی ذمہ داری کارکن پر عائد ہوگی اور اس کام کے معاوضہ کا حق دار نہ ہوگا۔ البتہ اگر کسی شرط کے خلاف کیا اور اس کو درگزر کرنا ممکن ہو اور اس سے رجوع کر لیا تو معاملہ مضاربت بدستور قائم رہیگا۔ مثلاً اگر کارکن نے مال کی خریداری اس شہر کے علاوہ جس کی شرط مالک مال نے عائد کی ہے کسی اور جگہ سے کی لیکن اسے واپس کر دیا اور پھر وہیں سے خرید کر لیا جہاں کی شرط تھی تو معاملہ مضاربت بدستور قائم رہیگا۔

### معاہدہ مضاربت کے باطل ہونے کی صورتیں

(۱) فریقین (رب المال - مضارب) میں سے کسی ایک کی موت واقع ہو جائے تو معاہدہ مضاربت باطل ہو جاتا ہے۔  
 (ب) رب المال کے مرتد ہو جانے پر جبکہ وہ دار الحرب میں کافروں کے ساتھ جا ملا ہو تو مضاربت باطل ہو جاتی ہے۔  
 جز الف کی تفصیل تحقیق کی روشنی میں ملاحظہ ہو۔ اگر رب المال یا مضارب مر جائے تو مضاربت باطل ہو جاتی ہے۔ کیوں کہ مضارب کے عمل کے بعد مضاربت تو وکیل کے حکم میں ہوتی ہے اور وکالت موکل یا وکیل کے مرنے سے باطل ہو جاتی ہے تو مضاربت بھی باطل ہو جائے گی۔ نیز اگر رب المال خدا نخواستہ مرتد ہو کر دار الحرب میں چلا جائے تب بھی مضاربت باطل ہو جاتی ہے۔ فقیہ علی خیف تمام فقہاء کا متفقہ مسلک بیان کرتے ہوئے لکھتے ہیں کہ جب کوئی شریک انتقال کر جائے تو اس کے حصہ کی حد تک معاہدہ شرکت ختم ہو جاتا ہے کیوں کہ وہ حصہ وراثت میں اس کے وارث کی طرف منتقل ہو جاتا ہے۔ لہذا امورث کا کیا ہو معاہدہ کا عدم ہو جاتا



مضاربت جائز ہے۔

ان امور کا بیان جن کا مضاربت کے لیے سرانجام دینا جائز یا ناجائز ہے اگر عقد مضاربت کسی مکان و زمان اور تصرف خاص کے ساتھ مقید نہ ہو بلکہ مطلق ہو تو مضارب کے لیے وہ تمام امور جائز ہیں جو تجارت کے یہاں معتاد ہوں۔ اگر رب المال نے تجارت کے لیے کوئی خاص شہر یا کوئی خاص سامان یا کوئی خاص وقت یا کوئی آدمی معین کر دیا ہو جس کے ساتھ وہ معاملہ کرے تو مضارب کے لیے اس کے خلاف کرنا جائز نہیں۔ رب المال کو یہ حق حاصل نہیں کہ کوئی ایسی شرط عائد کرے جو سود مند نہ ہو۔

احناف کے مطابق مالک مال کو خصوصی اختیارات حاصل ہیں۔

۱۔ مالک مال کو حق حاصل ہے کہ معاملہ مضاربت کے لیے خاص میعاد مقرر کر دے اور اس کی یہ شرط درست ہے کہ کارکن صرف اس موسم میں کاروبار کریگا جس میں پیاز یا روٹی ہوتی ہے یا یہ قید لگا دے کہ صرف موسم سرما یا گرما میں تجارت کا کام کیا جائے یا یہ سال بھر سے زیادہ عرصہ تک کاروبار جاری نہ رہیگا وغیرہ۔

۲۔ مالک مال کو یہ حق حاصل ہے کہ وہ تجارت کے لیے کسی خاص مقام کا تعین کر دے لہذا اگر وہ یہ کہے کہ کاروبار صرف پاکستان یا سعودی عرب یا ایسے ہی کسی اور شہر میں کیا جائے تو اسے اختیار حاصل ہے۔

۳۔ مالک مال کو یہ اختیار بھی حاصل ہے کہ وہ کارکن کو کسی خاص قسم کی چیز کی تجارت کا پابند کر دے لہذا یہ شرط درست ہے کہ فلاں شخص کے علاوہ کسی اور کے ہاتھ مال فروخت نہ کیا جائے یا فلاں کے سوا کسی اور سے نہ خریدا جائے۔ تمام صورتوں میں کارکن کے لیے یہ درست نہیں کہ مالک مال کی عائد کردہ شرائط کی خلاف ورزی کرے اگر اس کے خلاف کیا تو اسے غاصب یعنی ناجائز قبضہ کرنے والا

صورتوں میں جہاں تک مضاربت کی سادہ شکل کا سوال ہے اس بارے میں کوئی اختلاف نہیں پایا جاتا اور کسی شریک کے لیے مخصوص طور پر چند متعین درہم زائد دینا نہیں طے کیا جاسکتا شرکت یا مضاربت میں دونوں فریقوں میں سے کوئی اگر اپنے لیے رقم کی مقدار طے کرے تو ایسا کرنا درست نہیں ہوگا۔

شرط فاسد سے مضاربت فاسد ہو جاتی ہے جو شرط نفع میں جہالت پیدا کرے وہ مفسد مضاربت ہے اگر کوئی شرط ایسی لگائی گئی ہے جو موجب جہالت نفع یا موجب قطع شرکت نہ ہو تو ایسی شرط سے عقد فاسد نہیں ہوتا بلکہ خود شرط باطل ہو جاتی ہے۔ چنانچہ اگر مضاربت میں کوئی موجب جہالت نفع شرط لگائی ہو مثلاً رب المال نے مضارب سے بطریق تردید کہا کہ تیرے لئے نصف نفع ہے یا تہائی یا کوئی ایسی شرط لگائی ہو جو قاطع شرکت ہو مثلاً کسی ایک کے لئے معین درہم کی شرط کر لینا تو ایسی شرطوں سے عقد مضاربت فاسد ہو جاتا ہے کیوں کہ مضاربت میں نفع معقود علیہ ہوتا ہے اور جہالت معقود علیہ مفسد عقد ہوتی ہے۔

مصادر قانون اسلامی میں ہے کہ ہر وہ شرط جو نفع میں جہالت کا سبب بنے یا شرکت میں قطع تعلق کا باعث ہو تو وہ مضاربت کے فاسد ہونے کا موجب ہوگی اور جن شرائط سے اس قسم کا احتمال نہیں ہے وہ شرائط غیر معتبر ہیں اور ان سے مضاربت بھی فاسد نہیں ہوتی اگر مال والے نے کارکن سے کہا کہ تجھ کو تہائی نفع ملے گا اور دس درہم ہرمہینہ میں ملیں گے اگر تو مضارب کا کام کریگا تو مضاربت جائز ہے اور شرط باطل ہے۔ لہذا اگر اس کارکن نے اس شرط پر کام کیا اور نفع اٹھایا تو نفع شرط کے مطابق تقسیم ہوگا اور کارکن کو اس میں سے کوئی مزدوری نہیں ملے گی۔ اگر آدھے کی مضاربت پر ہزار درہم کارکن کو اس شرط پر دیئے کہ مال والا ایک سال تک اپنی زمین مضارب یعنی کارکن کو دے گا اور وہ اس زمین میں زراعت کریگا یا کوئی گھر اس کو دے دیا تاکہ وہ اس میں رہائش رکھے تو شرط باطل ہے۔ اور



شرکت ہے جس میں ایک شخص کا سرمایہ دوسرے کی محنت ہوتی ہے اور نفع میں دونوں شریک ہوتے ہیں۔

شاہ ولی اللہ مضاربت کی تعریف میں لکھتے ہیں کہ ”معاذت باہمی کی چند قسمیں ہیں ان میں سے ایک مضاربت ہے وہ یہ کہ مال ایک شخص کا اور محنت دوسرے شخص کی ہو اور رضامندی طرفین کی تصریح کے ساتھ نفع دونوں کے درمیان ہو چونکہ اس میں ایک آدمی پیسہ دیتا ہے اور دوسرا آدمی اپنی محنت اور دوڑ دھوپ سے مزید پیسہ پیدا کرنے اور فائدہ حاصل کرنے کی کوشش کرتا ہے اس لیے اس معاملہ کو مضاربت کہتے ہیں شرعاً ایک طرف سے مال اور دوسری طرف سے عمل کے ساتھ نفع میں شریک ہونے کے معاہدہ کو مضاربت کہتے ہیں پس اگر باوجود ایک طرف سے مال اور دوسری طرف سے عمل ہو لیکن نفع میں شریک نہ ہو بلکہ یہ شرط ہو کہ نفع تمام رب المال کا ہوگا تو یہ بضاعت ہوگی اور اگر یہ شرط ہو کہ سارا نفع مضارب یعنی عامل کا ہوگا تو یہ صورت قرض کی ہوگی عام طور پر فقہاء کے نزدیک مضاربت دو فریق کے درمیان اس امر پر مشتمل ایک معاہدہ ہے کہ ایک فریق دوسرے کو اپنے مال پر اختیار دے کہ وہ نفع میں سے ایک مقررہ حصہ نصف یا تہائی یا چوتھائی وغیرہ کے عوض مخصوص شرائط کے ساتھ اس مال کو تجارت میں لگائے لیکن اگر کاروبار میں نقصان ہو تو مضارب ذمہ دار نہ ہوگا۔

### مضارب کی حیثیت کا تعین

مال مضاربت میں قبل از تصرف امین ہوتا ہے۔ بعد از تصرف وکیل ہوتا ہے بعد از وصول منافع میں شریک ہوتا ہے۔ مضاربت فاسد ہونے سے اجیر ہوتا ہے۔ رب المال کے حکم کے خلاف کرنے سے عاصب ہوتا ہے۔ اپنے لیے کل منافع کی شرط لگا دینے سے قرض لینے والا ہوتا ہے اور کل نفع کی شرط رب المال کے لیے کرنے سے سرمایہ لینے والا ہوتا ہے۔

فتاویٰ ہندیہ میں ہے کہ مختلف حالات میں مضاربت کی

حیثیت مختلف ہوتی ہے۔ چنانچہ کارکن ابتدا میں تو امین ہوتا ہے اور جب کام شروع کر دے تو وکیل بن جاتا ہے اور جب اس میں نفع حاصل کر لیتا ہے تو شریک بن جاتا ہے کیونکہ فریقین نفع میں شریک ہیں اور اگر معاملہ مضاربت فاسد ہو جائے تو وہ مزدور کی حیثیت رکھتا ہے کیونکہ اس میں یعنی اس حالت میں کارکن کام کے مطابق مزدوری کا حقدار ہوتا ہے امام ابو یوسف فرماتے ہیں کہ مزدوری اتنی زیادہ نہیں ہوگی جتنی کہ معاہدہ کے وقت مضاربت میں مقرر کی گئی تھی اور اگر وہ مالک کی مخالفت کر دے یعنی معاہدہ کی خلاف ورزی کرنے کی صورت میں عاصب ہو جاتا ہے اگرچہ بعد میں اس کو اختیار حاصل ہو جائے اور اجازت بھی مل جائے۔

### مضارب اور رب المال میں نفع کی تقسیم

نسبت سے ہونا ضروری ہے۔

صحت مضاربت کے لیے مال لینے والے یعنی مضارب اور مال کے مالک یعنی رب المال دونوں کے لیے طے کیا جانے والا حصہ نفع ایک عام نسبت سے ہو۔ اگر ایک محنتیں رقم طے کر لی گئی تو مضاربت فاسد ہو جائے گی۔

صحت مضاربت کے لیے نفع کا دونوں کے درمیان شائع اور عام ہونا شرط ہے مثلاً نصف یا تین تہائی وغیرہ۔ اگر مضارب نے یا رب المال نے اپنے لیے معین مقدار کی شرط کر لی یا دس درہم زائد کی شرط کر لی تو عقد فاسد ہو جائیگا۔ اور مضارب کو اس کی محنت کی مزدوری طے کی لیکن جو مقدار شرط تھی امام ابو یوسف کے نزدیک اس مقدار سے زائد مزدوری نہیں دی جائیگی۔ امام محمد اور ائمہ خلاصہ کے نزدیک پوری مزدوری دی جائیگی گو شرط سے زائد ہو۔

### تقسیم نفع

مذہب حنفی یہ ہے کہ جب دو افراد شرکت کریں تو نفع ان کے مابین ان کے طے کردہ نسبت سے تقسیم پائیگا۔ شرکت کی تمام



# مضاربت

## قرآن وحدیث کی روشنی میں

### پروفیسر ڈاکٹر فرید الدین

#### مشروعیت مضاربت

مضاربت کی مشروعیت دلائل اربع (یعنی قرآن، سنت، اجماع اور قیاس) سے ثابت ہے مضاربت ضرب سے مشتق ہے بمعنی زمین پر پاؤں مارنا، چلنا، پھرنا، چونکہ تجارت کرنے والا زمین میں چل پھر کر کاروبار کرتا ہے اور نفع کماتا ہے چنانچہ اس طریقہ تجارت کو مضاربت کہتے ہیں۔ ارشاد باری ہے،

واحترون یضربون فی الارض یتفنون من فضل اللہ  
(اور کچھ لوگ ایسے بھی ہیں جو زمین میں چل پھر کر اللہ تعالیٰ کا رزق تلاش کرتے ہیں)

جواز مضاربت سنت رسول اللہ ﷺ سے ثابت ہے۔ آنحضرت ﷺ کی بعثت کے بعد بھی لوگوں کے ہاں مضاربت جاری رہی۔ دراصل یہ طریقہ عہد جاہلیت میں جانا پہچانا تھا۔ اس وقت قراض کے نام سے موسوم تھا۔ قریش چونکہ تجارت پیشہ تھے اور ان کا اس کے علاوہ کوئی ذریعہ معاش نہ تھا۔ وہ اپنا مال مضاربت پر ان لوگوں کو دے دیا کرتے تھے جو منافع میں ایک مقررہ حصہ پر تجارت کرتے تھے۔ رسول ﷺ نے بھی اس کو اسلام میں جاری رکھا اور مسلمانوں نے اس پر عمل کیا۔ اس میں کوئی اختلاف نہیں اگرچہ ایک طبقہ منکرین حدیث کا ہے جو مضاربت کے شرعی جواز سے انکار کرتے ہیں۔ وہ اسلام کے ایک اہم قانونی ماخذ حدیث کا انکار کرتے ہیں تو مضاربت کے انکار کرنے سے مضاربت کے شرعی جواز پر کوئی اثر نہیں پڑتا۔ اس کے علاوہ امت مسلمہ میں سے کسی کو کوئی اختلاف ہوتا تو کوئی اس طرف متوجہ نہ ہوتا خود آنحضرت ﷺ حضرت خدیجہ الکبریٰؓ کا مال بھی قراض کی صورت میں لے کر بیرون ملک تشریف لے گئے تھے۔ نہایت المحتاج میں ہے کہ نبی کریم ﷺ نے پچیس سال کی عمر میں حضرت خدیجہ الکبریٰؓ کا مال ملک

شام لے جا کر مضاربت کی۔ اس واقعہ کو بطور استدلال کہا جاتا ہے کہ نبوت کے بعد آپ ﷺ نے اس واقعہ کی تردید نہیں فرمائی۔ لہذا اس کی مشروعیت کے لیے یہی کافی ہے۔ مضاربت رسول اللہ ﷺ کے عمل سے شرعاً ثابت ہے۔ اور جو لوگ مضاربت کا انکار کرتے ہیں گویا وہ رسول اللہ ﷺ کے اس عمل کا انکار کرتے ہیں جبکہ نبی کریم ﷺ خود لوگوں کو بھی مضاربت پر آمادہ فرمایا کرتے تھے۔ مضاربت کی شرعی حیثیت آثار صحابہ اور اجماع امت سے بھی ثابت ہے۔ حضرت عمرؓ کا یہ عمل تھا کہ وہ یتیم کا مال مضاربت پر دیا کرتے تھے۔ ”عن عمرؓ انه کان اعطی مال الیتیم مضاربتة“ حضرت عبداللہ بن مسعودؓ کا یہ عمل تھا کہ وہ اپنا مال زید بن خلیفہ کو مضاربت پر دیا کرتے تھے۔

مضاربت کا مفہوم اور اصطلاحات مضاربت مضاربت ایک قسم کی تجارتی شرکت ہے جس میں ایک جانب سے سرمایہ اور دوسری جانب سے محنت ہو اس معاہدے کے تحت کہ اسے کاروبار کے نفع میں ایک متعین نسبت سے حصہ ملے گا سرمایہ فراہم کرنے والے اور محنت کرنے والے متعدد افراد بھی ہو سکتے ہیں۔

اصطلاح شریعت میں مضاربت اس عقد کو کہتے ہیں جس میں ایک جانب سے مال ہو اور دوسرے کی جانب سے عمل ہو اور نفع میں دونوں شریک ہوں۔

جس کی جانب سے مال ہو اس کو رب المال کہتے ہیں اور جس کی جانب سے عمل ہو اس کو مضارب کہتے ہیں۔ اور جو مال دیا جائے اس کو مال مضاربت کہتے ہیں۔

مفردات القرآن میں ہے کہ مضاربت ایک قسم کی تجارتی