



THE MINARET

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

An International monthly Devoted to Islamic Progress
Organ of
WORLD FEDERATION OF ISLAMIC MISSIONS, KARACHI.

Published in Memory of
Maulana Shah Abdul Aleem Siddiqui Al-Qaderi (R.A.)
and

Maulana Dr. Muhammad Fazl-Ur-Rahman Al-Ansari Al-Qaderi (R.A.)

ANNUAL SUBSCRIPTION RATES BY AIR MAIL (INCLUDING POSTAGE)

1. Per Copy Rs.50.00
(Pakistani)
2. Inland Rs. 500.00
(Pakistani)
3. Asia, Africa, Europe
4. U.K. 20.00 US\$
5. USA, Canada, New Zealand
& West Indies 30.00 US \$

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"THE MINARET" may not necessarily agree with the opinions of the writers

1. Approved for Schools, Collages and Educational Institutes vide Circular No. (DE / F. Pub / 11-A - (3082-3390) 72, Directorate of Education, Karachi Region, dated 8-5-1972
2. Approved as Research Journal by the "Board of Advance Studies & Research" (BASR) University of Karachi, dated 28-03-2014

Website: www.wfim.org.pk

Published by World Federation Of Islamic Mission, Abdul Aleem Siddiqui, and Islamic Centre Road, Islamic Centre, B, Block, North Nazimabad, Karachi-74700 Pakistan. Phones 36677943, 36644156
Fax: (009-21) 6627021 Email: wfim2016@gmail.com

Printed at M/s. **Abrar Sons**, Hydri Manzil, Bohra Pir, Karachi. (0333-2110769)

Moral Values in Commerce

Maulana S. A. H. Bukhari (R.A.)

The peace of the world once again stands under the threat of a world war. The craving for land may not be the cause of war this time nor political ambition; it may be the unsuitable thirst for ever-increasing commercial gains on the part of the industrially developed countess of the world—the U.S.A. (or the West) being at the head of them.

The evil began by denuding commerce of the moral values that served as a healthy check on the unhealthy craving for more and more wealth. "The commercial experts turned commerce into an object science bound under the blind principles of demand and supply and later on they invented ways of creating artificial demands and causing artificial shortages, thus giving their avarice a natural colour. In this way did they succeed in sucking the life-blood not only of individuals but also of nations. Among the under-developed and developing countries of the world it is hard to find one that is more prosperous than it was half a century ago.

This foul play could not continue forever, nor could it remain a secret forever. The under-developed countries have realized that their raw materials are bought at unimaginably low prices and the returned to them in the form of finished goods at prodigiously high prices. Some of these raw material producing countries, that had the guts thereof, decided to increase the prices of their raw material in healthy proportions with the prices of the finished goods. They are the oil producing countries.

It may be seen that it was a reasonable

demand which no one could deny, it however, contained a defect—it did not allow the developed and rich countries to grow still richer at the cost of under-developed and poor countries. It was blasphemous, in the view of the former, place both at an equal level and to try to deprive them of the monopoly of controlling the world economy. It was a hard blow at the root of neo-colonialism.

The U.S.A. Government, therefore, started an unrelenting campaign against this new trend. It began by threatening the Arabs—the oil producing Arabs threatening to occupy their lands by force. When this did not work, they began to form an alliance with the industrially developed countries of Europe and Asia—in the name of economic and industrial welfare - in order to invade the Arab world in the form of a joint venture and to present it to the world at large as a humanitarian cause.

Only a score of years ago, this policy of the U. S. A. would have with success. But conditions have now changed most unfavourable for the U. S. A. She has lost her war of prestige in Asia, where even her former friends regard her as a deserter and as an unfaithful and unreliable friend. In view of these conditions of the world it is in interest of the U. S. A. to yield and to accept the reasonable conditions of the Arabs and the countries that produce raw materials. But, would the leading Jewish elements in America let her adopt a reasonable policy that would be in her own interest, or force her to commit political suicide by taking one more rash step, like many such step in the past?

Only time can answer the question.

Coordinating Factor

Life is a composite unit even as the clock that is placed on my table. Every individual part of it is connected with every other part—coordinated in order that the composite unit may fulfill its object by giving a healthy performance. No wise watch-maker can ever ignore the coordinating factor without which no watch or clock can work properly.

Most unfortunately this fact has been ignored by our modern specialists, particularly in the field of commerce. They behave in a way which gives the idea that the object of commercial transaction is to earn more and more profit regardless of moral values. Now, this is an error and the world is reaping the bitter fruit thereof. This attitude has resulted in many tragic wars in the past.

As a matter of fact, the moral laws serve as a coordinating and cementing force that is responsible for creating harmony and maintaining a healthy balance between all aspects of human activity. When any of the various fields of human activity, be it commerce, economy, Industry, education or politics, is divorced from moral values it drifts away far from being helpful to general progress of the human race, and assumes the form of a threat to it.

The basic principle for commercial transaction as laid down by the Holy Qur'an is mutual agreement and goodwill. It says:

“O ye who believe! eat not up your property among yourselves is vanities: but let there be amongst you traffic and trade by mutual goodwill.” (4 :29)

It may be seen that mutual goodwill can

exist where there is the aim of rendering service, but where the sole object is to earn more and more and not to serve, the door of exploitation is opened and the practice of commerce becomes a means of sucking the blood of mankind in general.

Exploitation is being largely practiced both nationally and internationally these days. The merchants and producers of a particular commodity form unions and decide unanimously that they would not sell their commodity for less than ten times its cost price. Now, if the commodity happens to be vitally necessary the consumers would have to buy it, forced by necessity and would pay the demanded price, but they would not pay it out of goodwill. Thus the bargain would turn into exploitation on the part of the producers and the merchants and as such would be deprived of the blessings of God. It may seem to be increasing the wealth of the exploiters, but before long, it would end in discontent and would in the course of time produce violent reactions.

This sort of exploitation is internationally practiced by great powers that manufacture arms and sell them. They create the necessity of arms by fostering hostilities between neighbouring countries and sell their arms at staggeringly high prices. The countries that are forced to buy arms are also forced to sell their raw materials at the unimaginably low prices which the heartless merchants of arms offer. Thus the bargain ends in a double exploitation on the part of the great powers. The Holy Qur'an condemns such practices and says:

“Woe to those that deal in fraud, those who, when they have to receive by measure from men, exact full measure, but when they have to give by measure or

weight to men, give less than due.” (83:1-3)

In a general way, the merchant forms a connecting link between the producer and the consumer, and as such he plays a very important role in the life of society. If he is honest and is filled with the spirit of service, he can be a blessing to the entire society, but if he is dishonest and is motivated only by the spirit of earning more and more—by fair means or foul—he will turn himself into a parasite causing great harm both to the producer and the consumer. In view of this importance of the merchant, Allah had appointed a prophet with the sole purpose of teaching mankind the moral laws that should bind the practice of commerce. It was Shuaib (A.S.) whose teachings to his people have been described by the Holy Qur'an as follows:

“To the Madyan people (we sent) Shuaib, one of their own brethren: he said: — “O my people! worship God : ye have no other God but Him, and give not short measure or weight: I see you in prosperity, but I fear for you the Penalty of a Day that will compass (you) all around. And O my people! give just measure and weight, nor withhold from the people the things that are their due: commit not evil In the land with the intent to do mischief. That which is left you by God is best for you, if ye (but) believed! but I am not set over you to keep watch!

‘They said: O Shuiab! does thy (religion of) prayer command thee that we leave off the worship which our fathers practice or that we leave off doing what we like with our property ? Truly thou art the one that forbearth with faults and is right-minded. (II :84-87).

Thus the Holy Qur'an depicts most beautifully the attitude of the commercial

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exploiters, their different standards while selling and while buying and their utter disregard for moral principles in the field of commerce. They wondered how could religion interfere with commerce and prevent them from earning more and more profit through fair and foul means! They did not have the least idea that commercial activities should primarily aim at service and that no profit is lawful unless it stands for service that is rendered.

Difference between Trade and Usury

This is the basic difference between commercial practice and usury. Both of them—the merchant and the usurer—invest money; but the merchant adds service to his investment and provides his customers with their necessities of life, while the usurer invests money alone and renders no practical service. Hence the gains of the merchant are lawful while those of the usurer are unlawful.

The Holy Qur'an presents this idea most briefly as follows:

Those who devour usury will not stand except as stands one whom the Evil One by his touch hath driven to madness. That is because they say: "Trade is like usury - " but God hath permitted trade and forbidden usury." (2: 275).

Holy War Against Commercial Evils

The fields of commerce have always been a scene of innumerable evils ending in exploitation of the masses. The evils that are being practiced today on a larger scale are the same as were practiced at the time of the Holy Prophet (ﷺ). Islam waged a relentless war against these evils, and the Holy Prophet (ﷺ) pointed at each and every evil and struck at its very root. The

following are a few of his sayings that throw light on Islamic Teachings on this head:

Lawful Earning

1. "None ever ate any food better than the fruit of the labour of his hands, and Dawood, the Prophet of God, used to eat of the labour of his hands." (Bukhari).
2. Abu Hurairah narrates that the Holy Prophet (ﷺ) said:
"God is Pure and does not anything but that which is pure. He ordered the believers of what He ordered His Messengers, saying I "O Messengers! eat of the pure things and be righteous in your actions" and "O believers! eat of the pure things that we have provided you with."
Then the Holy Prophet (ﷺ) mentioned a person on a long journey, with disordered and dusty hair he raises his hands towards the sky and says: "My Lord! My Lord!" while his food is unlawful, his drink is unlawful, his clothes are unlawful, and he has grown on unlawful food. How could his prayer be responded to?
3. When a man earns out of unlawful means and spends his earning in charity, it is not accepted : when he spends it for his own ends, he is not blessed in it, and when he leaves it behind, it becomes a means to conduct him to the Fire. The evil is not erased by evil, it is erased by good." (Ahmad).
4. The Holy Prophet (ﷺ) was once asked about which of the earning is the purest? He replied: "That which one comes by with the labour of one's own hands, and every honest trade." (Ahmad).
5. Ibn Umar says : "Whoever buys a cloth

for ten dirhams out of which there was one dirham which he had earned unlawfully, his prayer would not be accepted as long as the cloth remains on his person." Then he put his fingers into his ears and said : "May these be deafened if I had not heard it from the Holy Prophet (ﷺ)" (Ahmad).

6. The buyer and the seller have the option (to cancel the bargain) as long as they do not leave the place. If they have been truthful and revealed the defects of their commodities, they are blessed, but if they lied and concealed the defects, they are not blessed. (Bukhari and Muslim).
7. Let not the two (the buyer and the seller) leave each other except with mutual satisfaction. (Abu Dawood).

Commercial Evils

The Holy Prophet (ﷺ) has advised that commercial transactions should be based on thorough and clear-cut bargains wherein both parties should be fully aware of the quality and quantity of the commodities exchanged. The transactions should contain not the slightest possibility of duping or exploitation, nor should it resemble gambling.

8. Ibn Umar reports that the Holy Prophet (ﷺ) prohibited from selling the fruit which is still on the tree in exchange for a given measure or weight of the same variety of fruit, and from selling the grain in a form yet unharvested in exchange for the same grain in measure or weight on the basis of: "If it proved to be more, I gain and if it proves less, I lose." (Bukhari and Muslim).
9. Abdullah Ibn Umar reports that the Holy

Prophet (ﷺ) prohibited from selling the fruit on the tree (for cash) until it begins to ripen. Anas added that the Holy Prophet (ﷺ) also said: "If God withholds the fruit, why should he take the money of his brother?" (Bukhari and Muslim).

10. Abu Saied al-Khudri reports that the Holy Prophet (ﷺ) prohibited from Mulamashah (ملامشة) and Munabozuh (منابذة) : the former is the sale of goods in darkness so that the buyer can touch it but cannot see it, while the latter is the sale of commodities by throwing them towards the buyer while he does not know its quality or quantity. (Bukhari and Muslim).
11. Abu Hurairah reports that the Holy Prophet (ﷺ) once passed by a man who was selling food grains piled in a heap. The Holy Prophet (ﷺ) thrust his hand into the heap and found it wet inside. "What is this?" he asked the man, who replied that it was wetted by the rain. The Holy Prophet (ﷺ) then said "Why did not you keep it on the top that people might see! He does not belong to me who practices deceit." (Muslim).

Investment plus service

12. Ibn Umr narrates that people used to

(Continued from page # 17)

A person will be aware that although this individual may say that he is their closest friend, he actually behaves in exactly the same way towards him as well.

The Day when a wrongdoer will bite his hands and say, 'Alas for me! If only I had

buy food grains from the market-place and sell it on the same spot. The Holy Prophet (ﷺ) prohibited them from selling it until that remove it to another place. (Abu Dawood).

13. Do not go forth to meet the merchant's caravan on the way to buy their commodities. If one buys from them and the merchant comes to the market place, he has the option to cancel the bargain. (Muslim).
14. Let not the inhabitant of the city sell on behalf of the villages. Let them alone, as God feeds some through others.

Dumping

It is a common practice among merchants to buyout the available quantity of a certain commodity and dump it, in order to earn profit through the scarcity they have created artificially. It has been condemned by the Holy Prophet (ﷺ) as a great sin.

15. The one who brings commodities (to the market place) is blessed, and he who dumps it is cursed. (Ibn Majah).
16. Whoever withholds the food of the Muslims, God shall subjects him to leprosy and poverty. (Ibn Majah).
17. Bad is the withholder who is grieved when the prices go down, and is pleased when they soar high. (Baihaqi).

gone the way of the Messenger!'

'Alas for me! If only I had not taken so-and-so for a friend!'

'He led me astray from the Reminder after it came to me.' Satan always leaves man in the lurch. (Surat Al-Furqan; 27-29)

The Purpose of Creation in the Light of the Holy Qur'an

Prof. Al-Haj Syed Sibte Nabi Naqvi F.R.A.S. (London)

Man in the material world is surrounded by all kinds of tangible and intangible forces, and the end of his present life is death. What is purpose of all this creation? This problem must have agitated the mind of man from the earliest stages of his acquiring consciousness. Traces of men of the earliest stone age and their drawings on the walls of their caves do not throw any light on this matter. The mythologies and archaeological remains, which go back hardly to six or seven thousand years, do give an inkling of the aspirations and ideals of different sections, and the goals for which they strove, but these are generally very primitive, childish and anthropomorphic interpretations of their limited environments.

Adam, Shis, Idris, Ibrahim, Ismail, Ishaq, Yaqub, etc., (peace be on them all) were prophets, but we know very little about their teachings except through the Old and New Testaments, or from the Holy Qur'an. Moses and Jesus (peace be on them all.) received Torah (تورات) and Bible (انجيل), and similar was the case of some other prophets, but all those books have been badly corrupted (as accepted by their followers) under anthropomorphic impulses, by ignorant and interested persons.

There are, however, two sources still available in their original forms. The teachings of philosophers and scientists since about 600 B.C., and the Holy Qur'an revealed to Prophet Muhammad (ﷺ) between 609 A.C. and 632 A.C. Both of

these and the mythologies and corrupted revealed books throw light on the purpose of creation of the Cosmos.

On examining the religious and anti-religious Beliefs of the best exponents of different thoughts we can divide them into three groups: (1) The Nihilists, who consist of agnostics, atheists and materialists of all kinds. They disclaim to belong to any religion having anything to do with the God or gods. But they do have certain beliefs which are exactly like the religious beliefs of others. (2) Anthropocentrics who believe in mythological, polytheistic and corrupted forms of revealed religions, like Hindus, Buddhists, Zoroastrians, Shintos, Jews, Christians, etc. (3) Theocentrics, who follow the uncorrupted religion of Islam, or have similar beliefs.

Nihilists believe that matter is eternal, infinite in amount and extent, and in a state of chaos and commotion. The force of gravitation and electromagnetism, inherent in matter, lead to attraction and repulsion, and thus to mechanical action in a chance order. There is no intelligent Creator of this chaos, but contradiction is its overruling characteristic, which leads chaos to cosmos. In this chaotic world full of contradiction and strife, biological evolution is the result of a chance agglomeration of material atoms in the living cell, their struggle for existence and survival of the fittest. The man is thus a mere speck of mechanical activity of matter in a chance order. He is, however, the highest stage of biological evolution. There is no hope of any further progress in this direction,

except by acquiring more power through cumulative knowledge (science), gained by empirical inductive method. But, the ultimate end of all this activity, struggle and evolution is death and annihilation. There is thus no purpose of this chance order and no hope or ideal to strive for. However, all that man can and should do in his temporary life is to employ his cunningness for acquisition of maximum happiness in this world, which according to him is really the name of an illusionary impact between the classical gravitational and electromagnetic fields with the newly discovered (during the last 50 years) quantum fields called photons, electrons, protons, neutrons, etc. All that Nihilism thus gives man is hopelessness and despair in an illusionary chance order, where struggle and cunningness are the most rewarding attitudes and practices for survival, Thus, the purpose of the universe according to them would appear to be struggle and cunningness as long as you live.

The teaching of Anthropomorphism is not much better. It tries to carry humanity to the other extreme. According to them the Ultimate Reality is the First Cause (مسبب (الاسباب), impersonal and immanent in the Cosmic Order. It is not a Being, but an Intra-Cosmic Becoming. The Cosmos consists of the natural order which is Evil, and the Supernatural, which is Good. Man is the child of cosmos and has both the elements of Good and Evil in him. His real power, however, lies in the Supernatural Good. To attain salvation he has to renounce the Natural, as it is evil. His ideal, therefore is to efface his personality, which is an expression of the Natural in him, and thus to attain freedom from the bondage of nature. His outlook is negative. His worship bears reference to ascetic exercises,

magical concepts or rites to appease the Evil. His goal is submergence of his personality in the impersonal Reality and suppression of the Evil natural for the triumph of Good, the Supernatural. But this would be the triumph of impersonal, immanent Good, rather than of the tiny man, who in reality, according to them is the victim of the struggle between the Good and the Evil, and has simply to perish himself and his personality to defeat the Evil and get salvation. In this kind of universe in which good and evil are intertwined and immanent the purpose of creation is to suppress the natural and waste all the opportunities and capacities which are evidently for the advantage of man.

As against the two philosophies mentioned above, the Holy Qur'an has given a theocentric philosophy of hope for the future and a destiny within reach of the human race. According to the Qur'an, in the words of Dr. Fazl-ur-Rahman al-Ansari, (in his book "The Qur'anic Foundation and Structure of Muslim Society) "The Ultimate Reality is Supra-Cosmic, Personal and Divine. It is a Being. it is God. It is the Fountain-head of highest values and ideals. it reveals itself in the Cosmic Order, which is His creation. Man is from God and for God. He is a pilgrim of eternity with his source of existence and capabilities in the Ultimate Reality, Whose grace he should seek. His function is to promote harmony with the Ultimate Reality through worship, in order to acquire perfection adequate to his nature. His ideal is to reflect the Diving Attributes In the mirror of his personality, thereby fulfilling his destiny. His outlook is positive and optimistic, and is grounded In the affirmation of his personality." (خودی - Khudi of Iqbal). Thus to acquire perfection

and to attain the destined ideal of vicegerency of God, the function of man is to promote harmony with the Ultimate Reality through Worship.

According to the Holy Qur'an it is this kind of worship for which not only men but the jinns also were created, and this has been clearly stated in surah Zariyat (No. LI) verse 56, when it says (وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ) "And I have not created jinn; and men except for worshipping, or for serving Me." it is not only jinns and men who have been created to serve and worship God, everything else between the heavens and the earth is also busy all the time in singing His praises and celebrating His glory. This is their way of worshipping Him. This has been expressed in many verses of the Holy Qur'an, e.g., in Surah XVII, verse 44 it is stated, "The seven heavens and the earth and all beings therein declare His glory. There is not a thing but celebrates His praises ; and yet ye understand not how they declare His glory!" Here in this verse instead of يعبدون words تسبح and يسبح have been used, but in other verses the same words have been used for the worship by men and angels also. It may also be noted that the formal prayers offered by men are called صلاة (salaat).

The verses quoted above would suggest that performance of natural functions for which different living and non-living things have been created might be regarded as worshipping God in the terminology of The Holy Qur'an, because that is the only common feature between the living and non living, and the beings choosing their course of action consciously or instinctively.

For understanding the purpose of creation according to the Holy Qur'an however, we

must understand the meaning of 'worshipping God.' In other/words, to clarify the meaning of worship we must clarify the process of creation itself, as we understand it today in the last decade of the fourteenth century after Hijrah. If we find that the whole process is a purposeful activity designed to achieve some sound ideal in accordance with the requirements of wisdom (حق) we shall be logically correct in regarding that activity to be worship In the terminology of the Qur'an, and the purpose of creation in ordinary language.

The branch of science which deals with the structure and working of the material world Cosmos is called Cosmology. In every age the cosmology is based on the sum total of scientific findings of that age. The earliest cosmologies of the Babylonians, Chaldeans, Egyptians, Greeks and other people as deciphered from mythologies and archaeological excavation hardly go back to four or five thousands years. They are extremely primitive and childish anthropomorphic Interpretations of the immediate environments of the people concerned.

However, after all the achievements of the modern theistic and atheistic scientists and philosophers, we have now come to the conclusion that the continuum In which our material world is situated is both finite and infinite. It can be described by Einstein's field equations which have 10 independent variables four of which are length, breadth, thickness and time. The fifth perhaps pertains to electro-magnetism. To what kind of natural phenomena the remaining five variables, or degrees of freedoms pertain, we do not claim to know, but their existence is often met with in nuclear physics. This continuum is pulsating. It started opening out after an explosion

some ten thousand million years back, and at present it is expanding. All the material and electromagnetic phenomena like radiations are the result of a strange kind of mixing up of some 90 kinds of Wave - particle entity called Photons, Electrons, Protons, Neutrons, Mesons, etc. which we now call by the name of quantum fields, with the classically known stresses called "Gravitational and Electromagnetic fields". This was the start of a grand evolution by jumps in the material world, although in actual fact it was only a continuation of such evolutionary jumps in creation starting from the command. "Be". Separation of Energy from the continuum and its concentration in a small space-time complex was a jump.

The burst of that energy in a Big Bang was a jump, which gave rise to the first Era of modern cosmology. The just opened out mass of Energy at "zero time" of Big Bang was at a temperature of about billion degrees absolute ($^{\circ}A$)⁴. At that high temperature it is believed that high energy particles called Hadrons like nucleons, p-mesons, K-mesons, hyperons and their corresponding antiparticles were formed in the first few micro-seconds. This is called the Hadron Era.

immediately after the "zero-time" in an equally short time most of Hadron group particles and their anti-particles annihilated each other by collisions and changed themselves into Photons and a very insignificant fraction into particles like protons, electrons, muons, neutrons. This second phase in the evolution of the material universe is called Lepton Era.

This cataclysmic stage was absolutely necessary to start a material world according to the requirements of

knowledge acquired by empirical inductive method so far, because in nuclear physics we know that whenever a particle is born its opposite antiparticle is also born, and they tend to collide and destroy themselves. The point which is not yet clear is this: How the few particles of the Lepton Group, which from the matter of our present material world were left over, or formed in this era without their antiparticles? But this did happen all the same, and this second stage is called the Lepton Era.

In the third phase, the universe consisted mostly of photons, and this era is called Photon Era. For this third phase of cosmic evolution as we understand it, started the formation of bare nuclei of deuterons, helium, etc., by the combination of protons and neutrons and about 99 percent of the mass of the particles of the Lepton group changed into nuclei of hydrogen and helium and the rest into nuclei of other heavier atoms. This Era was also not very long.

The fourth phase of cosmic evolution was one of further expansion. In this phase although the photons were in predominance, the cooling process had become a determining factor. The photons probably cooled more rapidly and the nucleons present in the universe began to play a more important role in further organization of the Cosmos. This era continued for several thousand years and is called the Nucleon.

After further expansion and cooling, neutral atoms were formed by attachment of electrons to the bare nuclei of hydrogen, helium and other elements. This was the regular start of an evolutionary material universe-the Cosmos as we know it today.

On the rapid cooling of the photons the Electro-magnetic pressure due to them decreased and the gravitational attraction began to show itself. This process was responsible for producing sporadic concentration of density and turbulence. This broke up the original gas mass first into galactic masses and dust clouds and then into stars - and other heavenly bodies. The dust clouds at the periphery of stars condensed into planets and satellites. This is the era in which we are living and it is called the Condensation Era, and the evolution by jumps is continuing.

The continuum in which the heavenly bodies are situated has 10 degrees of freedom inherent in it' and is expanding at present. This expansion of the continuum is causing the recession of the galaxies situated in it. The rate of expansion and recession at the start in the beginning was much more when the temperature was much higher and the electromagnetic pressure causing expansion was much greater. We are taking photographs of galaxies and analyzing their light which had actually started to recede some six to ten thousand million years back. Naturally they are receding much more rapidly than the galaxies whose light, which we analyze today, left only a few hundred or thousand years back. This fact is estimated by Red shifts of the light received from them.

The field equations of Einstein have a point of singularity, which depends upon the average density of the mass of matter and electromagnetic radiation in the continuum, and the process of expansion or contraction depends upon this density. At present the continuum is expanding and its average density is decreasing. When in about 35 thousand million years the average density is reduced to 2×10^{-29} gm.

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per cubic cm. the point of singularity will be reached, and the universe will begin to contract. After contraction for about 45 thousand million years it will reach the stage of "zero-time" of start after the Big Bang. The process of contraction will, however, 'continue for an other 45 thousand million years and according to our understanding of modern cosmology this will be a period of complete dissolution of matter into elementary particles of energy at a temp of billions of degrees absolute, or, in other words at a stage of complete devolution, a point of singularity will be reached again a second time, and a Big Bang will occur again and the continuum will begin expanding and evolving again, as it is expanding today. This is the oscillating or pulsating universe with 10 degrees of freedom available in its continuum and which has been decorated with lights of the heavenly bodies. We are quite familiar with 4 degrees of freedom in length, breadth, thickness and time. The fifth degree of freedom shows itself in electromagnetic phenomena. Modern science does not tell us definitely how the remaining five degrees of freedom show themselves. This expression could be in the form of life process, consciousness, etc., but we cannot be dogmatic about it.

Be as it may! We are more or less certain that our pulsating continuum with everything in it, which cannot rise above its ten degrees of freedom, will pass through a tormentingly hot compression stage which can be best described by the word "Hell" in Qur'anic terminology. Although modern science now tells us of a continuous evolution since the Big Bang some ten thousand million years back, it believes that the reverse process will start after 35 thousand million years and will end in

complete annihilation of matter in Hell. As regards the evolutionary course which the universe has adopted we are told by the modern dialectics that it is due to contradiction which is inherent in its very nature and due to which chaos changes itself into cosmos, and after 35 thousand million years cosmos will begin to change itself into chaos again.

The process of evolution, however, did not stop on the formation of dead matter and heavenly bodies. It must have continued in the direction of biological evolution on planets having climatic and material conditions suitable for development of life. In this field our scientific knowledge is confined mostly to the earth and its immediate neighborhood in the solar system. So far as the earth is concerned, we find that on cooling of the earth its surface was covered with igneous rocks some three thousand five hundred million years back. On further cooling, the water vapour present in the atmosphere condensed into water drops which dissolved the soluble acidic and carboniferous gases present in it in enormous quantities. On further cooling rains fell in torrents. Erosion of the igneous rocks and strong chemical action started, and life cells formed by the combination of hundreds and thousands of material atoms in black mud altered and in water. We have seen that so far the grand evolution is continuing not as a result of struggle for survival or by a chance, but because it is the very nature of the material world.

Now our scientist friends and western philosophers tell us that further evolution of the living cells, which had somehow acquired the property of absorbing from the environment the material required for maintenance of their lives, of throwing out

the material that was not required by them, and of regenerating their species, a struggle for existence started. In this process of living, the ruling principles were:

(1) Adaptation to the environment. (2) Struggle for existence. (3) The survival of the fittest. This led to mutation of species and evolution of the original simple cells into cells of vegetation: and animals of all kinds by a continuous change step by step. Man is the highest stage of this biological evolution, but all this is the result of a mere chance mechanical activity (based on chemical combination of material atoms in a particular form). But all this achievement of nature ends in dust when the men or other living species die. This is the basis of **Nihilistic thinking** which we described earlier.

There are three very valid objections against the hypothesis of continuous evolution of the modern scientists and philosophers. Firstly: Why the lower species in which mutation took place for facing the adverse environmental conditions continue to persist even today? Secondly: The DNA and the genes which determine the characteristics of a species cannot change simply by the desire of a species. They can change only by very strong and penetrating radiations like B or Y-rays emitted by radio—active elements and as a result of atomic explosions or by X-Rays and Cosmic Rays. The effect of these is generally adverse as was experienced in Japan after the explosion of atomic bombs at Nagasaki and Hiroshima. In rare cases their effect could be advantageous also, but to produce a new species as a result of normal intercourse between male and female, the chances of both the parents being affected similarly, at the same time, of such a rare happening

are exceedingly small, that the chances of the happening of such an event may be regarded as zero. Thirdly: in spite of intense and widespread searches of most devoted scientists during the last century and a half, we have not been able to discover the connecting link between man and the ape; and as a matter of fact the links between the major changes of species, such as insects to vertebrates, etc., are still missing.

The Christian Church puts forward these objections against evolution of species altogether and a confirmation of the hypothesis of spontaneous creation in a magical way in Oct. 4004 B.C. of all the deferent species on the third, fifth and the sixth days of creation described in the Old and New Testaments.

As against the chance order full of contradictions, of continuous struggle and complete annihilation, without any hope or destiny of the Nihilists, and the magical production of different species of the Christians and the Jews, the Holy Qur'an gives us a lucid story of the creation and its purpose in miraculously worded popular language which has come up to the highest standard according to the requirements of Wisdom (حق). As will be shown presently, in the story there are neither contradictions and lacunas like those of Nihilists, nor resort to any magic beyond human understanding like that of the Old and New Testaments.

According to the Holy Qur'an, Allah, the Inimitable One is the Evolver and Sustainer of the Universes (رب العالمين). He has full

Knowledge and all Beauty and Excellence residing in Himself. His ninety-nine attributes expressed in human language are key words expressing the working principles for smooth operation of the material world and standards of behaviour for man. The operation of all these attributes, even within limited degrees of freedom of our cosmos and other universes (عالمين) leads to perfect harmony, happiness and contentment. He may have many more attributes which can neither be conceived by human mind, nor expressed in human language. Some of the attributes known to us in human language, however, appear to be opposed to each other e.g. الجبار والقهار and الرحمن والرحيم.

He knows that all the ninety-nine attributes when coming into operation on proper occasions, and in a right manner, lead to perfect Peace, Harmony, Happiness and Contentment. But this knowledge, however perfect it might be, required an unfolding in actual practice for full satisfaction of His Own Self. Hadith tells us (كنت كنزاً مخفياً فأحببت (أن أعرف فخلقت الخلق), meaning "I was a hidden treasure and I loved to be known, so I created the creation". Allama Iqbal also appears to be of the same view when in Javidnama he says:

(گفت آدم؟ گفتم از اسرار دوست گفتم او خود رو بروت)

"He asked, 'Adam'? I said 'he is a secret of the Beloved' — He asked, 'Universe?' I said 'He is Face to Face with Himself.'"

(To be concluded in next issue).

Objectives of Islamic Education

Muhammad Atiya al Ibrashi

1— Moral training is the essence of Islamic education:

Muslim philosophers unanimously agree that moral training is the essence of Islamic education and that acquiring a character is its true aim. This does not mean we underestimate the physical, mental, scientific and practical aspects, but that we are concerned with moral education as we are with all other types. The child needs intellectual and physical strength, learning and practical work, and training of his character, feelings, will, taste and personality.

Muslim educators agree that the purpose of education is not to stuff the minds of the students with facts, but to refine their morals, educate their spirits, propagate virtue, teach them propriety, and prepare them for a life full of sincerity and purity. The first and highest goal of Islamic education is moral refinement and spiritual training. Each lesson must be moral and all 'teachers must be concerned with morals. Every tutor must consider religious ethics above anything else. Religious ethics are the ideal, perfect ethics; noble character is the basis of Islamic education. To Al-Ghazali the aim of education is to approach God without pride or superiority. The student's goal in education must not be to obtain power, money, or glory, or to act insolently or compete with his fellows; he is limited to moral education. It is possible to summarize the goal of Islamic education in one word: -"virtue".

2 — Simultaneous concern with religion and worldly life:

Islam did not restrict the aims and objectives of education either in its religious or secular aspects. Instead, the Holy Prophet (ﷺ) called upon every member of the Muslim community to devote himself to spiritual as well as secular pursuits simultaneously, saying: "Work for your worldly life as if you would live forever, and work for the after-life as if you would die tomorrow." He did not consider the secular side of life only, or the religious aspect only, but the pursuit of both together, without neglecting either the worldly or the religious life.

3 — Stress on the profitable aspects of education:

Although Islamic education has been especially concerned with its religious, moral and spiritual aspects, it has not neglected to give attention to the profitable aspects in its institutions and programmes. This objective can be seen clearly in the letter circulated by the Caliph Omar ibn-el-Khattab to his governors, saying: "Teach your sons swimming and horsemanship, and relate to them the best proverbs and poetry." Omar thus ordered that children be taught swimming, riding and physical sports, military arts, concern for the Arabic language, the transmission of well-known proverbs and good poetry. Only the most stubborn fanatic can deny that Muslim scholars have influenced the intellectual renaissance. In this context Monroe says in his book "The History of Education" that "The Muslims made important innovations in medicine, surgery, pharmacopeia, astronomy and physiology; they also invented the clock pendulum and taught

Europe the use of the compass and gunpowder.”

“Islamic education was not entirely religious, moral and spiritual, but this aspect dominated the practical side. It was not basically materialistic, but material possessions or the acquisition of sustenance were considered incidental in life, not to be sought for themselves, but secondary to education.

Al-Farabi, Avicenna and the Ikhwan as Safa were of the view that human perfection could only be achieved by a balance between religion and knowledge.

4 — Study of science for the sake of science:

Muslim students studied science for its-own sake. To them it was the most pleasant thing in life, and man was by nature a lover of learning. Therefore, Muslim philosophers were greatly concerned with the study of sciences, literature, and arts, to satisfy their natural inclinations towards the love of study and knowledge. The ideal education is to study sciences for the sake of sciences, literature for the sake of literature and arts for the sake of arts, since in it is a scientific, literary or artistic pleasure which is unmatched. In “Kashfal Zounun” Al-Haj Khalifa says that learning is the most enjoyable and exalted of all things; and in another place, “The goal of study is not the acquisition of livelihood in this world, but the attainment of truth and the strengthening of moral character,” — in other words, attainment of scientific truth and perfect character.

Islamic education was idealistic, seeking from knowledge what spiritual pleasure it contains, seeking also the attainment of scientific truths and of noble manners. Whoever considers the Muslims’ scientific, literary, religious and artistic heritage will find art immortal wealth unmatched anywhere else in the world, showing their strong attachment to knowledge for literature and the arts for their own sake. This does not mean that they totally ignored education as a means to earn livelihood, as may be seen from the following .

5 — Vocational, technical and industrial education for earning livelihood.

Islamic education did not neglect to prepare the individual to earn his livelihood by the study and practice of various professions, arts and trades, as is seen clearly in the words of Avicenna: “When the child finished the study of the Holy Quran and the elements of language, he should seek what trade he wishes and direct himself to it...” He should undertake vocational preparation until he excels in a profession, art or trade, and is able to earn his living, and lead an honourable life, preserving the moral and spiritual aspects. Islamic education was predominantly moral, but did not neglect to prepare the individual for life and acquisition of livelihood, not forget to train the body, mind, and heart, the emotions, will and taste, the hand, the tongue and the personality.

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Islamic Aspects of Friendship

All human beings seek a true friend. They look for people to share their happiness with, who will support them in times of trouble, who will show them solutions when they can find none, who will love them unconditionally, be loyal to them, protect them, treat their errors gently, and who will not abandon them when they are ill, in the same way that they will not abandon them when they are healthy, or when they grow old.

However, a person has two ways of finding such a friend. One of these is the way of the Compassionate One, a requirement of Qur'anic moral values and the path chosen by believers who seek solely the approval of Allah. The other is the way of friends who seek to serve only their worldly interests, a path based on advantage. We look at the reasons underlying these two states of affairs, we reveal clear differences between the powerful bonds in relationships between believers and relationships between non-believers based only on worldly gain.

Friendship that attaches importance to moral values: in order to be a true friend, a person must love someone else solely for their proper moral values. These are a person's fear and love of Allah, faith, sincerity and taqwa (تقوى). Only friendships built upon these values are permanent. The friendship of people with such elevated moral values achieves an unshakeable nature.

A never-ending friendship: There can be no doubt that the true friend that everyone feels the need for and seeks is a great blessing. A true friend is someone who will be there for a person in good times and

bad, who unconditionally wishes the same for his friend as he wishes for himself, who wants him to be at least as happy and as well as he wishes himself to be. He is someone who avoids such emotions as jealousy, intolerance and rivalry, who loves the other party sincerely and always wants the best for him.

A friendship aimed at the Hereafter: The precondition for being a true friend is to aim for the other party's happiness in this world and in the Hereafter. One important attribute of such a friendship is speaking honestly and openly, telling the other party of any deficiencies of faith, and affectionately showing him ways by which these can be remedied. Only a true friend who truly loves the other person can behave in this way.

A friendship based on love and respect: in an environment where people live by Qur'anic morality, fear of and faith in Allah are values whereby people can truly feel love and respect for one another. The love, trust and loyalty that believers feel for one another is shaped totally in accordance with the endeavors they make on the path of Allah. A believer who uses all he possesses for good in order to gain the approval of Allah, who presses forward undeterred on that path, will obtain the love of his Muslim brothers and set an excellent example to them. The powerful loyalty between them will increase the love, devotion and trust they feel towards one another. Therefore, if friendship and closeness are built on people's fear of and faith in Allah and on proper moral values, then physical altercations due to sickness or age will have absolutely no effect on

them. On the contrary, even greater affection and compassion will be felt for the believer.

A friendship based on honesty: Sincerity means a person being the same on the inside as on the outside, an external reflection of what he feels and experiences in his heart. It means being sincere, open and straightforward, revealing one's true character without hiding one's real thoughts and feelings, not engaging in calculating behavior or trying to appear different to how one really is. According to Qur'anic moral values, a person is worthy to the extent of his honesty, and his friends and loved ones love him because they know that he is sincere towards them.

"Your friend is only Allah and His Messenger and those who believe: those who perform prayer and give the alms, and bow. (Surat Al-Ma'ida (5): 55)

A friendship condemned to loneliness: Despite all their longing, people who fail to take the moral values of the Qur'an as their guide can never find a true friend. That is why one frequently finds them saying such things as "I am very lonely," "I don't have a single friend in the world," or "They have left me all alone, so they were just fair weather friends."

A friendship based on prestige and rank: The friendships that some people build on the basis of such values as wealth, beauty, prestige, rank or social status are never long-lasting. Because as soon as there is a change in these values on which it is based, that friendship comes to an end. For example, someone possessed of such moral values who adopts a friend because that person is very attractive and impressive will immediately lose all interest in them the moment they become

unrecognizably flawed, needy and helpless as the result of an accident.

A friendship based on rivalry: People who are competitive and regard others as rivals generally only tell others of their mistakes when they have to. Because they are generally unwilling for others to be better than them, or even if they see their flaws, they still behave insincerely out of a fear that this could damage their friendship, and so say things like "You are a very good person," or "We love you just the way you are."

A friendship based on self-interest: People who live according to their own self-interest experience many psychological ups and downs during the course of their lives. They may lose their attractiveness, youth, health, possessions and wealth. They see that people they once imagined to be their friends attach no value to them when they become old and frail. These people, who were very close and swore undying loyalty to one another in happier times, become so distant as not to speak to or even recognize one another. They see that they have no-one to share a problem with, to advise them, whom they can ask for help from or place their trust in. They realize that even the people they described as my closest friend put their own interests above their friendship.

A friendship dominated by insecurity: It is impossible for people who do not live by the moral values of the Qur'an to feel true love, respect or trust towards one another in the knowledge of each other's moral failings. It is impossible to truly love and respect someone if one knows that they lie and are false and hypocritical and if one sees that they use other people for their own advantage. (Continued on page #. 6)

Dreams and Spirituality

Nilofar Ahmed

Dreams are a fascinating experience of daily life. Psychologists, in trying to understand the symbolism and meaning of dreams, have come up with various theories. The first question we must try to answer is: what exactly is a dream? Sigmund Freud's psychoanalytical theory of dreams in his book, *The Interpretation of Dreams*, was based on the premise that repressed aggressive and sexual instincts find an outlet into the conscious mind through symbols, and hence find fulfillment. He also established a link between dreams and insanity. His theory popularized dream interpretation. Carl G. Jung, broke away from Freud and the Psychoanalytic Society, started a more humanistic approach to psychology, saw dreams as part of a natural process of healing and explored the meaning of dreams through mythology, symbols etc., that connect to our imagination and soul.

However, when one looks at the Qur'an and hadith, one finds that dreams are a serious part of Muslim belief. During sleep the soul is supposed to leave the body temporarily and roam around in different spheres. Its experiences are seen and felt by the body in the shape of dreams, which sometimes convey information from the unknown. The more elevated the soul, the higher its sphere of spiritual experience.

In Surah al-An'am, the Qur'an says, 'He is the One who takes up your souls at night, and knows what you earned during the day, then raises you from it (sleep), so as to complete the time fixed (for you to live)' (VI:60). Surah Al-Zumr says. 'God captures the souls at the time of death as well as

those whose time has not yet arrived, in sleep. Then He keeps back those whose death has been decreed and sends back for an appointed time, the others' (XXXIX:42).

In Islam, the soul leaves the body in sleep but remains connected to it so that, at the slightest stimulation, it jumps back into it. When God decrees a person's death, the soul is held back permanently, causing the physical body to die, while the soul lives on eternally.

Dreams are mentioned several times in the Qur'an.

Prophet Ibrahim (AS) dreamt that he was asked to sacrifice what he loved most. Knowing that this was God's command, he spoke to his beloved son Ismail (AS), a prophet-to-be, who consented to be sacrificed. Prophet Ibrahim (AS) was successful in his trial and the boy was replaced with a ram (XXXVII: 100-108).

Prophet Yusuf (AS) saw a dream as a child: 11 stars and the sun and the moon prostrating before, him (XII: 4). The meaning of the dream was made evident after decades when his stepbrothers and parents joined him in Egypt. The king of Egypt also related his dream in which seven lean cows devoured seven fat cows (XII:43-44). The king was impressed by Prophet Yusuf's gift of dream interpretation and made him the minister in charge of the treasury. His planning, based on his interpretation of the king's dream and his own wisdom, saved Egypt from famine.

Prophet Muhammad (ﷺ) started seeing true dreams before receiving revelation

(Bukhari). The Prophet (ﷺ) said that after him nothing would be left of prophecy, except for a true dream. He also said that dreams are one in 46 parts of prophet-hood (Bukhari) and, 'Whoever sees me in a dream has truly seen me, for the devil cannot impersonate me' (Bukhari).

One of the greatest desires of a true Muslim is to see the Prophet (ﷺ). The Prophet (ﷺ) saw the conquest of Makkah in a dream (XLVIII:27) in 6 A.H., two years before it happened.

The Prophet (ﷺ) said there are three kinds of dreams. Firstly, meaningless dreams from one's *nafs* or ego, secondly from Satan and thirdly, prophecies of good news from God (Bukhari).

Prophet Muhammad (ﷺ) would listen to his followers' dreams after Fajr prayers (Bukhari) and would interpret them. The Prophet (ﷺ) taught that dreams should be recounted only in front of a person who loves you or a person who is wise and has some knowledge of their interpretation (Bukhari).

The Companions of the Prophet (ﷺ) used to confide their dreams to the Prophet (ﷺ)

or to Hazrat Abu Bakr Siddique (Bukhari). The *walis*, or saints, were also given the gift of the interpretation of dreams as well as spiritual guidance through them.

Abdul Aziz bin Umar reported that he asked his deceased father in his dream which of his deeds did he find to be most sublime (or useful). The father replied, "Istighfar (asking for forgiveness)" (Zauqi Shah).

Abdul Wahab Shirani saw Imam Ghazali in his dream after his death and asked him how his Lord had treated him. Ghazali replied that He had forgiven him because of his patience in his act of writing. If a fly came and started sucking the ink from his pen he would wait until the fly had flown away of its own accord (Zauqi Shah).

Contrary to the common concept that one goes to sleep at the time of death, Prophet Muhammad said that human beings are asleep in this world and at the time of death they will wake up (Ibn Al-Arabi). The life of this world might well be a dream. The life to come might be the reality that is hidden from us and will become apparent on awakening in the hereafter.

(Courtesy Dawn)

(Continued from page 26)

their original contributions and because of their intimate and extensive knowledge of Greek science which was important in stimulating medieval writers to seek out original Greek classics.

The following quotation from Arnold and Guillaume's *Legacy of Islam* concerning Islamic science and medicine as a whole is equally appropriate for the medicine of Muslim Spain, and poetically sums up the situation:

Looking back we may say that Islamic medicine and science reflected the light of the Hellenic sun, when its day had fled and that they shone like a moon illuminating the darkest night of the European Middle Ages, that some bright stars lent their own light, and that moon and stars alike faded at the dawn of a new day — the Renaissance. Since they had their share in the direction and introduction of that great movement, it may reasonably be claimed that they are with us yet.

Impact of Religion on Scientific Theories

Engineer Syed Mahbub Alam

In several places, the Holy Qur'an uses inquiring phrases such as 'do they not think,' 'do they not ponder,' or 'reflect,' and asks the Qur'anic reader 'to enquire about certain statements to those who have knowledge and expertise.' The approach of the Qur'an is to invite to reason, logic, rationality and intelligence. The more one researches on different verses in the Noble Qur'an, deeper meaning one gets. Many books and articles have been published as a result of heeding to the Qur'anic Ayat exhorting the Qur'anic readers to think, reflect and ponder over natural phenomena both in the heavens and the earth including the human beings.

The Qur'an inspires man to observe, experience and investigate. It acknowledges sense, perception and experimental as rewarding. In short, the spirit of the Qur'an, unlike some other religions, is scientific.

Allah says in the Qur'an,

"And hath made of service unto you whatsoever is in the heavens and whatsoever is in the earth; it is all from Him. Lo! Herein verily are signs for a people who reflect." (45:13)

"And of His sign is the creation of the heavens and the earth, and the difference of your languages and colors. Lo! Herein indeed are signs for men of knowledge." (30:22)

That is why the Qur'an speaks of those who study nature and try to discover the laws that govern it as "men of knowledge and insight". Furthermore, the Noble Qur'an says: "Lo! In the heavens and the

earth are signs for believers" (45:3). In seeking knowledge, the believers are spurred on by their faith (Iman). They know that: "The alternation of night and day and the provision that Allah sent down from the sky and thereby quickened the earth after her death, and the ordering of the winds, are signs for a people who have sense" (45:5). Our faith in Allah (SWT) does not follow from purely logical arguments; but it springs from the direct experience of order, harmony, and beauty in nature.

Before the time of the last Prophet of Islam (ﷺ), the ancient civilizations such as Greek, Egyptian, Roman and Persian-all were polytheistic (shirk) in their beliefs. That is why they worshipped natural phenomena such as the earth (Goddess Gaiga now in the West), rivers, mountains, sun, moon or stars. Only Islam was able to displace them from the pedestal of worship and created the intellectual frame of mind, which is known as the scientific revolution.

The polytheists believed the river too possess divine attributes. They believed the goddess of river caused the water to move and made it useful or harmful. In Islam the river is a creation of Allah and not a creator and it was a servant of Allah and not the Lord. Thus the Muslims found ways and means to exploit the rivers on a large scale. The history tell us that there is no precedent in any nation to the large-scale irrigation system developed by the Spanish Muslims. The Spanish Muslims developed agriculture and created Departments of Agriculture, Science and irrigation in the universities. They studied trees and carried out research on the properties of soil. The

infertile lands were converted into orchards and lush green fields, in today's terms-a 'green revolution'. Before this, people treated rivers, springs and sea as gods. But the Muslims brought the green revolution because of their monotheistic thinking.

Polytheism (shirk) was prevalent until the 7th century. It was replaced with monotheism (Tawhid) by the Islamic Revolution. This in turn opened the doors of research and investigation by abolishing the practice of worshipping the natural phenomena. Modern industrial progress owes its existence to the Arab Muslims due to their Creed of Monotheism, which instilled in them a mental and practical revolution. Islam changed the basis of thinking and contributed to the modern scientific revolution. Historians acknowledge that Islam changed the face of the globe. Polytheism and superstition blocked the progress and advancement of human development. Islam encouraged the investigation of nature and destroyed the 'sanctity' of nature envisioned by Polytheists.

Islam also destroyed the concept of intermediaries between God and man, such as the kings and priests who claimed as God's representatives on earth or even the incarnations of God on earth. Polytheism (shirk) curbed freedom of thought. Polytheism and superstition were the major obstacles to all kinds of progress. Superstitious beliefs were an obstruction in the path of free enquiry. The search for new truths and discovery of nature's secrets remained forbidden areas for them for centuries. Before the Islamic revolution, the world had been swept by superstitious belief and idolatry. The revolution based on Monotheism of Islam put an almost complete end to polytheism (shirk). The

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Greeks excelled in the fields of art and philosophy. Their contribution to the field of science (except Archimedes' hydrostatics) was actually quite negligible. Plato's teacher Socrates (may be construed as a Haneef) never worshipped the pagan gods which were worshipped by the Athenians in Greece and instilled free enquiry among the youth of Athens and for that he was forced to drink hemlock as a punishment in 399 BC. Archimedes was killed by a Roman soldier in 212 BC failing to recognize him. The atmosphere for scientific progress did not exist in ancient Greece. Similarly, the mighty Roman Empire never produced a single scientist.

Islam with its foundation of monotheism created an atmosphere and environment and stimulated scientific research that led to the conquest of natural phenomena. The modern age which is the age of science and industry, of freedom and equality is the direct consequence of the Islamic revolution rooted in the Qur'an.

From the 6th century to the 10th century Europe was in dark ages while the Islamic civilization attained the pinnacles of science and technology. After the crusades the Europeans came in contact with the Islamic civilization. They went to Muslim universities in Spain, Sicily, Cairo, and Baghdad. They translated the Arabic works into Latin for over two hundred years. The European renaissance started in the 15th century and culminated in the emergence of the modern industrial civilization. Islamic revolution is responsible for the emancipation of human thought.

During the Abbasid era, paper was being manufactured on a large scale and so books could be produced without the dearth of paper. There were more than

400,000 books in the library of Cordova (Spain) in the tenth century, whereas in Europe at that time, the library of Canterbury-the top of the list of the Christian libraries-contained only 1800 books in the 13th century.

In many countries scholars were born with creative minds who could think independently of their fellow citizens. But due to the unfavorable atmosphere and hostile environment of times, their efforts could not be completed. Their knowledge withered away before they could bloom. On the other hand, Islamic revolution produced favorable atmosphere, it channelized a huge flood of knowledge which had been contained for thousands of years by the dam of polytheism (shirk) and superstition. For progress of Science and Technology an atmosphere of free investigation is essential. One may be surprised to know that even today there are some people and societies who believe that the earth is flat. Even today some Hindus with MD and Ph.D., degrees worship the Sun as god and believe that the lunar and solar eclipses are caused when the snakes Rahu and Ketu swallow them. One thousand years ago Abu Rayhan Al-Beiruni explained how the solar and lunar eclipses are caused by the shadows of moon and earth falling on the sun and moon respectively. The Hindus believe in many gods and goddesses.

The whole life is not enough to recite the names of so many gods and goddesses. Islam is the religion of truth and it is balanced. The Holy Qur'an denounces irrational religion as religion evidently false. Again and again the Qur'an urges men to use their reason, to ponder and to reflect. The West thinks there is conflict between religion and science; but for Muslims there

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is no conflict between Islam and Science. According to Dr. George Sarton, former Professor of History of Science at Harvard University, Islam is responsible for the meteoric rise of sciences during the middle ages while Europeans lived in the dark ages. This is because both the Qur'an and Prophet Muhammad (ﷺ) extolled the Muslims to learn, to seek education and knowledge. In Islam there is no distinction between secular education and religious education.

The Noble Qur'an is not a scientific treatise. it is a Book of guidance, a Book of wisdom. However, there are more than 1200 verses which can be interpreted in the light of modern science. The Qur'an gave a great stimulus to learning, particularly in the field of natural sciences. The Qur'an may be called the cause of modern scientific and material progress.

Today is we are living in information age with computers, electronic mail and business and commerce and the Internet with WEB pages. To a section of thinkers religion is alien to science. Science simply means a specialized branch of knowledge. In Arabic it is called "Ilm". A scientist in Arabic is called an "Alim". The West is wrong in separating Science from Religion. The great universal Muslim scientists about thousand years ago were at the forefront of knowledge particularly in the sciences and technology without ever giving up their religion. In fact Islam in general and the Qur'an in particular inspired the Muslim scientists to seek and advance knowledge. Hence they achieved all these without any conflict with religion. Today many western educated Muslims follow the western path of separation of religion from science. On the other hand, those Muslims trained in Islamic theology have also refrained from

modern sciences.

By moving away from the reading and indepth study of the Qur'an, Muslims have lost the golden opportunity of many a scientific discovery and advancement of knowledge. By moving away from their Scriptures the Western people made many scientific discoveries and inventions. This is because of the suppression and obscurantism practiced by the Church against the scientists and intellectuals in the past. Even the Scriptures themselves were a hurdle to the cause of seeking the truth through observation and experimentation as lucidly pointed by Dr. Maurice Bucaille in his most popular book "The Bible, Qur'an and Science."

Science is not a divine Revelation but it provides a means for the welfare of man and to better understand the creation of Allah, the natural phenomena and their purpose, in simplest terms, science means knowledge and Islam exhorts its followers to relentlessly pursue knowledge. The Noble Qur'an, Allah ordained His servants to pray to Him thus:

"O Lord! increase me in knowledge."
(20:114)

It is reported that the Messenger (ﷺ) of Allah, to have once said, "Learning comprises treasure houses whose keys are queries." Prophet Muhammad (ﷺ) encouraged the spirit of investigation and analysis of facts. One of the most inspiring verses in the Qur'an is the following:

"And He has subjected to you, as from Him, all that is in the heavens and on earth: behold, in that are signs indeed, for those who reflect." (45:13)

To reflect is really the scientific spirit, which

leads to understanding and discoveries about Allah's creation and natural phenomena. Allah guides the efforts of the scientists to meaningful purpose.

We are enjoying the fruits of modern science and technology every second, every minute and every day. Examples: Electricity, microphone, AC., Automobiles, Airplanes, Space Travel, Missile Shield or Star Wars, Computers, Cyber Space and Internet, Robotics and Artificial Intelligence, GPS-Global Position System, Cellular Phones, Digital Media Entertainment-TV, DVD, MP3, Tele-Medicine and Tele-Surgery, Artificial Organs: Abiocor, Organ Transplants-Hand transplant surgery, stem cells in the treatment of Parkinson's disease, Alzheimers, Spinal Cord Injury, Diabetes, Heart tissue repairs, or any organ repair, etc. Simply put modern science and technology is improving the quality and longevity of life of a man or woman. One must be very cautious as Science and Technology is a double-edged sword and without Islamic ethics it also destroy human beings.

These fruit yielding trees were grown in Muslim lands such as Afghanistan, Bukhara, Baghdad, Cairo, Cordova, Damascus, Delhi, Granada, Fez, Isfahan, Qairwan, Seville, Sicily, Zeituna and other great cities throughout the Muslim World. These trees were grown from a single seed. What is that seed and who planted the seed and where was it planted? Without the advent of our Prophet Muhammad Mustafa (ﷺ) and the final establishment of Monotheism or Tawhid on earth, none of what we take for granted in the modern world could possibly have developed. Muhammad Mustafa (ﷺ) planted the seed of Tawhid in Hijaz in

Arabia about 1400 years ago. "لا اله الا الله", literally means "No God except Allah". It means there is no deity worthy of worship except Allah. Anyone can become a Muslim by reciting the Kalima. The greatest achievement of our Prophet Muhammad (ﷺ) is that he made every Muslim a scientist by firmly instituting the concept Tawhid in body, soul and mind of every Muslim. For Sufis recitation of "La Ilaha Illallah" is the Tariqah (path) to the Haqiqah (Haqiqath) or the Ultimate Reality. Polytheism and superstition looked upon things and creatures as deities, and encouraged their worship. Before the advent of Islam as the complete Code of life polytheism dominated the entire world. Because of the polytheistic view, natural sciences had become forbidden territory and natural phenomena were given sanctity. Tawhid destroyed Polytheism,

superstition, nature worship or worship of natural Phenomena. Tawhid created the intellectual frame of mind and opened the doors of research and investigation by displacing nature from its sacred pedestal and abolishing the practice of worshipping the natural phenomena.

Holding the moon to be sacred was a major obstacle to even thinking of conquering it. Sources as diverse as George Sarton, Bertrand Russell and Encyclopedia Britannica, say. "We reach the conclusion that without monotheism the concepts of experimentation and scientific enquiry, not to mention modern industrialization, would not exist." Historians acknowledge that Islam changed the face of the globe. Polytheism and superstition blocked the progress and advancement of human development.

**THE QUR'ANIC FOUNDATIONS
AND
STRUCTURE OF MUSLIM SOCIETY'**

By

Dr. Muhammed Fazl-ur-Rahman Ansari .

B.Th., M.A., Ph.D.

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The Medicine of Muslim Spain

Margaret Eide

Because scientific achievement in the Islamic empire progressed in close relation with the area's political fortune, it is correct to assume that the Golden Age was a fruitful one for progress in the field of medicine. Since, in this period, Muslim influence in the West had reached its ultimate through the Western caliphate in Cordoba, Spain also shared the heritage of Arab medical knowledge, and hence was able to contribute to its advancement.

The period from about 750 until 850, which preceded their epoch of creative work, had been one of translation in the East. At the end of that period, the Arabs were able both to assimilate the knowledge which they had inherited from the Persians and Greeks, and to alter it to fit their own particular needs.

Pre-Islamic and early Islamic knowledge of medicine and its related fields had been scant. However, when the Arabs penetrated the Byzantine and Persian empires, they found rich medical traditions ready for them to absorb. Through the Nestorians most of the Greek classics had been translated into Syriac from which they were easily rendered into Arabic. The acquisition of knowledge from these classic concerning Hippocrates, Galen and Aristotle was of great value.

The distinction between translated and original work is faint, for often after translating a number of medical works, the translator added his own comments. Both translations and original contributions are of enough value to make distinguishing between the two seem of minor importance. Both were necessary to the

advancement of medicine, and the Arabs of Muslim Spain are credited with achieving both.

The Spanish Arab physicians were respected and well paid. Most of them did not devote all of their time to practicing medicine, but rather carried it on as an avocation. Many of them were philosophers, and a number of them held the position of minister.

Both because of their own philosophical heritage and because of the remoter influence of the Greeks, the medical men allowed a philosophical bias to predominate among them.

One of the best examples of this is Ibn-Zuhr (who is also known as 'Avenzoar'). Born in the last decade of the XI century, Ibn-Zuhr served 'Abd-al-Mu'min for many years as both physician and minister. Historians credit him with having written six medical works, three of which are still in existence. Especially noteworthy is the one on therapeutics and diet.

Ibn-Zuhr had little respect for surgery and surgeons, and was himself more of a consulting physician than a general practitioner.

"His admiration of Galen's exposure of mysticism and charlatanism tended to confirm Galen as 'the medieval Pope' in the West of Europe, although Ibn-Zuhr did not accept Galenism in toto, he having contradicted some of the latter's dictates a perilous undertaking for an Arab at that time."

One of Ibn-Zuhr's colleagues is said to

have claimed him as the greatest physician since Galen; even persons less enthusiastic about him, concede that he was the greatest physician in Islam, succeeding the noted al-Razi of Baghdad who died in 925.

A parallel to Ibn-Zuhr's ability in science of medicine was az-Zahrawi's surgical ability. Zahrawi (also known as Abulcasis) the court physician of Hakam II, lived at an earlier date than Ibn-Zuhr, and therefore was able to reap the benefits of living at the political apogee of Muslim Spain. He not only made notable original contributions to surgical knowledge, but with the encouragement of Hakam II, also wrote a book summing up the surgical knowledge of his time.

This book, al-Tasrif li-Man 'Ajaz 'an at-Ta-lif or 'A Help to Whoever Is Not up to (Reading) Treatises' was translated into Latin about two centuries later by Gerard of Cremona; and other editions were published as late as 1497 in Venice, 1541 in Basle, and 1778 in Oxford.

It served as the manual of surgery in Salerno, Montpellier and other early schools of medicine. The illustrations of instruments in it not only influenced other Arab physicians, but also provided help in the development of European surgery.

Since Zahrawi had enjoyed the privilege of practicing in Spain when the Western caliphate was still at its height, he was appreciated by his contemporaries, but the latter generally recognized Ibn-Rushd ('Averroes) won no respect from his fellow Arabs. He too was well paid, but "living as he did at a time of intellectual retrogression, religious bigotry, moral decay, and feeble political power in Islam, Averroes' fame among the Moslems

Minaret

passed away with his death ..."

"Ibn-Rushd was a follower of Aristotle and the development of his pantheistic doctrines brought the hatred of both the Christian Church and Islam. Because of his attempts to found a system of medicine based on Aristotle, he is hailed today by some historians as "a principal leader of abstract thought in the Middle Ages of the West".

Only one year after Ibn-Rushd's death, his patron Yusuf al-Mansur's political power over Spain was lost, and this marked the end of the cultivation of the liberal sciences. As a result, medicine largely fell back into the hands of fanatics. Yet as late as the XIV century, the Spanish Arab Ibn-al-Khatib, who was Prime Minister of Granada, wrote a influential defense of the important theory of infection when bubonic plague was sweeping over Spain.

When reviewing the history of medicine in Muslim Spain, it becomes evident that the number of distinguished Arab medical writers is not great; nevertheless they had far reaching influence on Europe.

Their wonderful heritage of medical knowledge from the East plus their strategic position as an instrument for the transmission of knowledge made the Muslims of Spain indispensable to the rapid advancement of medicine in Europe.

Toledo was an especially important spot. Here during one period in the XII century, over seventy Arabic books that came there, were translated carefully and concisely by Gerard of Cremona from Arabic into Latin for use in Europe.

These Arabic writings played an important role in the renaissance of Europe both because of (Continued on page #. 19)

No Terrorism in Islam

Bilal Ahmed Malik

TODAY the greatest problem which Islam is facing is its presumed linkage with terrorism. It is very disturbing to note that an impression is there among western nations and countries that Islam is a militant religion and it was spread by swords and still its religious theory is based on fundamentalism and on so-called terrorism.

Islam is misrepresented by western media in this regard. It is very ironical that western pundits linked the most peaceful religion of the world with terrorism and violence. They always project Muslims as aggressors, tyrants and despots who trampled the human rights under their feet.

As far as Islam is concerned, it is a religion which promotes peace and condemns terrorism. It is a tolerant religion and there is no room for terrorism and violence. Islam is a religion that has held terrorism as inadmissible from the outset, Islam has been an upholder of peace, not terrorism, from day one. Islam desires peace to prevail in the world. The Qur'an calls the ways of Islam as the paths of peace (5:16).

It is mere ignorance of Islamic teachings that leads the West to promote propaganda against Islam and against its stand on peace. Islam has always projected universal peace for humanity, peace which is to be observed and respected in all circumstances, irrespective of whether a person lives in or outside the territory of Islamic State and considers human blood as sacred and may not be spilled without justification. It is not permissible to oppress women, children, old people, the sick or wounded; a woman's honour and chastity

must be respected under all circumstances, the naked clothes the wounded or diseased treated medically, and the hungry must be fed.

Islam is a religion which teaches non-violence. According to the Qur'an, God does not love 'fasad' and violence. What is meant here by 'fasad' is clearly expressed in Qur'an. Basically, fasad is that action which results in disruption of the social system, causing huge loss in terms of life and property. We can say with certainty that God abhors violent activity being indulged in human society, as a result of which people have to pay the price with their possessions and lives. This is supported by other statements in the Qur'an. For instance, we are told in the Qur'an that peace is one of the God's name (59:23)

At no place Islam promotes the killing of the innocent and allow the destruction of public and private property. At no point Islam preaches to disturb the social order of the society by promoting violence and terrorism. In fact contrary to this, Islam is a religion of peace and protection of life, property and social order is one of the rights of individual, Islam wants to establish it at all costs. To start with let's take a look on Islamic teachings regarding right to life. The right to violate any one's right to life, in this regard, the Holy Qur'an says. "Do not kill a soul, which Allah had made sacred except through the due process of law" (6:151).

In another verse Allah says. "Not take life which Allah had made sacred except for just cause". (17:33) The Holy Qur'an says,

"If any one slew a person unless it is for murder or for spreading mischief in the land, it would be as he had slewed the whole humanity". (5:32)

Prophet Muhammad (ﷺ) is reported to have said. "One who kills a man under covenant (a non-Muslim citizen of an Islamic state) will not even smell the fragrance of paradise." (Sahih Bukhari)

Even in a state of war, Muslims are not allowed to kill the opponent in a barbarious manner. Prophet Muhammad (ﷺ) said on Ghazwa that "if you want to kill, kill by a fair way". Islam not only secures the life of its people but also guarantees the protection of their property. Such a guarantee of protection of life is laid on the lawful property gained through reliable sources. Prophet Muhammad (ﷺ) in his farewell address, said, "Your lives and property are forbidden to one another and to you until you meet your Lord on the day of Judgment."(Sahih Muslim)

During the caliphate of Hazrat Umar (RDA) "a Syrian cultivator complained that the army had trampled down his crops, and the caliph at once ordered for the payment of ten thousand dirhams to him as compensation out of *baitul Mal*".

The Holy Qur'an places great emphasis on just dealings so that everyone gets his due rights related to property and honour. It

says. "O ye who believe! stand out firmly for Allah, as witnesses to fair dealing, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just: that is next to piety: and fear Allah. For Allah is well-acquainted with all that ye do." (5:8)

Islam promotes social harmony and justice. Violent and terrorist activities breed hatred in society, while non-violent activities elicit love. Terrorism is the way of destruction while peace is the way of construction. In an atmosphere of violence, it is enmity which flourishes while in an atmosphere of peace, it is friendship which flourishes. The method of violence gives way to negative values while the method of non-violence is marked by positive values. According to the teachings of Islam human beings are to be respected despite their differences.

Even when antagonism is displayed, we have to adopt the way of avoiding conflict and continue to show peaceful behaviour. The Qur'an and other divine scriptures testify that peace is the core message of Islam. Let us all strive then to establish peace in the world for that is the bedrock on which all human progress rests. In order to preserve the peace, established by nature, from disruption, importance should be given to the injunctions which have been laid down by the Qur'an and Sunnah. (Courtesy: DAWN)



ہے یہی حکم مضاربہ 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 مضاربہ میں نقصان کا واقع ہونا
 اگر مال مضاربہ کا کچھ حصہ ہلاک ہو جائے تو اس کو نفع سے مجرا کیا 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 مضاربہ 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 مضاربہ سے تو وہ نفع سے ہوگا اور اگر نفع سے زیادہ ہلاک ہو جائے تو ضامن نہ ہوگا یعنی مضاربہ اور اگر نفع تقسیم کر لیا گیا ہو اور مضاربہ 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 مضاربہ ضامن نہ ہوگا کیونکہ یہ اصول ہے کہ مشترکہ کاروبار خواہ وہ مضاربہ 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 مضاربہ 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 مضاربہ 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 مضاربہ بدستور قائم رہیگا۔

معاہدہ مضاربہ کے باطل ہونے کی صورتیں

(۱) فریقین (رب المال - مضارب) میں سے کسی ایک کی موت واقع ہو جائے تو معاہدہ مضاربہ باطل ہو جاتا ہے۔
 (ب) رب المال کے مرتد ہو جانے پر جبکہ وہ دار الحرب میں کافروں کے ساتھ جا ملا ہو تو مضاربہ باطل ہو جاتی ہے۔
 جز الف کی تفصیل تحقیق کی روشنی میں ملاحظہ ہو۔ اگر رب المال یا مضاربہ مر جائے تو مضاربہ باطل ہو جاتی ہے۔ کیوں کہ مضاربہ کے عمل کے بعد مضاربہ بت تو وکیل کے حکم میں ہوتی ہے اور وکالت موکل یا وکیل کے مرنے سے باطل ہو جاتی ہے تو مضاربہ بھی باطل ہو جائے گی۔ نیز اگر رب المال خدا نخواستہ مرتد ہو کر دار الحرب میں چلا جائے تب بھی مضاربہ باطل ہو جاتی ہے۔ فقیہ علی خفیف 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 مورث کا کیا ہو معاہدہ کا لعدم ہو جاتا

صورتوں میں جہاں تک مضاربہ 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 مضاربہ میں دونوں فریقوں میں سے کوئی اگر اپنے لیے رقم کی مقدار طے کر لے تو ایسا کرنا درست نہیں ہوگا۔

شرط فاسد سے مضاربہ فاسد ہو جاتی ہے جو شرط نفع میں جہالت پیدا کرے وہ مفسد مضاربہ 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 مضاربہ میں کوئی موجب جہالت نفع شرط لگائی ہو مثلاً رب المال نے مضاربہ 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 مضاربہ فاسد ہو جاتا ہے کیوں کہ مضاربہ 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 مضاربہ کے فاسد ہونے کا موجب ہوگی اور جن شرائط سے اس قسم کا احتمال نہیں ہے وہ شرائط غیر معتبر ہیں اور ان سے مضاربہ بھی فاسد نہیں ہوتی اگر مال والے نے کارکن سے کہا کہ تجھ کو تہائی نفع ملے گا اور دس درہم ہر مہینہ میں ملیں گے اگر تو مضاربہ کا کام کریگا تو مضاربہ 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 مضاربہ پر ہزار درہم کارکن کو اس شرط پر دیئے کہ مال والا ایک سال تک اپنی زمین مضاربہ 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

مضاربہ جائز ہے۔

ان امور کا بیان جن کا مضاربہ کے لیے

سرا انجام دینا جائز یا ناجائز ہے

اگر عقد مضاربہ کسی مکان و زمان اور تصرف خاص کے ساتھ مقید نہ ہو بلکہ مطلق ہو تو مضاربہ 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 مضاربہ 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 مضاربہ 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 گرمی 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

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 ”معاونت 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 روڑ 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 غاصب 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 غاصب 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 صحیحین 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 ملے گی لیکن جو مقدار مشروط تھی امام ابو یوسف کے نزدیک اس مقدار سے زائد مزدوری نہیں دی جائیگی۔ امام محمد اور ائمہ ثلاثہ کے نزدیک پوری مزدوری دی جائیگی گو مشروط 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 یتفقون 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 اکتھاج 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 كان اعطى مال الیتیم مضاربة“ حضرت عبداللہ بن مسعودؓ کا یہ عمل تھا کہ وہ اپنا مال زید بن خلیفہؓ 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