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Challenges to Islamic Thought

Professor Sharif al-Mujahid. . . .

What are the challenges to Islamic thought in the 21st century?

Before dealing with the topic in specific and immediate terms, it is well to remember that “challenges to Islamic thought”, whether in the subcontinent or elsewhere, whether on the theological, philosophical, sociological, or political plane, is not something new or novel. Challenges in one form or another, one dimension or another, single or cumulative, direct or indirect in terms of complexity, have confronted Islam throughout its chequered history.

Indeed, all through history, Islam has shown resilience to a remarkable degree to meet, offset, counter, and controvert challenges to its thought. Equally important, the more remarkable thing is that it did all this on the challengers' plane, and in his terms. Imam Ghazali's *Tahafut al-Falasifah* provides a capital instance.

Hence, if Islamic thought faces a complex of challenges today — and it must be acknowledged that it does unless we go in for a frog-in-the well approach — it is my profound belief that Islam has the resilience to meet these challenges as it has in the past, provided the proponents and interpreters of Islamic thought go in for the constructive and consequential approach adopted by their forbears to meet the Hellenistic challenge.

I have referred to the challenge of modern education, with science and rational thought as its corner-stones, in the last nineteenth century. Several Muslim reformers took up this challenge and came up with appropriate and constructive

responses. In particular, reference may be made to Jamal al-Din al-Afghani (d. 1897), his disciple and collaborator, Shaykh Muhammad ‘Abduh (d. 1906) and Sayyid Ahmad Khan (d. 1898). Both Afghani and Sayyid Ahmad Khan wrote several tracts on the compatibility of Islam with science to create a new synthesis between Islam and science, arguing *Inter alia*, why Muslims should own up and cultivate science and how Muslims could embrace it without eroding or distorting their Muslimness. The thinking on this all too critical problem extends far in the present century, with Iqbal's daring, enlightening and spectacular attempt to reconstruct Islamic thought being an enormous extension of this on-going process. In *The Reconstruction of Religious Thought in Islam*, Iqbal focuses deftly on the challenging problem of Islam vis-a-vis the modern Western intellectual thought, and on how to relate Islam to contemporary conditions.

Now about the present challenges. The greatest challenge that Islam faces today is that of “modernity”. It is both multi-dimensional and complex. One could have easily balked at the challenge of science and modern education in the nineteenth century by simply shunning books embodying them, and recoiling into his own shell of complacency, but one cannot shut oneself up against the avalanche of modernity today; For it is accompanied by the modern communication complex, which is one of modernity's chief components.

The modern communication explosion, inherently and ipso facto, poses the all-too critical challenge of cultural intrusion and

invasion. It comes not in dribble but as a torrent, engulfing the entire socio-cultural life of a community or a country. Clearly, cultural change does not come without an environmental change and its corollary, a behavioural change — which calls for a new ordering of the cosmos.

And environmental change denotes and calls for a larger context. Such a context would in turn call for having a close look at the process of homogenization which, for instance, Pakistani society is undergoing under the impact of globalization. The boutiques and beauty parlours that have proliferated beyond reasonable count in all cities and towns, big and small, the introduction of the catwalks in the three most important cities (and the volume of space devoted to them and to the models not only in the English language media but also in the Urdu papers), the increase in the volume of space devoted to films, film stars, pop music, and pop stars, the popularity of KFC's Pizza Huts, McDonalds, Walls ice cream and the emergence of the Cola culture - these items and much more may be explained as multidimensional outward expression of the globalization trend that has been fast engulfing not only Pakistan, but the entire Asian and Middle Eastern landscape for the past two decades.

And in the present global village scenario, much of it is bound to happen in spite of ourselves, and whether we like it or not. For now, it is chiefly confined to the elites and "cultural affiliates", but, given their status as role models, the trend is bound to trickle down, deeper and deeper, to the base of the social pyramid. After all, we simply cannot go back to the stone-age nor can we go in for a culturally apartheid or

isolationist policy. All this denotes an environmental change which both promotes and indexes behavioural change.

Globalization, thus, is an offshoot of modernity in the late twentieth century context. In its positive sense, modernity means modernization, which is associated with science, technology, material progress and human development. And modernity calls for, signifies and promotes environmental change, and behavioural change. The problem, then is: Are we equipped to meet this challenge?

The answer to this question is far from encouraging for the simple reason that, as pointed out by Professor Fazlur Rahman, those who understand modernity do not know Islam, and those who understand Islam do not know modernity. The two groups can talk at each other, but not to each other.

The Muslims in the early centuries, though dominant in terms of political and economic power and of civilization, went in for mastering the Hellenistic sciences to combat, counter and overcome its eroding influences and its over-powering thought. Why, then, should the Islamists, in their present perilous state of political and economic power, fight shy to master the paradigm, the social and cultural constructs, and the idiom of modernity — and modernization? And unless they master that paradigm and that idiom, they would continue to be at a serious disadvantage, they would fail to present Islamic thought and the Islamic model in an idiom which the protagonists, promoters, and bearers of modernization are familiar with.

What is important to note here is that these

groups include not only the West, not only the cultural affiliates of the West, but, more importantly, the relevant strata — that is the elites — who really matter in terms of power, whether political or economic and those who serve are taken as role models in the Muslim societies. Dialogue with the West, whether at the levels of faith, and doctrines, culture and civilization, or political, economic and social thought, is not the immediate problem; it can as well take a back seat at the moment.

What is of prime importance and immediacy is to bring the relevant strata in Muslim societies back into the Islamic framework. Those who shun English language newspapers in Pakistan for instance, and those who severely confine themselves to merely glancing at the headlines, whatever be the reasons, do not really know what this strata is thinking, what attitudinal and behavioural change processes they have gone through — especially, in part, because of their uninhibited exposure to the modern communication complex; in part, because such attitudes and behaviour are the “fashion” of the day, the “in-thing”, and in part because such attitudes and behaviour signify material progress, professional success and social status. And the world, including Muslims, are in quest of such progress, such success and such status.

In the “modernity” framework, two issues are going to be troublesome and problematic, calling for a good deal of homework, an in-depth grounding in Islamic thought and doctrines, an extraordinary ingenuity and for an enlightened, creative and constructive interpretation. These two issues have been incrementally looming large since the

middle 1970s and are going to loom larger in the coming decades. These are human rights and women related issues. Anyone who has a passing acquaintance with the world press and with the English-language press in Pakistan, India and Bangladesh would readily recognize how critical these issues are and how extra-critical they are going to be in the developing international environment.

Let me take the human rights (HR) issues here. The Universal Declaration of Human Rights (1948), it is true, was conceived in a Western, secular context, it also ignored the religious context. Since in the Islamic world (as well as the Buddhist and Hindu worlds), the only framework that is meaningful is the religious; the Declaration framework has been beyond the ken of their imagination. Thus, most of the countries in these worlds, despite being signatory to the declaration, have been remiss in implementing it in letter and spirit.

What, however, has invested the HR Declaration and HR issues today with an importance all its own is the incorporation of HR among the corner-stones in the US foreign policy structure since the late 1970s. The US has since become its foremost protagonist, followed closely by the European Union, the most powerful block after the US. Since the demise of communism (1989) the major anti-HR paradigm, and the collapse of the Soviet Union (1990/1991), HR issues have gained further importance and urgency.

The US on its part, has sought to penalize nations perceived to pursue policies violative of HR. For instance, the US denied AWACS to Pakistan in March 1977 on that pretext, before the Soviet Union marched into Afghanistan. Although the US

sanctions against the Iranian Revolution were primarily motivated by her national interests, she often justified them in terms of HR violations.

At another level, what has focused the West's attention on the India-held Kashmir insurgency during the past decade is not so much the denial of the right of self-determination embodied in the UN resolutions of 1948 and 1949, as the serious and recurring HR violations over there. The Western intervention in Bosnia and Kosovo may be perceived, the ultimate analysis, as a belated response to Serbian violations of HR at Europe's doorstep. Blasphemy cases in Pakistan, never taken note of earlier, have suddenly caught the attention of the Western press in recent years, if only because of this newly found "fad". The Western reluctance to recognize Taliban in Afghanistan also stems from the present Western HR matrix, whether or not, so it is claimed.

Meantime, a bill called "Freedom from Religious Persecution Act of 1977" was introduced in the US Congress in November 1977; which leans heavily on Article 18 of the Declaration of Human Rights for the imposition of US sanctions against offending states. Clearly, this sword of Democles hangs precariously over the heads of several Muslim countries.

Whether a "fad" or an intrinsic value in its own right, whether the non-Western world subscribed to them or not. HR are here to stay, looming larger and larger on the international horizon. They are monitored and supported by a world-wide, interlocking network, with Amnesty International and HRC at the apex.

Thus, in the present world scenario, with

the US as the chief policeman, our approval or disapproval of the Declaration or of the imposition of HR as a value "promoting" human welfare, does not matter much. Somehow or other, we have to come to terms with the Declaration and with HR as adumbrated therein, unless we can withstand sanctions. And these we cannot. Nor can we afford to take the Myanmar route.

But there is no cause for despair. As against most other religions, Islam does guarantee fundamental rights, and most of the HR under the Declaration can be derived, directly or impliedly, from the Qur'anic matrix. But the problem is that the Islamic scholars are rather remiss in engaging themselves in this endeavour. It's not enough to claim that fundamental rights have been guaranteed, but chapter and verse must need be invoked to sustain that claim.

What makes it imperative to make the right given under the Islamic framework widely known is the fact that, not to speak of non-Muslims, even Muslims are not fully aware of them. This ignorance is, in part, responsible why Islam had such a bad press, especially since the Iranian Revolution (1979). Attributing it to a "Jewish conspiracy." sounds plausible, but hardly convincing. For one thing, the Western press blamed Mosaddegh or Nasser for the West's problems in Iran and Egypt respectively in the 1950s, but not Islam. For another, the Jewish domination of the US elite media did not come or coincide with the Revolution. The fact of the matter is that the Revolution had manifestly a "bloody" face and phase, and it had invoked Islam as its premise. Thus, Islam got smeared and slandered in the

bargain.

In any case, it is high time that the “human” face of Islam was presented to the world. It's no use blaming others. Why should you expect others to understand and appreciate Islam in a matrix and an idiom they are not familiar with? Remember, familiarity, instead of breeding contempt, spawns a vested interest in understanding, to quote Kenneth Galbraith (*The Affluent Society*). The dictates of the end-results of the operation of self-exposure, self-perception and self-retention processes also, call for the presentation of the Islamic perspective in a matrix the world's most dominant intellectuals and the most influential academia are at home with. Remember, also, our case has always gone by sheer default.

In pleading for a portrayal of the “human” face of Islam, I am not suggesting something new or novel. Far from it. One may conveniently refer to Surah al-Baqarah, verse 177, to see Islam's enormous stress of practical deeds of charity and fair dealing. Again; the believers are called upon to fulfil Huquq-Allah (Rights of God).as well as Huquq al-'ibad (Rights of the people). Thus, Islam does not separate service to Allah from service to humanity. Fulfillment of duties to both constitute, the essence of righteousness, and men and women are called upon to be in pursuit of righteousness throughout their life.

For long the emphasis from the pulpit has been on the hereafter, on heaven and hell, on rewards and punishment on the Last Day. I feel there is a need for a shift on emphasis –from the hereafter to here and now. Islam does not merely offer a post-

dated cheque to be encashed on the last day; it does envisage rewards and punishments in this world (*Makafat-i-'Amal*) as well (see, e.g., Surah al-Nur: 19). And if rewards and punishments were to be severely confined to the hereafter, the Qur'an would surely not have detailed and documented at length the retribution that had overtaken people gone astray (e.g., see Surah al-Najam: 50-54; Surah al-Qamar: 30-31).

God had created the world for “just ends” (Surah al-Hijr: 85) and Islam seeks to establish, a “balanced” society (Sarah al-Baqarah: 143), while man has been fashioned in “the best of moulds” (Surah al-Tin: 4), and has been designated as His “vicegerent on earth” (Surah al-Baqarah: 30). Allah has also promised power and prosperity to the believers in this world as well. The Qur'an also upholds the right to “the good life”. To quote Muhammad Asad (Leopold Weiss): “By declaring that all good and beautiful things of life - i.e., those which are not expressly prohibited — are lawful to the believers, the Quran condemns, by implication, all forms of life denying asceticism, world-renunciation and self-mortification.”

All this means that material progress, professional excellence and social status should be among the goals a Muslim should aspire to and strive for. The de-emphasis on them, while extolling the rewards in the hereafter, in our religious and political discourses, has caused a tremendous setback to the Islamic cause. Hence, these values need to be emphasized, in order to bring out the “human” face of Islam.

(Courtesy: Daily Dawn)

Where do women stand in Islam?

Farooq Malik

The status of women in society is neither a new issue nor is it a fully settled one. The position of Islam on this issue has been among the subjects presented to the Western reader with the least objectivity. Before discussing about the status of women in-Islam, first we have to look towards the spiritual and social aspects of women in society in the light of Qur'anic verses.

1. Spiritual aspect:

The Holy Qur'an provides clear-cut evidence that the woman is completely equated with man in the sight of Allah in terms of her rights and responsibilities. It says:

"Whoever works righteousness — man or woman - and has faith, verily to him will We give a new life that is good and pure, and We will bestow on such their reward according to their actions." (16:97)

The woman according to the Holy Qur'an is not blamed for Adam's first mistake. Both were jointly responsible for their action to Allah. Both repented, and both were forgiven. (2:36)

In terms of religious obligations, such as the daily Salaah (Prayers). Sawm (Fasting), Zakah (Poor-due). and Hajj (Pilgrimage), woman is not different from man. In some cases, indeed, woman has certain advantages over man. For example, the woman is exempted from participating in congregation of the daily prayers and from fasting during her menstruation periods and forty days after childbirth.

2. Social aspect:

Despite the social acceptance of female infanticide among some Arabian tribes, the Holy Qur'an forbade this custom, and considered it a crime like any other murder. "And when the female (infant) buried alive — is questioned. for what crime she was killed." (81: 89)

Criticizing the attitudes of such parents who reject their female children, the Holy Qur'an states:

"When news is brought to one of them, of (the birth of) a female (child), his face darkens and he is filled with inward grief! With shame does he hide himself from his people because of the bad news he has had! Shall he retain her in (sufferance) contempt, or bury her in the dust? Ah! What an evil (choice) they decide on?" (16:58-59)

Far from saving the girl's life so that she may later suffer injustice and inequality, Islam requires kind and just treatment for her. Among the sayings of Prophet Muhammad (ﷺ) in this regard are 'the following:

"Whosoever has a daughter and he does not bury her alive, does not insult her, and does not favour his son over her, Allah will enter him into Paradise." (Ibne Hanbal, No 1957)

The right of females to seek knowledge is not different from that of males. Prophet Muhammad (ﷺ) said: "Seeking knowledge is mandatory for every Muslim (man and woman)." (Al-Bayhaqi)

The Qur'an clearly indicates that marriage is sharing between the two halves of the

society, and that its objectives, beside perpetuating human life, are emotional well-being and spiritual harmony. Its bases are love and mercy.

Among the most impressive verses in the Holy Qur'an about marriage is the following: 'And among His signs is this: That He created mates for you from yourselves that you may find rest, and He ordained between you love and mercy Lo. herein indeed are signs tor people who reflect.' (30:21)

According to Islamic Law, women cannot be forced to marry anyone without their consent: Hadhrat Ibne Abbas (RDA) reported that a girl came to the Messenger of Allah, Muhammad (ﷺ) and she reported that her lather had forced her to marry without her consent. Allah's Messenger (ﷺ) gave her the choice... (between accepting the marriage or invalidating it). (Ibne Hanbal No. 2469)

The rules tor married life in Islam are clear and in harmony with upright human nature. In consideration of the physiological and psychological make-up of man and woman, both have equal rights and claims on one another, except for one responsibility, that of leadership. This is a matter which is natural in any collective life and which is consistent with the nature of man.

The Qur'an thus states: "And they (women) have rights similar to those (of men) over them, and men are a degree above them." (2:228)

Such degree is maintenance and protection. This refers to that natural difference between the sexes, which entitles the weaker sex to protection. It implies no superiority or advantage before the law.

Yet, man's role of leadership in relation to his family does not mean the husband's dictatorship over his wife. Islam emphasizes the importance of taking counsel and mutual agreement in family decisions. The Holy Qur'an gives us an example:

"...it they (husband and wife) desire to wean the child by mutual consent and (alter) consultation, there is no blame on them..." (2:233)

Over and above, her basic rights as a wife comes the right which is emphasized by the Holy Qur'an and is strongly recommended by the Prophet (ﷺ); kind treatment and companionship.

The Qur'an states: "...But consort with them in kindness, for if you hate them it may happen that you hate a thing wherein Allah has placed much good." (4:19)

Prophet Muhammad (ﷺ) said: The best of you is the best to his family and I am the best among you to my family.

The most perfect believers are the best in conduct and best of you are those who are best to their wives. (Ibne Hanbal, No. 7396)

More specifically, some aspects of Islamic law concerning marriage and divorce are interesting and are worthy of separate treatment. When the continuation of marriage relationship is impossible for any reason, men are still taught to seek a gracious end for it.

The Qur'an states about such cases:

When you divorce women, and they reach their prescribed term, then retain them in kindness and retain them not for injury so that you transgress (the limits). (2:231)

Islam considered kindness to parents next

to the worship of Allah. Says the Divine Book: "And We have enjoined upon man (to be good) to his parents: His mother bears him in weakness upon weakness..." (31:14)

Moreover, the Holy Qur'an has a special recommendation for the good treatment of mothers: "Your Lord has decreed that you worship none save Him, and that you be kind to your parents..." (17:23)

A man came to Prophet Muhammad (ﷺ) asking: "O Messenger of Allah, who among the people is the most worthy of my good behaviour." The Holy Prophet (ﷺ) said, "Your mother." The man said, "Then who else." The Holy Prophet (ﷺ) said, "Your mother." The man said, "Then who else." The Holy Prophet (ﷺ) said, "Your mother." The man said, "Then who else?" Only then did the Holy Prophet (ﷺ) say, "Your father." (Bukhari and Muslim)

A famous saying of the Holy Prophet (ﷺ) is, "Paradise is underneath the feet of mothers." (Nisai, Ibne Maajah and Musnad Ahmad).

After considering these major aspects, the question that arises in our mind that why must women still be considered inferior to men?

According to Islam, women are not inferior to men. Allah creates both of them and both of them are equal in the sight of Allah. If they are equal in the sight of Allah, then how can they be inferior in the society or in the sight of men?

Allah says in the Holy Qur'an: "O people! We have created you from a male and a female and made you into groups and tribes, so that you may know each other. Indeed, the noblest of you in the sight of

Allah are the most righteous among you." (49:13)

According to Islam, men and women complement each other. They are equal members of society and they have their duties and responsibilities. There are some differences between the roles of men and women in society, but these differences do not make one gender superior and the other inferior. The talks of superiority or inferiority are based on some of non-Islamic cultures, but it is certainly not a part of Islam.

One should remember that "Men are the managers of the affairs of women because Allah has made some to excel the other". It is also applicable about the family organization where the husband has the responsibility to take care of his wife and children.

It is not saying that every man is a caretaker of every woman. Secondly, this verse is not about the spiritual, moral or intellectual excellence of husband over his wife. It is talking about his physical strength and capabilities, because of which he must protect his family and must be the provider for his wife and children.

The position of women in Islam has recently been an issue of debate. Some misconceptions arise, either from traditional practices, which are thought to be "Islamic," but are not, or else from prejudices.

However, the real issue is how women are regarded in the Islamic faith, and when we look at this, we see that Islam gives women great social value, freedom and comfort.

Allah's commandments about the status of women and the relations between men and women, which have been revealed to us

through the Qur'an, consist of full justice.

In this regard, Islam suggests equality of rights, responsibilities and duties between the two genders. Islam is based on sympathy, tolerance and respect for human beings, and does not discriminate against women in this matter.

The examples of good morals communicated to us in the Qur'an are universally compatible with human nature, and are valid for all stages of history.

Respect for women and women's rights fall within this. In the Qur'an, Allah insists that the rights of women are the same as that of men. Furthermore, while performing the tasks and responsibilities of their jurisdictions, men and women must help and support each other.

The men and women of the believers are friends of one another. They command what is right and forbid what is wrong, and establish Salaah and give Zakaah, and obey Allah and His Messenger (ﷺ). They are the people on whom Allah will have mercy. Allah is All-mighty, All-Wise. (9:71)

In another verse, Muslim men and women are considered together, and it is stressed that both have the same responsibility to Allah and same status in Allah's sight.

Men and women who are Muslims, men and women who are believers, men and women who are obedient, men and women who are truthful, men and women who are steadfast, men and women who are humble, men and women who give alms, men and women who keep Sawm (Fast), men and women who guard their organs, men and women who remember Allah much: Allah has prepared forgiveness for them and an immense reward. (33:35)

Islam does not see women as objects. Therefore, it is not seen appropriate that a woman of good morals should marry a man of bad morals. In the same way, it is not permitted for a woman of bad morals to marry a man of good morals.

Corrupt women are for corrupt men and corrupt men are for corrupt women; good women are for good men and good men are for good women. The latter are innocent of what they say. They will have forgiveness and generous provision. (24:26)

We can say that the mentality that despises women, excludes them from society and regards them as second class citizens is a wicked pagan attitude which has no place in Islam.

In fact, devout women are depicted as good examples for mankind in the Qur'an. One is Hadhrat Maryam, the mother of Hadhrat 'Eesaa (Jesus Christ) (A.S.). Another is the wife of the Egyptian Pharaoh who, despite her husband's wickedness, is also described as an ideal Muslim.

The Qur'an also describes very gentle conversations between Prophet Sulaiman (A.S.) and the Queen of Saba, and between Hadhrat Musa (A.S.) and two young ladies, which symbolize the civilized social relationship between the two genders.

Therefore, it is impossible for a Muslim to have a bigoted approach towards women. In a society where true Islamic morals are practiced, immense respect and sympathy will be shown to women, and it will be ensured that they can live in freedom and comfort.

Islam emphasizes (Continued on Page # 21)

The Guard Who Found Islam

Terry Holdbrooks stood watch over prisoners of Guantanamo. What he saw made him adopt their faith . . .

Army specialist Terry Holdbrooks had been a guard at Guantanamo for about six months the night he had his life-altering conversion with detainee 590, a Moroccan also known as “the General.” This was early 2004, about halfway through Holdbrooks’s stint at Guantanamo with the 463rd Military Police Company. Until then, he’d spent most of his day shifts just doing his duty. He’d escort prisoners to interrogations or walk up and down the cellblock making sure they were not passing notes. But the midnight shifts were slow. “The only thing you really had to do was mop the center floor,” he says. So Holdbrooks began spending part of the night sitting cross-legged on the ground, talking to detainees through the metal mesh of their cell doors.

He developed a strong relationship with the General, whose real name is Ahmad Errachidi. Their late night conversations led Holdbrooks to be more skeptical about the prison, he says, and make him think harder about his own life. Soon, Holdbrooks was ordering books on Arabic and Islam. During an evening talk Errachidi in early 2004, the conversation turned to the “Shahada”, the one-line statement of faith that marks the single requirement for converting to Islam (There is no God but God and Muhammad ﷺ is His prophet). Holdbrooks pushed a pen and an index card through the mesh, and asked Errachidi to write out the Shahada in English and transliterated Arabic. He then uttered the words aloud and, there on the floor of Guantanamo's

Camp Delta, became a Muslim.

When historians look back on Guantanamo, the harsh treatment of detainees and the trampling of due process will likely dominate the narrative. Holdbrooks, who left the military in 2005, saw his share. In interviews over recent weeks, he and another former guard told Newsweek about degrading and sometimes sadistic acts against prisoners committed by soldiers, medics and interrogators who wanted revenge for the 9/11 attacks on America. But as the fog of secrecy slowly lifts from Guantanamo, other scenes are starting to emerge as well, including surprising interactions between guards and detainees on subjects like politics, religion and even music. The exchanges reveal curiosity on both sides — sometimes even empathy. “The detainees used to have conversation with the guards who showed some common respect towards them says Errachidi, who spent five years in Guantanamo and was released in 2007. “We talked about everything, normal things, and things (we had) in common,” he wrote to Newsweek in an e-mail from his home in Morocco.

Holdbrooks’s level of identification with the other side was exceptional. No other guard has volunteered that he embraced Islam at the prison (though Errachidi says other expressed interest). His experience runs counter to academic studies, which shows that guards and inmates at ordinary prisons tend to develop mutual hostility. But then, Holdbrooks is a contrarian by nature. He can also be conspiratorial. When his company visited the site of the 9/11 attacks in New York, Holdbrooks remembers

thinking there had to be a broader explanation, and that the Bush administration must have colluded somehow in the plot.

But his misgivings about Guantanamo — including doubts that the detainees were the “worst of the worst” were shared by other guards as early as 2002. A few such guards are coming forward for the first time. Specialist Brandon Neely, who was at Guantanamo when the first detainees arrived that year, says his enthusiasm for the mission soured quickly. “There were a couple of U.S. guards who asked ourselves why these guys are being treated so badly and if they’re actually terrorists at all,” he told Newsweek. Neely remembers having long conversations with detainee Ruhul Ahmad, who loved Eminem and James Bond and would often rap or sing to the other prisoners.

Holdbrooks says growing up hard in Phoenix—his parents were junkies and he himself was a heavy drinker before joining the military in 2002 — helps explain what he calls his “anti-everything views. “He has holes the size of quarters in both earlobes, stretched out piercing that he plugs with wooden disks. At his Phoenix apartment, bedecked with horror-film memorabilia, he rolls up both sleeves to reveal rib-to-shoulder tattoos. He describes the ink work as a narrative of his mistakes and addictions. They include religious symbols and Nazi SS bolts, track marks and, in large letters, the word BY DEMONS BE DRIVEN. He says the line, from a heavy metal song, reminds him to be a better person.

Holdbrooks — TJ to his friends — says he joined the military to avoid winding up like his parents. He was an impulsive young

man searching for stability. On his first home leave, he got engaged to a woman he'd known for just eight days and married her three months later. With little prior exposure to religion, Holdbrooks was struck at Gitmo by the devotion detainees showed to their faith. “A lot of Americans have abandoned God, but even in this place, (the detainees) were determined to pray,” he says.

Holdbrooks was also taken by the prisoner's resourcefulness. He says detainees would pluck individual threads from their jumpsuits or prayer mats and spin them into long stretches of twine, which they would use to pass notes from cell to cell. He noticed that one detainee with a bad skin rash would smear peanut butter on his windowsill until the oil separated from the paste, then would use the oil on his rash.

Errachidi's detention seemed particularly suspect to Holdbrooks. The Moroccan detainee had worked as a chef in Britain for almost 18 years and spoke fluent English. He told Holdbrooks he had travelled to Pakistan on a business venture in late September 2001 to help pay for his son's surgery. When he crossed into Afghanistan, he said, he was picked up by the Northern Alliance and sold to American troops for \$5,000. At Guantanamo, Errachidi was accused of attending an Al-Qaeda training camp. But a 2007 investigation by the London Times newspaper appears to have corroborated his story; it eventually helped lead to his release.

In prison, Errachidi was an agitator. “Because I spoke English. I was always in the face of the soldiers,” he wrote Newsweek in an e-mail. Errachidi said an

American colonel at Guantanamo gave him his nickname, and warned him that generals “get hurt” if they don't cooperate. He said his defiance cost him 23 days of abuse, including sleep deprivation, exposure to very cold temperatures and being shackled in stress positions. “I always believed the soldiers were doing illegal stuff and I was not ready to keep quit. “The Moroccan spent four of his five years at Gitmo in the punishment block, where detainees were denied “comfort items” like paper and prayer beads along with access to the recreation yard and the library.

Errarchidi says he does not remember details of the night Holdbrooks converted. Over the years, he says, he discussed a range of religious topics with guards: “I spoke to them about subjects like Father Christmas and Issac and Abraham and the sacrifice. About Jesus, Holdbrooks recalls that when he announced he wanted to embrace Islam, Errachidi warned him that converting would be a serious undertaking and, at Guantanamo, a messy affair. “He wanted to make sure I knew what I was getting myself into.” Holdbrooks later told his two roommates about the conversion, and no one else.

But other guards noticed changes in him. They heard detainees calling him Mustapha, and saw that Holdbrooks was studying Arabic openly. (At his Phoenix apartment, he displays the books he had amassed. They include a leather bound, six-volume set of Muslim sacred texts and “The Complete Guide to Understanding Islam”.) One night his squad leader took him to a yard behind his living quarters, where five guards were waiting to stage a kind of inten/ention. “They started yelling at

me,” he recalls, “asking if I was a traitor, if I was switching sides.” At one point a squad leader pulled back his fist and the two men traded blows, Holdbrooks says.

Holdbrooks spent the rest of his time at Guantanamo mainly keeping to himself, and nobody bothered him further. Another Muslim who served there around the same time had a different experience. Capt. James Yee, a Gitmo Chaplain for much of 2003, was arrested in September of that year on suspicion of aiding the enemy and other crimes — charge that were eventually dropped. Yee had become a Muslim years earlier. He says the Muslims on staff at Gitmo — mainly translators — often felt beleaguered. “There was an overall atmosphere by the command to vilify Islam”.

At Holdbrooks's next station, in Fort Leonard Wood, Mo, he says things began to unravel. The only place to kill time within miles of the base was a Wal-Mart and two strip clubs — Big Daddy's and Big LOUIE's. “I have never been a fan of strip clubs, so I hung out at Wal-Mart,” he says. Within months, Holdbrooks was released from the military two years before the end of his commitment. The Army gave him an honourable discharge with no explanation, but the events at Gitmo seemed to loom over the decision. The Army said it would not comment on the matter.

Back in Phoenix, Holdbrooks returned to drinking, in part to suppress what he describes as the anger that consumed him. (Neely, the other ex-guard who spoke to NEWSWEEK, said Guantanamo had made him so depressed he spent up to \$60 a day on alcohol during a month long leave from the detention centre in 2002). Holdbrooks divorced his wife and spiraled further.

Eventually his addiction landed him in the hospital. He suffered a series of seizures, as well as a fall that resulted in a bad skull fracture and the insertion of a titanium plate in his head.

Recently, Holdbrooks has been back in touch with Errachidi, who has suffered his own ordeal since leaving the detention centre. Errachidi told NEWSWEEK he had trouble adjusting to his freedom, "trying to learn how to walk without shackles and trying to sleep at night with lights off". He signed each of the dozen e-mails he sent to NEWSWEEK with the impersonal ID that his captors had given him: Ahmad 590. Holdbrooks, now 25, says he quit drinking three months ago and began attending

regular prayers at the Temple Islamic Centre, a mosque near the University of Phoenix, where he works as an enrollment counselor. The long scar on his head is now mostly hidden under the laces of his Muslim kufi cap. When the imam at Temple introduced Holdbrooks to the congregation and explained he'd converted at Guantanamo, a few dozen worshipers rushed over to shake his hand. "I would have thought they had the most savage soldiers serving there," says the imam, Amr Elsamny, an Egyptian. "I never thought it would be something like.TJ." (Newsweek, Published Mar 21, 2009: From magazine issue dated Mar 30, 2009)

A Message

His Eminence Dr. Muhammad Fazlur Rahman Ansari, Al-Qaderi, رحمة الله عليه M.A., Ph. D. (R.A) at a multiracial function organized in his honour by the Pretoria Islamic Society (South Africa) in 1971, gave the following personal message to the Muslims:-

"If you love Allah, love all human beings. All creation is Allah's family. He who insults Allah's family, insults Allah and he who honours Allah's family honours Allah.

Deal with every human being first and foremost as a human being. Let not any other consideration come between this. Because before being a Muslim, a Christian or a Hindu, every one of you is a human being first and foremost and this is what Islam emphasizes. That these are rights of every human being as a human being and those rights are inviolable and if you cannot stand by those, then you are not true to your own self as a human being. You are insulting your own Humanity.

Appreciate good wherever it is found even in your enemy and hate evil but not the evil-doer.

The Islamic principles are based on one concept, namely, good-will for all and ill-will for none."

Islamic Banking

Should not be a window for Riba banks

Muhammad Qutub

The “raison d’etre” of Islamic banking is the interest free operations of lending money because interest (Riba) is strictly forbidden in Islam:

“O you who believe; Devour not Riba, doubled and multiplied; but fear Allah”.... (3:130) “Oh you believer; have fear of Allah and give up what is still due to you from Riba, if you are true believers.” (2:278)

Allah has identified interest as a most harmful social curse and economic injustice. Those who pay no heed to Allah, and indulge in interest, are warned of grave punishment.

“He who receive the admonition from his Lord and corrects himself, may keep what he has already earned.... but those who return (to Riba) will be deserving residents of Fire, they will abide there forever.” (2:275)

“That they took riba though they were forbidden.... we have prepared for those among them who reject faith a grievous punishment.” (4:161)

The Qur’anic injunction conveyed in such clear terms leave no room for ambiguity. Yet there are some who argue that the term ‘Riba’ refers to compound interest only. But these arguments have no basis either in principle or in practice of Islam. According to the Shari’ah, what has been borrowed must be repaid, in exactly the same quantity and quality. This is simple enough to follow in cases where a commodity such as grain, metal (gold, silver etc.) or materials is borrowed.

According to Islamic Law, what constitutes interest bearing operation is a binding agreement to repay a loan with an amount greater than the principal in quantity or quality. For example, if someone borrows 100 Kg of rice of a certain grade, he is obliged to return only 100 kg of rice of the same grade.

The complication arises when borrowing transaction involves money rather than a commodity. In Shari’ah, money is not considered a commodity: it is a measure of wealth - a value. Therefore, to justify taking interest on the ground that money is being bought and sold and the extra amount in repayment is a profit pertaining to the transaction is not a valid argument.

“For they assert that Riba is like trading, although Allah has permitted trade and forbidden riba.” (2:275)

Since monetary operations are denominated in a currency the problem is not as simple as it would be if deals were made in commodity like gold or silver. Major arguments arise due to the fact that the unit of currency may have a fluctuating value for not being linked to a commodity like gold. The value of the money can change in time due to socio-economic variables like inflation and exchange rate fluctuations. Because of nominal value of today’s currencies, some new interpretations have been floated to justify formulations for safeguarding the lender’s right to expect that at least he does not suffer a financial loss due to lending—and being repaid – in equivalent monetary unit

like Dollars, Pounds, Rupees or Lira ... etc.

This is not a major problem, as the lender and borrower can agree on denominating the loan in a hard currency like US\$, or a basket currency or ID (Islamic Dinar). What is still a problem though is how an Islamic financial institution, like a bank, would recover its operating expenses from such operations. Are these institutions allowed to make a profit, or expected to operate as a fund, on a non-profit (cost recovery) basis only?

According to the Association of Islamic Banking Institutions, their members as banks or financial institutions have devised some alternative Islamic financial instruments to tackle these problems. These are: *QARD*, *IJAR*, *MODARABA*, *MURABAHA* and *MUSHARAKAH*.

QARD [قرض] (Loan)

The amount is repaid with an additional, mutually agreed-upon sum, charged by the lending institution as a service-free which is pre-determined.

IJAR [اجاره] (Leasing)

It is repaid with a predetermined rental in addition to the principal amount paid by the lender for the purchase of the asset. The rental is charged for the period during which the assets is in the custody of the lessee.

MURABAHA [مراجه] (Cost-plus-Trade-Financing)

The amount extended up-front by the lender to finance the purchase of certain goods, which are sold by the lender to the borrower with a predetermined mark-up and repaid by the borrower in installments.

MODARABA [مضاربه] (Project Financing)

It does not have a corresponding model among the conventional financial instruments. Modaraba is an instrument peculiar to Islamic finance. Modaraba enables the mobilization and rewarding of the non-capital contributors of business know-how, patents/ copyrights etc. Both the capital and non-capital contributors resources are pooled into a venture and the percentage in sharing the business profits are mutually agreed.

Under Modaraba agreement any loss is born only by the capital contributors. Modaraba though very flexible is only suitable for one-off projects. Upon completion of the project a line is drawn and the accounts are closed to determine the shares of profit.

MUSHARAKAH [مشاركه] (Equity Participation)

This is for business that are not a one-off transactions but capable of continuous operation such as a manufacturing or service business. The capital provider normally take a share (equity) in the business and benefits by receiving profit dividends and appreciating value of his equity. Profits are shared on an agreed percentage basis between the parties. The losses are however, shared on the basis of equity participation.

The Islamic financial tools are not limited to the above models. There are many versions and variations of these basic forms. The important consideration is that the lender is not allowed to charge a fixed rate of interest. Thus the lender is required to be at participant in the venture and share part of the business risks. By observing these ground-rules the lender's claim on part of the business profits is entirely

acceptable and within Shari'ah laws.

There are some Islamic scholars who are of the opinion that modern practice of banking interest is not Riba as meant in the Qur'an, The best way to avoid the controversy is to keep the spirit of the Shari'ah by refraining from doubtful transactions even though these may be designed to conform to its letter, superficially.

Critical examination of the practice of a number of the so called Islamic institutions that have sprouted since 1975 reveal a routine lending business like any bank. The difference is that 'additional elements' is referred to as 'profit', 'rental', 'mark-up' or anything but interest. These lenders usually require securities as collateral to make their risk zero and lending is governed by an agreement or contract. These agreements or contracts are in reality exactly the same as any other interest bearing lending contracts. However, not all special financial houses are the same-charging interest under another name. Many with sincere desire to develop workable interest-free models have sought the guidance of learned 'ulama to tackle the various issues involved in many countries, especially in Malaysia, Sudan, Egypt, Pakistan and Turkey, Islamic banking is a reality. This sector is estimated to have reached an annual turnover of 30 billion Dollars, in these countries, and \$60 billion worldwide, According to some forecasts, it could be more than 100 Dollar billions by the year'2005.

One aspect of this global trend is the paradox that some of these 'Islamic Institutions' can be found in the bastion of capitalism like London, New York and Geneva. Many feel that the reasons for

their extraordinary interest in the Islamic banking is just a ploy for attracting this special pool of money. It remains to be seen whether Muslims who deal with these capitalistic institutions through their interest-free windows are in compliance with the Shri'ah.

It is also possible that these capitalistic institutions may invade the financial sector in the Muslim countries, with stream-lined procedures, more efficient interest-free banking facilities and offering higher returns. As foreign banks they will not be regulated by the central banks within the Muslim countries. They will have an appeal to those looking for safer heavens for their deposits, thus taking away business from local financial institutions. Muslim countries may become a paradise for the non-Muslim banks, beating the Muslims at their own game.

In many Muslim countries, Islamic banking has been tolerated by the establishment to attract funds which would otherwise go into other forms of short and medium term investments like gold, real estate or commodities. Many Muslims do not deposit their money in the conventional banks because interest is at the heart of modern banking system. In other words these 'Islamic' banks served as instruments for attracting such funds that could be incorporated into the national economies.

Until now, most of the Islamic banks business has been in trade-financing (Murabaha), which has the highest turnover rate, being the operation with the shortest term. Apparently more has been done in Modaraba and Musharakah in order to be able to provide longer term finance that is badly in need to invest in long term business lines (Continued on page #. 21)

and industries. The matter is closely linked with availability of funds.

It is no coincidence that interest-free banking started to gain momentum after 1975, which is related to the accumulation of the oil generated wealth in the hands of

Muslims. Now that this era is almost over, the centre of activity seems to have shifted from the Middle East to the Far East, with Malaysia at the centre stage, targeting 25% of all deposits in Malaysia to be brought into the Islamic banking sector.

Duties Towards Neighbours

Maulana Dr. Fazl-ur-Rehman al-Ansari

Duties towards neighbours have formed an important section of human moral code in all the moral systems of the world, and the same position of pre-eminence they enjoy in Islam also. Islam has however given a richer connotation to the word 'neighbour'. It has first of all classified the category of neighbours into two sections, in which there is an inherent principle of preference, namely: (1) the neighbour who is related in any way –through family ties or through religion or through comparative nearness in the matter of his residence; (2) the neighbor with whom there are no family ties or religious affinity or he is comparatively farther as regards his residence. The principle of preference here is that if a person is capable of helping only one of the two sections he should give preference to the members of the first section over the members of the second section. Besides this classification, the concept of the neighbour includes, in Islamic ideology, also those who might be one's companions in journey, in education or in service and those who might be partners in one's business.

When we study the Holy Qur'an we find that wherever the Holy Book has exhorted the Muslims to do good to their parents and relatives, it has also appealed there and then to do good to the neighbours of different categories also. For instance, we find the following commandment at different places with slight variation of language: "God commands you to do goods to your parents, to your relatives, to the orphans, to the destitutes, to the neighbours who are related to you in some way, to the neighbours who are unrelated, and to your companions."

Side by side with the Holy Qur'an the Hadith literature is rich and full in appeals for doing good to the neighbours and for abstaining from doing injury to them. For instance, the Holy Prophet () says: "He who believes in God and in the Last Day, let him honour his neighbour," and "Let him not harm his neighbour in any way." Again "He is not a Believer from whose mischief his neighbour is not safe."



The Islamic Worker

Commitments & Responsibilities

Ye are the best of Peoples, evolved for mankind. Enjoining what is right. Forbidding what is wrong, And believing in God. (Ale- Imran [2]: 110)

This short expose on the subject of “The Islamic worker, his Commitments and Responsibilities” has no other pre tension than to be a layman's approach to what is by its very nature, a rather complex subject. It is mainly intended to be thought—provoking. An analysis of this nature, which aims to set out only the glancing examples, cannot be complete. In the sense that it envisages all the possible facts of the work involved, but if it succeeds in stunning some of you. It will have succeeded in its aim which is primarily that of bringing awareness to right thinking Muslims in a sphere where it was lacking characteristics.

Calling people to Islam (Truth) is the noblest of purpose as the person who assigns to himself such a task does it voluntarily, freely and out of choice and becomes the spiritual heir of the thousands of Prophets who have been sent on earth by Allah. Culminating in the finality of the Prophet-hood of our beloved Holy Prophet Muhammad (ﷺ) as he is the perfect model of how the person who calls to Islam should set the example himself. For fear of doing an injustice to our Holy Prophet (ﷺ) by mistakenly omitting to mention all the characteristics which endowed his person, I am almost tempted to refer you to a detailed study of his life history, more especially his unique approach when dealing with the problem of Dawah. But out

of necessity, I have to mention at least the basic qualifications and attributes of the Islamic worker.

It is important for a person embarking on a Dawah mission to ensure that (1) he has a through and profound knowledge and mastery of the Islamic faith; (2) his life should be a model to others in that he lives the Islamic faith by practicing what he preaches and preaching what he practices; (3) he has “*hikmah* (حكمة)” (wisdom) so that “the tone, manner, method and content of the invitation to truth and the exposition of the Deen of Islam should be adjusted judiciously according to the occasion, place, prevailing circumstances and intellectual and educational level of the listeners;” (4) his one and only aim is to seek the pleasure of Allah. This should not be taken to mean that unless all these characteristics are present, no Islamic work should be performed. Everything depends on circumstances and the prevailing conditions as man will be judged by his intentions.

Modern World's Challenges

Islam has to face the challenges of the modern world and the renewed onslaughts of the forces of evil (Satan) with as much resources as it has mustered in the past. For, in fact, only the shape and the methods of the challenge have changed. Satan, the accursed, will continue to try to lead mankind astray, and, it is the duty of the Islamic workers to remind people, lest they should forget, that submission to the Will of Allah leads to eternal bliss and salvation, whilst succumbing to the viles of

Satan leads to His displeasure and hell.

No people, even those belonging to the most orthodox Islamic country have remained immune to the sweeping and devastating influence of Western civilization and culture. It has poisoned the minds of millions by urging them to look down upon religion as symbolic of backwardness and as a hindrance to the material progress of man because it forbids him to many earthly things which are so captivating, so tempting, so alluring; the sources of so much joys and pleasures. "You only live once!" He has so constantly reminded. After all they say, there is no limit to the intelligence of man. Hasn't man gone to the moon? Hasn't he started the era of test tube babies? Is he not interfering successfully in the sphere of genetics so as to be able to choose the type of being he wishes to create, an exclusive province of God.?

I can see many of our theologians giving confusing and evasive replies to all these questions for bluffing their way through because they are not sufficiently equipped. People, young and old, these days are very inquisitive and thirsty for knowledge. Everything that is vivid, living and strikes their imaginations, constitutes a challenge. just like Islam, as a faith, used to be a living religion and a serious challenge to the contemporaries of the time, whether friends or foes. Islam, as a living religion, can still supply a satisfactory answer to every question. (But the question is, do we Muslims represent it even formally?)

The Living Religion

The main difference between Islam and other religions is that Islam has its roots in the Holy Qur'an, which, since its revelation

to this day, has been transmitted by generation to generation, word for word, in its pure, untainted original form. Islam, it should be remembered, does not change in order to suit any prevailing conditions or circumstances. One cannot pay lip-service to Islam. There is no such thing as being a follower of Islam without being a believer. A Muslim is not a person gratified with a Muslim name or a person who, by a happy coincidence, is born in a Muslim home.

It is important to mention here that parents have a great responsibility towards Allah as they are the first and most influential preachers of truth in respect of their children. They should see to it that not only do they inculcate Islamic way of life in their children, but that they live like Muslims.

Contemporary Islamic Worker

The mission of spreading the Islamic faith is carried on mainly by persons who have taken upon themselves this laudable task. While conceding that their intention is highly commendable, it is obvious that they fail to achieve their goal in as much as very often the medium (language) used is, not understood by the majority of the audience who just sit there and listen because it is "Sawaab" to listen, or the speaker does not have what the Holy Qur'an so beautifully and succinctly terms "hikmah" to get and preserve the attention of the audience in the hope of driving home and, Allah Willing, convincing the audience.

There is very little point in asking or coercing people, for example, to sit down and listen to the narration of a "hadith" at high speed, for the risk of misunderstanding is great and the risk is greater still when one thinks of the metamorphosis which inevitably takes

place through the chain of narrators.

Dawah is fast becoming “a full-time occupation” for some people, while it ought to be a part and parcel of the ordinary life of the individual. One of the criticisms frequently leveled at our contemporary Islamic workers is that one seldom finds them working to earn their living or helping in the performance of menial tasks so as to set the example by their conduct, just like the Prophet of Islam (ﷺ) used to do.

Personality Cult

The greatest danger which faces the Islamic worker is the cultivation of his own personality and losing sight of the truth, which he originally set out to preach. Today, religion is also the perfect facade for the politician, the public man, the hypocrite who sets out to beguile and deceive because more and more people disillusioned with the material world, are coming back to Islam for comfort. Religion should never become a means to an end. The mushrooming of many so-called “religious sects.” is a timely reminder that religion is being used as a cover.

Those who are genuinely involved in Islamic work should take all possible precautions to safeguard against the risk of

finding their audience attaching more importance to their person than to the message they have set out to propagate with the result that after the passing away of the preacher, his disciples do not commit “Shirk” by worshipping him. Pride, showing off, ostentation, etc, are incompatible with the qualities which should characterize the Islamic worker.

The exhortation to preach Islam and the principles governing such preaching as succinctly and beautifully enunciated in Surah al-Nahl, Verse 125. The Sura ends with Verse. 128, wherein Allah gives the heart-warming assurance that He is with those who set out to do good. As we can see, the prerequisite for the success of the Islamic worker is to obey Allah by following the principles governing such preaching and it is more than urgent that those who intend to embark upon Islamic work should receive the proper training, learn the art of preaching, obtain “hikmah” and possess the strength of character and morality required to obey the injunctions laid down by Allah so that they can answer the challenge and meet with success by pleasing Allah.

May Allah bless and guide Da’i who have made Dawah their life mission. Ameen!

(Continued from page # 10)

equality and not unqualified similarity of treatment of men and women and it has

foreseen a special status for women in order to protect their rights unequivocally.

(Continued from page #. 17)

and industries. The matter is closely linked with availability of funds.

It is no coincidence that interest-free banking started to gain momentum after 1975, which is related to the accumulation

of the oil generated wealth in the hands of Muslims. Now that this era is almost over, the centre of activity seems to have shifted from the Middle East to the Far East, with Malaysia at the centre stage, targeting 25% of all deposits in Malaysia to be brought into the Islamic banking sector.

Mother's Milk — The Nectar

Muhammed Anisur Rehman – Advocate

It is the unanimous clinical observation of the medical world that mother's milk is the best food for sucking babies, nay, it is the nectar for them. It is full of lactogen with many vitamins and calcium. It is source for spreading human feelings and angelic qualities together with the strength and vitality to defend the personality of the child from any onslaught of ailments.

Mother's milk is the only panacea to keep the child immune from many fatal diseases as declared by the child specialists. It is also the unambiguous opinion of the research scholars of the Science of Medicine that the child will catch hold of many virulent and dangerous ailment if he or she is not given mother's milk at the very start as the period of infancy is very important to build strong fibre of the individual and it is only the mother's milk that helps the child to build strong personality to defend oneself from any fatal disease.

Declaration of the World Health Organization best known as WHO is very much alarming and note-worthy for the world at large. It was brought to light in the local medical journal wherein the Central Health Minister of Pakistan of the Martial Law Regime was very vocal to disclose that the W.H.O. is seriously contemplating to ban the powder milk in the whole world supplied to the milk sucking children. The Pakistan Central Minister said "The W.H.O." has categorically expressed that the animal milk has been spreading animality, impertinence and criminality in the disposition of the children and so adolescent and the youth are found breaking

laws and spreading lawlessness in the society.

It is because of the influence of the animal milk that the world has become the centre of the fast spreading crimes committed by the young men of the society. Those mother's who do not allow their babies to suck their milk generally suffer from breast cancer. So it is rightly said that the animal milk is causing two wounds with one stroke; on the one hand it is changing the human personalities into the animal personalities and on the other hand it is spreading dangerous diseases among the women-folk on account of which the health and longevity of mankind is on decline and the society of man has become the embodiment of criminalities and assault. Hence the production of unhealthy and animal like children should be completely stopped otherwise the entire humanity will be perished. For the safety of the children and for the sound growth and development of the health of the children the powder milk should be immediately banned throughout the world.

Food and Personality: Hygienically and scientifically the truth is established that a man is what he eats. It is accepted candidly that the personality is built by the food he takes and so the animal milk has basically affected the personality of the child and has changed the human qualities into animal characteristics.

Far-sightedness of the Holy Qur'an: The imperative order of the Holy Qur'an is that the mother shall suckle their children for two whole years and further if the mother is not available then a nurse shall be found

out to suckle and to bring up the child (Sura Baqra 232). The Holy Book has emphatically demanded the believers to make special arrangements for the mother as well as, in the extra-ordinary circumstances, for the nurse, for the food and clothing and to provide them comfort and special attention so that the growth of the child should not be hampered.

When the Holy Qur'an was revealed the milk of the camel, the cow, and the goat was in use of the human beings but there is not even an iota of reference in the Holy Book that the babies were supplied animal milk packages even when the mother's milk was not available, on the other hand the order in the Qur'an Majeed is crystal clear and emphatic that a nurse should be employed to suckle the baby and the nurse should be nicely fed and given clothing. It is very much evident Allah Subhanahu Wa Ta'ala knows that the animal milk shall change the personality of the child from good to bad and hence it is ordered in the Qur'an that a nurse be found instead of the mother if she is disqualified by the doctors

on health reasons. The Holy Qur'an aims to provide human milk to the human babies so that the human qualities and angelic characteristics could be poured into the personality of the child. The Holy Qur'an is so ultra modern in its directions.

Criminal Act

If the mother's milk is not provided and a nurse is not found, instead, to suckle the child then what will be the result? The law of the Holy Qur'an is not only challenged but utterly violated. The ruffians, the loafers and the vulgars are given birth to and the entire society is infested by their lawless activities. So it is the duty of every Government Islamic or otherwise to impart education among the masses about the importance of the mother's milk and to create circumstances and enable good women to suckle their children and also to frame enactments to punish the couple if the children are not provided the milk of the mother through suckling. Both the father and the mother should be held responsible for the deterioration of the health of the child because it is the wealth of the Nation.

Al-Fath Al-Rabbani

(An English Translation of 62 Sermons)

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Diplomacy in Islam: Treaties and Agreements The Treaty of Hudaibiyah

Imran Nazar Hosein

Ex-Principal, Aleemiyah Institute of Islamic Studies, Karachi.

INTRODUCTION

Any attempt by present-day Muslims to seek the establishment and enforcement of the Shariah as their supreme law is bound to be confronted with immense obstacles and difficulties in respect of the public law section of the Shariah. While Muslim Personal Law, and, to some extent, Commercial Law, has continued to function uninterruptedly in many parts of the Muslim world, Muslim Public Law is nowhere in force today as supreme law.

The enforcement of Muslim Public Law section of the Shariah will require a new organization of the Muslim Ummah in a way which will essentially modify the existing order of Islamic nation-States.

Islam and International Relations is, perhaps, the most neglected field of research among Muslim scholars today because of the immense difficulties involved in reformulating the old concepts of Islamic Public Law to meet the new and absolutely different conditions of the modern world. And yet this research must be done and guidance provided in respect of the appropriate method of application of the public law dimension of the Shariah, for herein lies the road to Muslim unity. And it is certain that without unity Muslims will never be able to extricate themselves from their present sorry plight in the world.

There are four basic and interrelated terms

of Islamic Public Law which determine the relations of the Islamic State with the external world. These are Jihad, Dar al-Islam, Dar al-Ahd, and Dar al-Harb.

Dar al-Islam: This refers to territories over which Muslims have control, in which Muslims are free and secure, and in which a Muslim from any part of the world is free to reside. Indeed Dar al-Islam provides automatic citizenship to all Muslims of the world.

Dar al-Harb is the opposite of Dar al-Islam and refers to non-Muslim territories in manifest hostility towards Muslims, their freedom and security.

Dar al-Ahd: This term (alternatively Dar al-Su/h) was coined by Imam al-Shafei because of the difficulty he had in including in Dar al-Islam such non-Muslim territory which was in treaty agreement with the Muslim State.

Jihad (Bellum Justum)

As a legal term it represents resort to fighting in defense of person, territory or rights (including religious rights). And a basic religious right is the right to preach the message of Islam in all parts of the world in peace and without hindrance. When this right is obstructed, for example, that obstructing territory becomes Dar al-Harb, and the resort to fighting to remove the obstructing authority would be termed Jihad. Similarly, a war in response to

aggression would be Jihad. In no event whatsoever can Jihad be conceived of as aggressive warfare since the Quran declares that "there is no compulsion in religion" (2:256) and that "Allah invites to the world of peace." (10:25)

None of these four basic concepts of Muslim Public Law find application today in the modern world of Islamic nation-States. And this is an indication of the immense difficulties involved in enforcing the Shariah as the supreme law.

It would, in many respects, facilitate our understanding of the political and diplomatic Seerah if we were to consider the Arabian peninsula at the time of the Prophet Muhammad (ﷺ) to be a microcosm of the world order or international order. Thus the tribes of Arabia may be termed 'nations' and the intertribal politics and diplomacy of Arabia can be analyzed as international politics and diplomacy.

Viewed in this perspective the revolution wrought by the Prophet (ﷺ) of Islam can be more clearly perceived to be the world revolution which it, in fact, was, and in which the political and diplomatic Seerah sub-served the basic goal of the revolution, to wit, — a moral and spiritual revolution which retrieved divine vicegerency for mankind.

The first stage of the revolution involved the proclamation of the message of Islam in the very capital city of the peninsular, — Makkah, 'the mother of cities'. In the process of proclaiming the Islamic message an Islamic cosmology, or view of the world, emerged which identified Islam with 'truth' (al-Haq). It is in the very nature of the world that 'truth' (al-Haq) will always

be in universal and eternal conflict with 'falsehood' (al-Batil). In that conflict 'truth' (al-Haq) will always be in universal and eternal conflict with 'falsehood' (al-Batil) (Quran 17:81). But it is also in the nature of falsehood (al-Batil) that it must constantly be seeking ways and means of realizing a temporary ascendancy for itself over 'truth' (al-Haq).

Upon the proclamation of the message of Islam in Makkah a new and decisive struggle between 'truth' (al-Haq) and 'falsehood' (al-Batil) in human history commenced. 'Truth' (al-Haq) was represented by a man who proclaimed that he was a divinely appointed Prophet and Messenger, and by a book which proclaimed of itself that it was divine revelation. 'Falsehood' (al-Batil) was represented by paganism, idolatry, polytheism, materialism, nationalism, moral laxity and pride.

The second stage of the revolution took place when the forces of 'truth' (al-Haq) withdrew from the city of Makkah in order that the 'flag' of Islam might be raised in the city of Madina. Raising the 'flag' involved the establishment of the public order of Islam or Dar al-Islam. It is significant that the public order of Islam in Madina embraced Jews and other non-Muslims in a political compact. In other words, in its struggle against the forces which were subjecting it to violent and sustained hostility, Islam was prepared to ally itself politically with those groups which were prepared to render it assistance or which would be politically and militarily neutral in the conflict.

Raising the 'flag' of Islam led inevitably to the third stage of the revolution — namely war, a war imposed upon those who

adhered to 'truth' (al-Haq) by those who adhered to 'falsehood' (al-Batil). Thus the establishment of Dar al-Islam leads immediately and inevitably to the emergence of Dar al-Harb. In the ensuing violent conflicts the Muslims and their allies had to demonstrate their capacity to fight and to defend themselves against enemies who were greater in strength.

It was only after the Muslims and their allies had demonstrated their capacity to fight and defend themselves and, indeed, to pose a threat to their enemies, that it was possible for the Muslims to launch a political and psychological initiative which we may best describe as a 'peace offensive'! And it is significant that a 'peace offensive' could be launched while Jihad was still in progress.

Political, military and even economic compulsions had to impinge themselves on the consciousness of the enemy in order to prepare him for the Muslim 'peace offensive', and the culmination of that 'peace offensive' was a treaty contracted between the Muslims and the Quraish, – the Treaty of Hudaibiyah.

The treaty was of such great strategic value in the context of the basic confrontation of 'truth' (al-Haq) and 'falsehood' (al-Batil) that it was described by the Quran as a 'manifest victory' (فتح مبين) (48:1). Indeed an entire chapter of the Quran bears the name of 'Victory' (الفتح) in recognition of the conclusion of the Treaty of Hudaibiyah.

Treaty-making in Islam, therefore, must be considered to be a matter of supreme strategic importance and deserves special study within the broader subject of the Philosophy of Diplomacy in Islam.

Although the treaty was greeted with outright gloom by the Muslims themselves who regarded it as a defeat and humiliation, yet the Quran described it as a 'manifest victory'. And herein lies the basic approach for the analysis of the treaty, – namely to distinguish the 'grain' from the 'husk'. The Muslims were weeping over 'husk' while the treaty had procured the 'grain' itself for them.

The distinction between 'grain' and 'husk' in the context of the Islamic revolution can only truly be determined when the gaze is firmly fixed upon the cosmological forces which politics and diplomacy must subserve. When the Quran declares that 'it is Allah Who really knows and you do not have truly complete knowledge (of what is good or bad for you)' (2:226) it is in fact pointing to the limitations of all analysis which lack the illumination of the transcendental perspective.

The Prophet of Islam (ﷺ), according to the Quran, was divinely guided. He also lived a life of continuous effort for the enhanced realization of the fruits of the transcendental quest. This dimension of his personality manifested itself in a particularly acute manner in all events related to the Treaty of Hudaibiyah!

The Strategic Environment

The expulsion in 2 A.H. of the Jewish tribe of Banu Qaynuqa from Madina and the forfeiture of its properties by the Muslims had caused a certain amount of resentment to grow in the hearts of the Jews of Arabia. This grew into outright hatred in 5 A.H. after the execution of the award of Saad ibn Muadh against the Jewish tribe of Banu Quraizah in Madina. Banu Quraizah had treacherously violated the Covenant of

Madina during the battle of the Trench and, after they were over-powered by the Muslims, the award of Saad against them was that the men shall be slain, the property divided and the women and children made captive (Ibn Ishaque, p. 464).

By the year 6 A.H. the Prophet (ﷺ) faced powerful enemies both in the formidable Jewish colony of Khaibar in the North as well as the Quraish in the South whose bodies may have been exhausted with five years of fighting but whose hearts still burned with hatred against Islam. It was only a matter of time before Khaibar and Makkah joined in an alliance against Madina. If the Muslims marched against Khaibar the Quraish might attack the undefended Madina. If the Muslims chose to attack Makkah they faced the same danger from Khaibar. And if the Muslims just sat in Madina and took no initiative then they would soon be confronted with a Makkah-Khaibar alliance.

It was in this strategic environment that the Muslims took the initiative of a 'peace offensive' which resulted in a truce with Makkah in the Treaty of Hudaibiyah. They then rapidly took advantage of the favourable change in the strategic environment to attack Khaibar and deliver a crushing defeat to Jewish power in the peninsula. The attack took place only fifteen days after the return to Madina from Hudaibiyah. (Haikal, The Life of Muhammad '- p.367).

It is not without significance that of the two enemies, one to the North and the other to the South, the Jewish Colony at Khaibar was the weaker.

The lesson here seems to be that Muslims

must be constantly alive to the strategic environment in which they find themselves and should respond to the environment with active initiative and diplomatic and political dynamism rather than to allow themselves to become passive victims of the environment. Political and diplomatic initiatives, in turn, should be directed towards securing such a modification of the strategic environment as would permit the Muslims to eliminate the danger posed by the less powerful enemy and, as a consequence, to build greater security and strength for confronting the more powerful enemy.

The Peace Offensive

The Prophet (ﷺ) launched his peace offensive against the Quraish by deciding, in 6 A.H., to undertake a pilgrimage to the House of Allah in Makkah. In fact the decision to undertake the pilgrimage was made as a result of a dream which the Prophet (ﷺ) had. And here is a dramatic example, which Muslim leadership can only ignore at its peril, of vitally important transcendental participation in spatio-temporal affairs of Muslims which is made possible when the human heart develops dynamic and living relationship with the transcendental dimension of existence (Alam al-Ghaib).

The decision to undertake a pilgrimage to Makkah ensured safety for Madina while the pilgrims were on their pilgrimage. A Jewish attack upon Madina in such circumstances could very well turn all Arabia against the Jews and thus ensure their defeat at the hands of the Prophet (ﷺ).

On the other hand a pilgrimage to Makkah by the Muslims was an initiative with

tremendous psychological and political implications since it placed the Quraish on the horns of a dilemma. The initiative of the Muslims was peaceful in form and pious in content. It thus constituted a positive initiative of quite some force with impact. The courage of the Muslims, the element of drama, and the demonstration of Islamic attachment for the sacred rites of the pilgrimage would have a very favourable impact on all Arabia. And the Quraish, who owed their pre-eminence to their guardianship of the Holy Kaaba, could ill afford to alienate Arabia by surpassing their tribal authority and denying to the Muslims the right to visit the House of God. Although the Quraish were the Guardians of the Kaaba they could hardly refuse the Prophet (ﷺ) what is now called an 'Umra Visa' because, then as now, there were no

powers vested in the Guardians of the Kaaba to prevent the visit of anyone to the House of God.

Now if the Muslims were free to perform the pilgrimage year after year it was definite that the very fact of their physical presence in Makkah and at the House of Allah would pose difficulties for the Quraish in respect of the continuation of war. Also their superior faith, morals and discipline during their stay in Makkah would certainly make an impression on the Quraish leading to a more sympathetic perspective with which to assess Islam. The Quraish, as the pre-eminent tribe of Arabia, was the prize that the Prophet (ﷺ) coveted most of all. If the Quraish were to enter into Islam it was inevitable that all Arabia would gradually follow their example. (To be continued)

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

By

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انہوں نے یہ سودا رکھ دیا اور فرمایا کہ جب تک چیز یا سامان کو اپنے قبضے میں نہ لو اسے فروخت نہ کرو۔

وہ خرید و فروخت جو باطل ہے :

وائلہ بن اسحقؓ نے بتایا کہ انہوں نے سنا حضور ﷺ سے کہ جو شخص عیب دار چیز عیب چھپا کر بیچے اور عیب نہ بتائے وہ غضب الہی کا شکار ہوا اور فرشتے اس پر ہمیشہ لعنت کرتے ہیں۔ اس حدیث کی تشریح کرتے ہوئے فرماتے ہیں۔ سامان جس کی قیمت تم نے اچھے اور عمدہ سامان کی لی اور اس میں داغ، دھبے دار چیز ملا دی اس پر بہت گناہ ہے۔ (مسلم، بخاری)

عبید اللہ بن عمرؓ کہتے ہیں کہ رسول ﷺ نے فرمایا کہ پھلوں کے باغ اس وقت نہ فروخت کرو جب تک پھلوں میں چنگلی ظاہر نہ ہو جائے۔ اور ممانعت کی خریدنے اور بیچنے کی۔ (بخاری، مسلم)

انسؓ کہتے ہیں کہ آپ نے دریافت کیا کہ کیا باغ پھل آنے سے قبل نہ بیچ دیا جائے تو آپ ﷺ نے فرمایا یہ بتاؤ کہ جب خداوند تعالیٰ پھلوں کو پکنے سے روک دے تو تم میں سے کون اپنے بھائی کا مال لے گا۔ پہلے یہ طریقہ رائج تھا (بلکہ آج بھی) کہ باغ کا مالک ایک ایک دو دو سال کیلئے اپنے باغ بیچ دیا کرتے تھے۔ اور پھل کی خرابی یا فصل نہ ہونے کی وجہ سے بہت زبردست نقصان ہوتا تھا۔ حضور ﷺ نے فرمایا کہ یہ طریقہ غلط ہے اگر کسی آفت کی وجہ سے پھلوں میں کمی ہو جائے تو خریدار کو نقصان ہوتا ہے۔

جاہلؓ کہتے ہیں کہ انہوں نے رسول ﷺ سے سنا کہ اگر تو نے پھلوں کو اپنے بھائی (کسی مسلمان) کے ہاتھ فروخت کیا اور ان پھلوں پر کوئی آفت نازل ہوئی اور وہ برباد ہو گئے تو تجھ کو خریدار سے کچھ لینے کا حق نہیں ہے۔ لہذا جب تک پھلوں میں چنگلی ظاہر نہ ہو جائے مت خریدو اور مت بیجو۔ دریافت کیا کہ چنگلی کا کیا مطلب ہے؟ فرمایا کہ جب پھل درخت پر نظر آنے لگیں۔ انہیں عمرؓ نے بتایا کہ حضور ﷺ نے فرمایا کہ مت خریدو غلہ یا اجناس جب تک تمہارے سامنے نہ ہو۔ پہلے یہ دستور تھا کہ تاجر قافلے سے پہلے شہر کے اندر آجاتے جبکہ مال ابھی راستے میں اونٹوں پر ہوتا اور یہ بتا کر اتنا غلہ آرہا ہے سودا کر لیتے تھے۔ اس طریقہ کو سخت منع فرمایا کہ جب تک وہ سامان جس کا تم سودا کرو تمہارے سامنے نہ ہو اس کا سودا مت کرو۔ منع فرمایا کسی چیز کو قبضے میں لینے سے قبل پیسے ادا کرنے سے۔ حضرت عباسؓ فرماتے ہیں کہ یہ خیال اور اس کی ممانعت کا اطلاق ہر اس چیز کے سودے پر ہو سکتی ہے جو نظروں کے سامنے نہیں اور سودا ہو جائے۔ اسی طرح سے آپ ﷺ نے منع فرمایا بیع عربوں سے یعنی خریدار بیچنے والے کو کچھ رقم بطور بیعہ نہ دے کر مالک سے کہہ دے کہ اگر سودا میرے تمہارے درمیان طے ہو گیا تو باقی رقم دوں گا۔ تم مال کسی کو نہیں دو گے۔ اور اگر معاملہ نہ طے پایا یعنی رقم وقت کے اندر نہ دے سکا تو میرا اس رقم سے سروکار نہ ہو گا تم کسی کو دے سکتے ہو۔ (ابن ماجہ، مالک)

وثوق سے کر لیتا ہے گاہک کو بتا دیتا ہے کہ سامان اسٹور یا گودام میں پڑا ہے وہاں سے منگوا کر دے دیتا ہوں آپ کل آجائیں یا مال کل آپ کے پاس پہنچ جائے گا۔ یا کہہ دیتا ہے کہ مال لاری اڈے پر ہے یا ریلوے گودام سے اٹھانا ہے۔ اس طرح گاہک سے بیعانہ یا پوری رقم وصول کر لیتے ہیں اور پھر بازار سے سامان خرید کر دے دیتے ہیں۔

حضرت حکم بن حزمؒ کہتے ہیں کہ نبی اکرم ﷺ نے مجھے منع فرمایا اس کام سے یعنی اس سامان کو بچنے سے جو میرے قبضہ میں نہیں ہے۔ ایک دوسری روایت میں حضرت حکم بن حزمؒ نے عرض کیا۔ یا رسول اللہ ﷺ! میرے پاس ایک آدمی آتا ہے اور مجھ سے سامان مانگتا ہے جو میرے پاس نہیں ہے کیا میں اسے بازار سے خرید کر دے سکتا ہوں۔ حضور ﷺ نے فرمایا جو چیز تمہارے پاس نہیں اسے فروخت مت کرو۔ (ترمذی، نسائی)

ایک آدمی کی ملکیت میں جب کوئی چیز نہیں ہے تو ظاہر ہے اس کی فروخت کا تو سوال ہی پیدا نہیں ہوتا ایک شخص نے کسی دوسرے کی چیز جو اس کی ملکیت میں نہیں تو اس کے سودا کرنے یا فروخت کر دینے کا سوال ہی پیدا نہیں ہوتا۔

حضرت نافع فرماتے ہیں کہ حکم بن حزمؒ نے خوراک کا بہت سامان خریدا جسے خریدنے کا حضرت عمرؓ نے لوگوں کو حکم دیا تھا مگر وہی سامان حکم نے قبضہ میں لینے سے قبل فروخت کر دیا۔ جب یہ بات حضرت عمرؓ تک پہنچی تو

قسمیں کھا کھا کر مال فروخت کرنا برکت کو ضائع کر دیتا ہے۔ حضرت ابوذر غفاریؓ نے بتایا کہ رسول ﷺ نے فرمایا کہ تین شخص ہیں جن سے قیامت کے دن خداوند تعالیٰ بات نہیں کریں گے۔ نہ ان کی طرف دیکھیں گے نہ ان کے گناہوں کو معاف کریں گے۔ ان کیلئے دردناک عذاب ہوگا۔ حضرت ابوذرؓ نے دریافت کیا کہ وہ کون بد بخت ہوں گے۔ آپ ﷺ نے فرمایا کہ ایک وہ شخص ہوگا جس کا کپڑا (پاجامہ یا تہبند) زمین پر لگتا ہوگا۔ ایک روایت میں آتا ہے کہ گھسٹ رہا ہوگا۔ دوسرا وہ شخص جو کسی پر احسان کر کے جتنا ہوگا۔ تیسرا وہ جو قسم کھا کھا کر مال فروخت کرتا ہے چاہے وہ سچی قسم ہی کھاتا ہو۔ (مسلم، بخاری، ابن ماجہ)

ابوقادہؓ نے کہا کہ آپ نے حضور ﷺ کو فرماتے سنا کہ خرید و فروخت کے معاملات میں قسمیں مت کھایا کرو۔ اس لئے کہ قسمیں کھانا (چاہے وہ سچی ہی کیوں نہ ہوں) قسم کھانے کے رواج کو بڑھاتا ہے (مسلم)

عبید بن رفاعہؓ نے اپنے والد سے انہوں نے نبی ﷺ سے روایت بیان فرمائی ہے کہ تاجر لوگوں کا جسر فاجروں، نافرمان لوگوں کے ساتھ ہوگا مگر صرف ان تاجروں کا جنہوں نے اپنا مال جھوٹی قسمیں کھا کھا کر بچا۔ قبضہ کے بغیر مال کو فروخت کرنا:

قبل اسلام بھی ایسا ہی تھا مگر اب مغربی بودیہاش نے ایسا فروغ دیا ہے کہ بچنے والے کے پاس سامان موجود ہی نہیں ہے لیکن وہ کسی دوسرے سے اس شے کا سودا بڑے

چالیس دن سے زیادہ اشیائے خوراک کا ذخیرہ اس لئے کیا کہ
نرخ بڑھ جائیں گے تو فروخت کرے گا۔ منافع کمایا پھر اس
منافع سے خیرات بھی کر دی تو یہ اس کا کفارہ نہیں ہو سکتا۔
ذخیرہ اندوز لعنتی ہے :

ذخیرہ اندوز اس حالت میں لعنتی ہے کہ جب
انسان کچھ خرید کر ذخیرہ کر لے تاکہ بعد میں ضرورت
مندوں کے ہاتھوں منگے داموں میں فروخت کرے (مشکوٰۃ)
علامہ محی الدین ابو بکر بیہقی نے بھی شرح مسلم میں اس سے
پلتے جلتے الفاظ میں اس کی حرمت بیان کی ہے۔

ذخیرہ اندوزی شریعت مطہرہ نے اس لئے ممنوع
قرار دی ہے کہ اس سے اللہ کے بندوں کو تکلیف اور نقصان
ہوتا ہے۔ دین اسلام تو ایک ایسا مذہب ہے جو حیوان کو بھی
تکلیف دینے کی اجازت نہیں دیتا۔ علمائے امت کا اس بات پر
اجماع ہے کہ اگر کسی کی خوراک کا سامان اتنا ہو جس سے
دوسروں کی ضرورت پوری ہو سکے اور وہ دوسری جگہ اس شر
میں نہ ملتا ہو تو اس کو سامان فروخت کر دینے پر مجبور کیا
جائے تاکہ لوگوں کی تکلیف رفع ہو سکے۔ جو شخص ذخیرہ
اندوزی کرتا ہے۔ وہ مخلوق خدا کو تکلیف دینے کا مرتکب
ہوتا ہے۔ اور جو مخلوق خدا کو تکلیف دینے کا مرتکب ہوتا
ہے وہ یقیناً اللہ کی رحمت سے دور رہتا ہے۔ اور جو اللہ کی
رحمت سے دور ہو جائے وہ لعنتی ہوتا ہے۔

مشتبہ کام سے گریز کرو :

حضرت نعمان بن بشیرؓ فرماتے ہیں کہ آپ نے

سرور کائنات ﷺ سے سنا کہ سب کو حلال کا بھی پتہ ہے اور
حرام کا بھی۔ ان دونوں کے درمیان مشتبہ چیزیں بھی ہیں
جن کی حقیقت تمہیں واضح نہیں ہوتی۔ پس آپ کو چاہئے کہ
مشتبہ چیز سے بھی پرہیز کرو اپنے دین اور ایمان کو محفوظ
رکھو۔ اس کی مثال ایسی ہے کہ ایک چرواہا اپنی بکریوں کو کسی
کے کھیت کی منڈ پر چرا رہا ہے اور خطرہ محسوس کرتا ہے کہ
بکریاں دوسرے کے کھیت میں نہ گھس جائیں کیونکہ کھیت کی
مینڈ ٹوٹی ہوئی اور کہیں نظر ہی نہیں آتی۔

حسن بن علیؓ سے مروی ہے کہ حضور ﷺ نے
فرمایا کہ یہ بات یاد رکھنی چاہئے کہ تجھے جو چیز شک میں ڈال
دے کہ یہ حرام ہے یا حلال اس کو چھوڑ دینا بہتر ہے (کیونکہ
سچائی دل کیلئے اطمینان بخش چیز ہے اور باطل شک کا موجب
ہوتا ہے)۔ (ترمذی۔ ابن ماجہ)

اس سلسلے میں حضرت عائشہؓ سے روایت ہے کہ
آنحضور ﷺ نے فرمایا کہ آپ جو چیز کھاتے ہیں اس میں
بہتر وہ چیز ہے جو اپنے ہاتھوں سے کھا کر کھائی جائے۔ اور
تمہاری اولاد کی کمانی ہوئی چیز بھی تمہارے لئے جائز ہے۔
ابن ماجہ سے روایت ہے کہ جو چیز آدمی نے کھائی اس میں
سب سے بہتر وہ ہے جو اپنی کمانی سے ہو اور اس کے بعد اس
کی اولاد کی۔ (بخاری، ترمذی، مسلم)
قسمیں کھا کر مال فروخت نہ کرو :

حضرت ابو ہریرہؓ فرماتے ہیں کہ آپ نے
رسول ﷺ سے سنا کہ قسمیں کھا کر مال فروخت نہ کرو۔

تجارت میں حلال و حرام کے اصول

تحریر: ڈاکٹر سید زاہد علی واسطی

طاق رکھ کر ہم بھاگے جا رہے ہیں۔ ذیل میں چند احکام نبوی ﷺ آپ کے فائدے کیلئے پیش کرتے ہیں۔ اور دعا کرتے ہیں۔ ”شاید کہ اتر جائے ترے دل میں مری بات۔“

ذخیرہ اندوز کی پہچان:

حضور ﷺ نے ذخیرہ اندوزی کو بہت برا بتایا ہے۔ حضرت عمرؓ سے روایت ہے کہ رسول اکرم ﷺ نے ذخیرہ اندوز کی یہ نشانی بتائی کہ جب نرخ کم ہوتے ہیں تو وہ بہت افسردہ ہوتا ہے۔ اور جب قیمتیں بڑھ جاتی ہیں تو بہت خوش ہوتا ہے ایک اور حدیث میں ہے کہ حضور ﷺ نے فرمایا کہ ذخیرہ اندوز اچھا آدمی نہیں ہوتا۔ جب اللہ تعالیٰ کسی چیز کی قیمت کم کرتے ہیں تو اسے ملال ہوتا ہے۔ اور جب نرخ بڑھتا ہے تو اسے مسرت ہوتی ہے حضرت عمرؓ سے ایک اور روایت ہے کہ حضور ﷺ نے فرمایا۔ جس نے ذخیرہ اندوزی کی اور مسلمانوں کو اشیائے خوراک مال ہونے کے باوجود صحیح نرخ پر نہ دیں اس پر جذام اور افلاس مسلط ہو جاتا ہے۔“ (تہمتی۔ لکن ماجہ)

بعض لوگوں کا یہ خیال ہوتا ہے کہ ایسے کمائے ہوئے مال میں سے خیرات، زکوٰۃ دے دیں گے تو معاملہ ٹھیک ہو جائے گا ایسا نہیں ہوتا، صدقہ، خیرات حلال مال سے قبول ہوتا ہے۔ حضور کریم ﷺ نے فرمایا کہ جس نے

اسلام سے قبل دنیا میں جہاں اور بہت سی اجارہ داریاں قائم تھیں وہاں تجارت، خرید و فروخت میں خود ساختہ منافع کمانے کے اصول بروئے کار لائے جاتے تھے۔ تاجروں کا مقصد گاہوں کی مجبوریوں، ذخیرہ اندوزی سے فائدہ اٹھانا مقصود تھا۔ جھوٹی قسمیں کھا کھا کر مال فروخت کرتے۔ لات و عزی کی قسموں سے غیر موجود مال (جو ابھی راستے میں ہی ہوتا) سودا کرتے۔ عیب دار چیزوں کو الٹ پلٹ کر دکھاتے اور بیچتے۔ رحمۃ اللعالمین ﷺ نے جہاں اور اجارہ داریاں ختم کر دیں تھیں وہاں تاجروں کیلئے اسلامی اصول تجارت بتادئے اور عمل درآمد کی تلقین فرمائی، تاریخ کے اوراق بتاتے ہیں کہ حضرت عمر فاروقؓ نے ان پر سختی سے پابندی کروائی۔

وقت کے ساتھ ساتھ مغرب کی مادہ پرست تحریکوں نے پھر مسلمانوں کو بھی راہ راست سے دھکیل دیا جس کی بدولت خالص نبوی اسلوب پس منظر میں چلا گیا۔ دور جدید کے فکری اسالیب ایک طوفان بلاخیز کے ساتھ دینی روایات کے آگے بند باندھنے میں بہت کامیاب ہو گئے۔ عامۃ الناس میں قرآنی اصول و ہدایات، منطق استقرائی سے صرف نظر۔ مغرب کی بالادستی اور ان کی تمدنی لہجہ کو مقدمۃ الجیش بنانے سے اندرونی تنوع کے باوجود خوب پروان چڑھا۔ سید المرسلین ﷺ کے قائم کردہ اصول تجارت کو بالائے